

**Longfield Solar Farm
Essex County Council (ECC)**

Unique reference: 20031541

ECC Responses to Written Questions (ExQ2)

ExQ	Respondent	Question	Essex County Council response
2. Compulsory Acquisition and Temporary Possession			
2.3.2	Applicant/relevant Highway Authority	The Applicant explained at CAH1 that plot 1/1a had been removed from the BoR and Land Plans in anticipation of the land being adopted. Please provide an update on the expected timescale for adoption and whether this is likely to take place before the close of the Examination.	It is likely that later this month (Nov 2022) a certificate of completion will be issued in respect of the S278 agreement concerning the construction of roundabout shown on land plan 1/1a. This will formerly adopt the are subject to maintenance being the responsibility of the developer until issue of a maintenance certificate. Maintenance certificates will be issued a minimum of 24 months after the issue of the completion certificates. The two lengths of road NE and SW of the roundabout do not form part of this adoption. Planning applications that affect the alignment of these roads are anticipated in the near future as part of the development of this area. The extent of any adoption beyond the aforementioned roundabout is unknown. Discussions are ongoing between the Applicant, developer and Host Authorities regarding any required amendments to the land plans and limits of the DCO affected by adoption.
5. Draft Development Consent Order			
2.5.3	Host Authorities	Art 43 (and Schedule 16) - The ExA notes that this article has been amended to increase the period after which consent is deemed to have been given to 8 weeks. At ISH1, the Host Authorities, while seemingly agreeable to the 8 week period, nevertheless	Discussions are on-going between the Applicant and the Host Authorities regarding the proposed, increased 8-week period for the discharge of requirements and possible mechanisms to provide the reassurance the host authorities seek, that extensions of time could be secured, where required.

		<p>expressed concern with this timescale, noting that a 13 week period would be preferable. They also sought further assurances that the proposed 8 week period could be extended in the event that it was not possible to meet the timescale.</p> <p>In response, the Applicant expressed a willingness to continue discussions on possible mechanisms, including a memorandum of understanding, which would give further assurance to the host authorities that agreement on extensions, if required, could be reached.</p> <p>The Applicant and the host authorities are asked to provide an update on discussions and to confirm at Deadline 5 whether or not the 8 week period now referred to in Article 43 and Schedule 16 is agreed.</p>	<p>Discussions are covering how the discharge of requirements process could be forward planned and managed to satisfy the concerns of the host authorities.</p> <p>ECC welcomes the proposal from the Applicant to cover host authority costs/fees, which will allow the Highway Authority and the Lead Local Flood Authority to respond in a timely and effective way, without degradation to performance standards.</p> <p>The host authorities will be in a position to provide an update at Deadline 5 on whether or not the 8-week period is agreed.</p>
2.5.4	Host Authorities	<p>Please comment on the Applicant's proposed amendments to Art 11 and Schedule 6 of the dDCO.</p>	<p>Article 11 (8) amendment is regarded as an operational necessity by the Highways Authority, that should be sensibly applied.</p> <p>Schedule 6 – Public Rights of Way of the dDCO is currently being reviewed in full. In relation to the proposed amendments, these amendments will result in 50m sections of the PROW being closed at a time, facilitated by a rolling programme of closures and diversions. In doing so, if this enables public access to be maintained as far as is practically possible, then this is welcomed by the Highways Authority.</p>

2.5.5	Essex County Council	Please comment on the changes to Schedule 15, Part 8 of the dDCO and confirm that the Council is content with the wording proposed.	(5) Where the undertaker discharges water into, or makes any opening into, a watercourse, public sewer or drain belonging to or under the control of a drainage authority (as defined in Part 6 or Part 8 of Schedule 15 (protective provisions)), the provisions of Part 6 or Part 8 of Schedule 15 (protective provisions) (as appropriate) apply in substitution for the provisions of paragraphs (3) and (4).
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