

**Nationally Significant Infrastructure Project: EN01027  
Mallard Pass Solar Farm**

**Response to The Examining Authority's written questions and requests for  
information (ExQ1) issued on 23 May 2023**

**Prepared by Lincolnshire County Council**

**June 2023**

The following table sets out the Council’s response to the Examining Authority’s (ExA’s) written questions and requests for information (ExQ1) where a response from the County Council was sought.

| ExQ1       | Question  | LCC Response  |
|------------|---|---|
| <b>1</b>   | <b>General and cross-topic questions</b>  |   |
| <b>1.0</b> | <b>Design, parameters and other details of the Proposed Development</b>   |   |
| Q1.1.10    | <p>Paragraph 5.13.8 of the ES <a href="#">[APP-035]</a> sets out the core construction hours which would run from 07:00 to 19:00 Monday to Saturday, and no working on Sundays or Bank Holidays.</p> <p>The Local Planning Authorities and Mallard Pass Action Group are requested to provide their comments on the acceptability of the Applicant’s proposed core construction hours.</p>  | LCC is agreeable to the proposed construction hours and days as proposed however during the winter months there may be a need for floodlighting in the early evening (e.g. post 4pm). Details of any such lighting could however be covered by the final CEMP/OEMP/DEMP (DCO Requirements 11, 12 & 18).   |
| Q.1.19     | <p>The Applicant has submitted the following outline management plans:</p> <ul style="list-style-type: none"> <li>a) Outline Construction Environmental Management Plan <a href="#">[PDA-005]</a></li> <li>b) Outline Operational Environmental Management Plan <a href="#">[APP-208]</a></li> <li>c) Outline Decommissioning Environmental Management Plan <a href="#">[APP-209]</a></li> <li>d) Outline Landscape and Ecology Management Plan <a href="#">[APP-210]</a></li> <li>e) Outline Employment, Skills and Supply Chain Plan <a href="#">[APP211]</a></li> <li>f) Outline Construction Traffic Management Plan <a href="#">[APP-212]</a></li> </ul> | Outline plans listed in a) to i) are acceptable at this stage and note final schemes/details will be secured as DCO Requirements. However, where LCC has a statutory interest or role (e.g. highway and lead local flood authority; historic environment) then the DCO Requirements will need to be worded to make clear these need to come to LCC and not just SKDC/RCC for approval. Wording of the DCO Requirements and “relevant planning authority” as defined the dDCO therefore needs to be revised to reflect this – see also response to Q.5.4.1 |

| ExQ1   | Question   | LCC Response   |
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|  | <p>g) Outline Soil Management Plan <a href="#">[PDA-007]</a><br/>           h) Outline Water Management Plan <a href="#">[APP-214]</a><br/>           i) Outline Travel Plan <a href="#">[APP215]</a></p> <p>Please comment as appropriate to your interests on any of these outline plans. This should include any potential amendment that may, in your view, be required in order to secure appropriate environmental outcomes and mitigation of effects.</p> |  |
| <b>1.1 Environmental Statement (General)</b> |  |  |
| Q1.1.5                                       | <p>Appendix 2.4 of the ES <a href="#">[APP-052]</a> presents the Cumulative Long List and Figures 2.1 <a href="#">[APP109]</a> and 2.2 <a href="#">[APP-110]</a> present the Cumulative Developments Shortlisted for Cumulative Effects Assessment.</p> <p>Are any updates required to these lists taking account of any recent or missing proposals?</p>  | <p>The list of other Solar NSIPs (beyond 10km) of the site is out of date and should be updated. In relation to Nos. 55, 57, 58 and 59 (Heckington Fen, Gate Burton, West Burton and Cottam) these have all now advanced from pre-application stage and have now been submitted for Examination.</p> <p>In addition to those listed, a number of additional NSIP scale solar projects are also currently registered with PINs and/or have been publicly announced including:</p> <p>Beacon Fen Energy Park<br/>           Temple Oaks Renewable Energy Park<br/>           Tillbridge Solar Park<br/>           Fosse Green Energy<br/>           Springwell Solar Farm</p> <p>The documentation and any assessments considering cumulative impacts arising from these proposals should therefore be updated to take these into account too.</p> |
| <b>1.3 Site Selection and Alternatives</b>   |  |  |
| Q1.3.9                                       | <p>Paragraphs 4.1.8 to 4.1.14 of the Site Selection Assessment <a href="#">[APP-203]</a> provide commentary of the local</p>   | <p>No comments offered at this stage.</p>  |

