

### **Deadline 3: ERYC Actions & Response**

**Action 9: Review the operations that are contained within the definition of “onshore site preparation works” in article 2.**

**ERYC Response:** ERYC remains satisfied with the definition of onshore site preparation works in Article 2.

**Action 10: Review Applicant’s response to ExQ1 DCO.1.10 [REP2-038] and comment on the updated changes in article 8 of the draft DCO [REP2-061]**

**ERYC Response:**

ERYC have no objection to the use of the applicant’s suggested wording.

All works within the public highway will be covered by either Section 278 of The Highways Act, 1980 or Section 50 of the New Roads & Streetworks Act, 1991.

Highway works such as vehicular access points, passing places, localised widening and junction improvements, due to their scale will be included within the S278 Agreement. The developer has already met with ERYC Highways to discuss the S278 process. The Developer is aware of the necessity for the S278 Agreement and who they need to contact at the Highway Authority to progress the works.

The Highway Authority has previous experience of dealing with this type of development having dealt with The Dogger Bank Wind Farm scheme.

Minor works to the public highway, can be authorised under the New Roads & Streetworks Act, 1991 via the Streetworks Team at ERYC.

**Action 17: Provide updated comments on the wording of Requirement 9 in regard to the five-year aftercare period for landscaping.**

**ERYC Response:** This wording is acceptable. However ERYC would prefer that requirement 9 is amended so it is clear that work 7f is to be actively maintained for the lifetime of the development. Suggest this could be done by adding the following as 9(3).

*Within five years of the planting of works nos. 7f, a management and maintenance plan for works nos 7f for the lifetime of the development shall be submitted to and approved in writing by the local planning authority. Works nos 7f shall be managed and maintained in accordance with the approved plan.*

**Action 24: Review/ amend/ respond to whether Part 4 (2)(1) period should run from the day after the application has been submitted or the day the application was validated.**

**ERYC Response:** The 56 days for reaching a decision would run from the day after ERYC receive a valid application, irrespective of when the applicant is informed that it is valid. For clarity, we would seek to inform the applicant within 5 working days as to the validity of any application.