| ExQ1       | Question   | LCC Response  |
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|            | <p>planning policies that may be considered important and relevant in relation to the site selection process.</p> <p>Do the local authorities have any comments on the extent of policies identified and any implications for the site selection process?</p>  |   |
| <b>3</b>   | <b>Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))</b>   |   |
| Q3.0.18    | <p>Paragraph 7.3.18 of the ES <a href="#">[APP-037]</a> refers to multiple parcels of semi-natural woodland adjacent to the Order limits that contain some species that are indicative of ancient woodland. However, it goes on to state that MAGIC mapping does not identify any of the woodlands close to the Order limits as ancient semi-natural woodland.</p> <p>Do the local authorities or other Interest Parties have any comments on the classification of the woodlands in question?</p> | LCC does not hold any further records or data relating to the woodland and as such is unable to confirm whether the woodland would fall within the scope of ancient woodland or not.  |
| <b>5</b>   | <b>Draft Development Consent Order (dDCO)</b>  |   |
| <b>5.0</b> | <b>Articles</b>  |   |
| Q5.0.6     | <p><b>Article 6 (Application and modification of statutory provisions)</b><br/>           This Article provides for the disapplication of sections of the <a href="#">Land Drainage Act 1991</a>, including section 23 (prohibitions of obstructions etc in watercourses).</p> <p>As the respective local lead flood authorities, please comment on the acceptability of this disapplication</p>   | In Lincolnshire, within IDB districts consent is needed to carry out works to ordinary watercourses, including changes to dams, weirs and other structures, or to pipe or culvert a watercourse under the Land Drainage act 1991. However, Lincolnshire County Council in its role as LLFA has used its powers under the Land Drainage Act to enter into arrangements with the IDB's by entering into a Memorandums of Understanding, which allows the IDB's to act on behalf of the LFFA for the purposes of consenting and enforcement powers under Sections 23 and 24 outside of the boards district. All enquiries and applications in relation to consent under S23 of the LDA relating to Ordinary Watercourses will be directed to the IDB. The IDB will carry |

| ExQ1    | Question  | LCC Response   |
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|         | including whether your consent is given to the disapplication of section 23.  | out, on behalf of LCC, LCC's LLFA consenting arrangements under the LDA as amended in relation to applications within the extended area. This is the process we would wish to see adhered to under these circumstances.  |
| Q5.0.9  | <p><b>Article 9 (Power to alter layout, etc. of streets)</b><br/>Article 9 allows the undertaker to alter the layout of or carry out works in a street.</p> <p>For the works set out in Article 9 (a) and (b) which are listed in Schedule 5 of the dDCO <a href="#">[APP-017]</a>, is it necessary to include provision for the consenting of the detail of such works by the relevant street authority?</p>   | Yes. LCC consent is necessary for works in the street (e.g. cables). These would need to follow the standard Streetworks and Permitting procedure within LCC to obtain a Permit, so the works can be planned and undertaken in the highway.  |
| Q5.0.11 | <p><b>Article 12 (Claimed public right of way)</b><br/>This Article seeks to deal with a claimed public right of way that is the subject of a Definitive Map Modification Order (DMMO) application to Lincolnshire County Council.</p> <p>a) Please can Lincolnshire County Council provide its comments on the drafting of this Article, including any alternative suggested drafting when necessary?</p> <p>b) What is the timetable and current stage for the determination of the DMMO application?</p> | <p>a) This will require further discussion. Article 12 seeks to create the PROW along the alignment of claimed PROWs, in combination with Article 11 which allows stopping up. LCC's PROW Team has not seen this before and is unsure at this stage whether it is legally possible to simultaneously record and extinguish a DMMO route. The ExA will therefore need to satisfy themselves that the proposed approach to adopt and extinguish the DMMO is something that is feasible/achievable legally through the DCO. If not then it may be possible to add the DMMO route to the definitive map and then extinguish the newly created restricted byway to enable development to take place or alternatively the Applicant should include a provision for new PROW along different alignments within the scheme and/or include a provision that this is reinstated as PROW if the scheme is decommissioned.</p> <p>b) DMMO/440/ - Braceborough &amp; Wilsthorpe – Claimed restricted byway running south from Carlby Road along 'Gravel Pit Road'<br/>The Application concerns the addition of a cul-de-sac restricted byway running south from Carlby Road along 'Gravel Pit Road' in Braceborough and Wilsthorpe Parish. The application is ranked 165 out of 403 cases in the Definitive Map</p> |

| ExQ1       | Question  | LCC Response   |
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|            |   | Modification Order Priority Schedule with the first 13 cases currently being progressed. LCC is unable to give a meaningful timescale as to when the case will be progressed.  |
| <b>5.2</b> | <b>Schedule 2 - Requirements</b>  |  |
| Q5.2.4     | <p><b>Requirement 7 (Landscape and ecology management plan)</b></p> <p>a) Should the list of individual requirements include details of trees to be retained and any necessary measures for their protection?</p> <p>b) Should existing hedgerow protection measures be included?</p> <p>c) Should details of existing trees to be removed be included?</p> <p>d) What would 'hard landscaping works' include?</p> <p>e) Is there any conflict between the provision for landscaping management and maintenance measures 'during the operational life of the authorised development' in 2(f) and the five year replacement period for any shrub or tree planted under part 3 of this requirement.</p> <p>f) Does part 3 also need to include new hedgerows planted?</p> | <p>a) Yes</p> <p>b) Yes</p> <p>c) Yes</p> <p>d) Applicant to clarify but presume this refers to trackways created between PV arrays.</p> <p>e) The Applicant should clarify this but it is assumed that maintenance and management refers to the regime that would be adopted to ensure successful establishment of planting (e.g. annually, etc) whereas 7(3) only refers to the period that would require replacement of losses. LCC would suggest a maintenance and management period should be adopted for the operational life of the development with replacement period extended to minimum 15 years – also see answer to Q8.0.18</p> <p>f) Yes</p> |
| <b>5.3</b> | <b>Schedule 3 - Legislation to be disapplied</b>  |  |
| Q5.3.1     | The EM <a href="#">[APP-018]</a> explains that Schedule 3 sets out a list of the historic legislation that Article 6 would disapply in so far as the provisions still in force are incompatible with the powers contained within the dCO <a href="#">[APP-017]</a> .  | LCC would wish to see consent under S.23 of the Land Drainage Act 1991 retained as outlined in Q5.0.6 above  |

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|            | c) Please comment, as applicable, on the proposed disapplication of the listed legislation.  |  |
| <b>5.4</b> | <b>Schedule 16 – Procedure for discharge of requirements</b>   |  |
| Q5.4.1     | <p>The procedure for the discharge of requirements is set out in Schedule 16.</p> <p>a) Has the Applicant consulted with the relevant discharging authorities on the approach and procedure to discharging requirements?</p> <p>b) Please set out which matters are agreed and/or disagreed, including any suggested alternative drafting as appropriate</p> | <p>a) No.</p> <p>b) The following is not agreed:</p> <ul style="list-style-type: none"> <li>• Relevant planning authorities (as also defined within Part 1, Interpretation of the dDCO) needs to be amended within the DCO to make clear that this means Lincolnshire County Council, South Kesteven District Council and Rutland County Council as the DCO Requirements may need to be submitted to different authorities for approval (especially within Lincolnshire). For example, as a minimum DCO Requirements 9 (Surface Water and Drainage), 10 (Archaeology), 11 (CEMP), 12 (CEOMP), 13 (CTMP) would need to be submitted to LCC in addition to SKDC and RCC.</li> <li>• Art 2(1) - Proposed six week time period for determination is too short and needs to be extended to a minimum 8 weeks for schemes where different environment effects are not identified - also see answer to Q5.4.2</li> <li>• Art 3(2) and 3(3) – timeframes cited for issuing notifications and consultations in relation to these two Articles should be the same to allow sufficient time for Authority to receive and process submissions and to ensure consistent and simplified procedures/deadlines to avoid risk of error. For example, for 3(3) the timeframe for issuing consultation should be extended from 5 working days to a minimum of 10 working days the same as Art. 3(2).</li> </ul> |
| Q5.4.2     | Part 2(1) of Schedule 16 requires that the relevant planning authority must give notice of its decision within a period of six weeks (subject to the criteria set out in 2(1) (a), (b) and (c).  | a) LCC would suggest a longer period of 8 weeks would be required to process and determine submissions where different environmental effects are not identified. This timeframe is consistent with that which is given for the approval of details submitted pursuant to conditions attached to decisions made under the TCPA system.  |

| ExQ1   | Question   | LCC Response  |
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|        | <p>a) Is a determination period of six weeks generally appropriate, including when taking account of the likely content of the submissions to be considered, the relevant procedures of each relevant planning authority and the possible need for publicity and consultation?</p> <p>b) Where new or different environmental effects are reported in any application under part 2(3) of Schedule 16, would a longer determination period be appropriate, including when taking into account circumstances where the relevant planning authority might need to carry out further publicity and consultation?</p> | <p>b) Yes. Where different environmental effects are identified then a longer period would be required and would suggest this be extended to 12 weeks.</p>  |
| Q5.4.3 | <p>a) Would it be appropriate to include provision for the payment of fees to the discharging authority for applications made under Schedule 16?</p> <p>b) Provide additional drafting as appropriate.</p>   | <p>a) Yes. A fee should be payable for discharging DCO Requirements the same as it is under the TCPA.</p> <p>b) The fee payable for discharging a DCO Requirement may need to differ depending on the size and complexity of the scheme- e.g. if it does not have different environmental effects then a lesser fee payable for schemes that are identified as having different environmental effects.</p> <p>Alternatively the fee charged could be based on rate payable under the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012(a) (as may be amended or replaced from time to time). Suggest draft text at this stage could be as follows:</p> <p><b>Fees</b></p> <p>x.—(1) Where an application is made to the relevant planning authority for written consent, agreement or approval in respect of a requirement, the fee prescribed under regulation 16(1)(b) of the Town and Country Planning (Fees for Applications,</p> |



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|          |  | <p>Deemed Applications, Requests and Site Visits) (England) Regulations 2012(a) (as may be amended or replaced from time to time) is to apply and must be paid to the relevant planning authority for each application.</p> <p>X - (2) Any fee paid under this Schedule must be refunded to the undertaker within six weeks of—</p> <p>(a) the application being rejected as invalidly made; or</p> <p>(b) the relevant planning authority failing to determine the application within the decision period as determined under paragraph 2(1), unless within that period the undertaker agrees, in writing, that the fee is to be retained by the relevant planning authority and credited in respect of a future application.</p> <p>It is expected that additional costs incurred in processing such submissions could be recovered and negotiated through a PPA.</p>  |
| <b>6</b> | <b>Historic Environment</b>  |  |
| Q6.0.2   | <p>Requirement 10 of Schedule 2 of the dCO <a href="#">[APP-017]</a> relating to archaeology includes the requirement for the submission and approval of a WSI.</p> <p>Please provide your comments on the proposed drafting of this requirement including any additional/revised drafting as appropriate with accompanying justification.</p> | <p>As indicated previously LCC is a relevant planning authority with a statutory remit and role in relation to the historic environment within the County. Therefore, the WSI will need to be approved by LCC (as well as or in addition to) the other relevant planning authorities where works lie within Lincolnshire. The archaeology requirement needs to include evaluation and mitigation phases therefore pre-construction archaeological investigations are required and a mitigation scheme (to be approved after consultation with the relevant planning authority. The draft wording should therefore make this clear and could be revised as follows:</p> <p><i>(1) No stage of the works may be commenced until for that stage a written scheme of investigation has been submitted to and approved by the relevant planning authority within whose administrative area the stage of works are proposed (i.e. for works taking place within Lincolnshire the relevant planning authorities would be Lincolnshire County Council and South Kesteven District Council and for works taking place in Rutland it would be Rutland County Council).</i></p> |

| ExQ1   | Question  | LCC Response  |
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|        |   | <p>(2) <i>The approved scheme must—</i></p> <p>(a) <i>identify areas where archaeological work is required; and</i></p> <p>(b) <i>the measures to be taken to protect, record or preserve any significant archaeological remains that may be found.</i></p> <p>(3) <i>Pre-construction archaeological investigations and pre-commencement material operations which involve intrusive ground works may take place only in accordance with a specific written scheme of investigation which—</i></p> <p>(a) <i>is in accordance with the details set out in the written scheme of investigation;</i></p> <p><i>and</i></p> <p>(b) <i>has been submitted to and approved by the relevant planning authority.</i></p> <p>(4) <i>Any archaeological works must be carried out by a suitably qualified and competent person or body previously notified to the relevant planning authority.</i></p> <p>(5) <i>The written scheme of investigation must be implemented as approved.</i></p> |
| Q6.0.3 | <p>At Procedural Deadline A, the Applicant submitted a Supplementary Trial Trenching Report <a href="#">[PDA-014]</a>.</p> <p>Please provide comments on this additional document, as part of your Written Representation or Local Impact Report.</p> | <p>The late submission Supplementary Trenching Report is the full or final evaluation report as required in archaeological practice containing outstanding information that was not included in the Interim Trial Trenching Report (Appendix 8.6). No further fieldwork investigations were undertaken and the number of evaluation trenches remains 209. As the scheme is 906 hectares there are vast areas of the impact zone which have had no evaluation and for those sites we do know about their extent has not been determined.</p> <p>The percentage of trenching undertaken across the scheme is 0.21%. Trenching is part of the standard suite of archaeological evaluation and we would expect at least 3% trenching to achieve a reasonable understanding of the archaeological potential across the site.</p>   |

| ExQ1     | Question  | LCC Response  |
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|          |   | <p>Archaeology has been identified as surviving across the redline boundary but the extremely limited trenching means there is insufficient baseline evidence to identify significant surviving archaeology and to inform an effective mitigation strategy to deal with the impact on areas of archaeological sensitivity in a reasonable and appropriate way.</p> <p>Post-determination pre-construction evaluation will be required to determine archaeological potential and inform a programme of reasonable appropriate mitigation.</p> <p>Also see LIR and Written Representation</p> |
| Q6.0.14  | <p>The Applicant, Lincolnshire County Council and Rutland County Council are requested to provide an update on the discussions between the parties on archaeology, including but not limited to archaeological evaluation work.</p> <p>This can be incorporated into the relevant Statements of Common Ground and should provide a specific summary of any matters of disagreement remaining on archaeology, the reasons for this disagreement and the steps being taken to seek to address outstanding concerns.</p> | See Statement of Common Ground  |
| <b>7</b> | <b>Land Use and Soils</b>   |   |
| Q7.0.1   | A Minerals Assessment is provided within Appendix 4 of the Planning Statement <a href="#">[APP-203]</a> .   | The Minerals Assessment concludes that (i) the development is reversible and so would not permanently sterilise minerals within the Order limits, and (ii) that there is an overriding need for the development and that it could not be reasonably sited elsewhere.  |

| ExQ1     | Question   | LCC Response   |
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|          | <p>Please confirm whether you agree with the content and conclusions of this assessment, setting out justification for any areas of disagreement</p>   | <p>LCC disagrees that the development could not be reasonably sited elsewhere as the Order limits could be reduced in size so as to remove land falling within the mineral safeguarding area. However, and notwithstanding a time-limited DCO is not being sought and so the operational life of the development is as yet unknown, as the DCO provides for the decommissioning of the site this would ensure any underlying minerals could potentially be worked in the future and so would not be permanently sterilised. Therefore whilst LCC does not agree with all the conclusions made in the Minerals Assessment we are content that this development does accord with Policy M11 subject to the DCO Requirements being secured.</p> |
| <b>8</b> | <b>Landscape and Visual</b>  |  |
| Q8.0.5   | <p>Figures 6.6 <a href="#">[APP-138]</a> and 6.7 <a href="#">[APP-139]</a> of the ES show the representative viewpoints, illustrative viewpoints and visual receptor groups, further details of which are provided in paragraphs 6.3.50 to 6.3.58 of the ES <a href="#">[APP-036]</a>.</p> <p>Please confirm if you agree with these viewpoints and visual receptor groups. If you consider that any further viewpoints would be reasonably required, provide precise details of these along with a clear justification for why they are required.</p> | <p>Whilst the selection of the viewpoints has been discussed with LCC during the pre-application consultation stage, the exact locations have not in all instances been agreed. See Local Impact Report for more details.</p>  |
| Q8.0.18  | <p>Requirement 7 (Landscape and Ecology Management Plan (LEMP)) of the dDCO <a href="#">[APP-017]</a> includes a five years maintenance period which is generally reflected in the Management Programme Schedule (Appendix 1) of the outline LEMP. Paragraph 6.2.5 of the ES <a href="#">[APP-036]</a> explains that the LVIA assesses the landscape and visual effects at years 1 and 15 of operation to account for the</p>  | <p>A proposed maintenance period of five years is not considered appropriate and should be extended to at least 15 years reflecting the assumptions/assessments contained within the LVIA. This will ensure that the benefits of visual screening and mitigating effects of any landscaping is secured and achieved as predicted.</p>  |

| ExQ1                             | Question  | LCC Response   |
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|                                  | <p>visual screening provided by the proposed planting over time. It recognises that the exact timescales for visual screening can never be guaranteed as growth rates would be variable depending on a number of factors.</p> <p>Is the proposed maintenance period of five years appropriate, taking into account any benefits arising from the proposed landscaping in mitigating effects?</p> <p>If an alternative maintenance period is considered necessary, provide justification for this.</p>   |  |
| <b>10 Socio-economic effects</b> |   |  |
| Q10.0.5                          | <p>Paragraph 14.4.2 of the ES <a href="#">[APP-044]</a> explains that “...Furthermore, economic modelling identifies that the study area (Rutland and South Kesteven) is a popular destination for visitors, particularly for countryside pursuits like walking. Within the Rutland and South Kesteven Local Plans employment and economic activity are high on the list of priorities, and both local authorities have dedicated tourism teams promoting the area.</p> <p>a) Is any evidence available that quantifies how regularly the Public Rights of Way (PRoW) within and adjacent to the Order limits are used?</p> <p>b) Are there any particular routes or circular walks or rides that are promoted for recreational use by residents or visitors?</p> | <p>a) No. LCC does not have any data on usage of the PRoW within and adjacent to the Order limits used.</p> <p>b) The MacMillian Way</p> |

| <b>ExQ1</b> | <b>Question</b>  | <b>LCC Response</b>  |
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| <b>11</b>   | <b>Transport and Traffic</b>   |  |
| Q11.0.4     | <p>Paragraphs 9.3.2 – 9.3.4 of the ES <a href="#">[APP-039]</a> state that operational effects have been scoped out of the ES based on a worst-case scenario that 20 staff arrive and depart the order limits by car each day.</p> <p>c) Do Lincolnshire County Council, Rutland County Council and National Highways have any comments in relation to the effects and related implications for HGV and potential abnormal indivisible loads during the operational phase?</p>   | HGV's and abnormal loads would not be expected during the operational stage of the development. If needed (for example a transformer breaking and needs replacing) it would be a rare event and could be planned for in the usual manner for any abnormal load on the network. |
| Q11.0.6     | <p>The Transport Assessment <a href="#">[APP-074]</a> analyses collision data provided by Lincolnshire County Council and Rutland County Council over the latest three-year period.</p> <p>Can collision data over the past three years be considered representative given the possible impacts in terms of traffic movements of the Covid-19 pandemic?</p>  | LCC is content that the past 3 years is sufficient. There are no problematic accident "blackspots" on the sections of the network proposed to be used.   |
| <b>12</b>   | <b>Water Environment</b>   |  |
| Q12.0.2     | <p>Section 2.4 of the outline Surface Water Drainage Strategy (oSWS) <a href="#">[APP-087]</a> details that surface water flows will be directed to existing outfalls along existing topography towards the West Glen River. It is further stated that as the West Glen River is an Environment Agency (EA) Main River an Environmental Permit will be sought at least three months prior to the construction phase. Article 6 (e) of the draft Development Consent Order (dDCO) <a href="#">[APP-017]</a> seeks to disapply</p> | As a Main River it will be for Environment Agency to advise and comment whether the disapplication of Environmental Permitting is appropriate however LCC's view is that it should remain.   |

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|         | <p>Environmental Permitting in “respect of a flood risk activity only”.</p> <p>a) Does the Applicant, EA or LLFA foresee any potential impediments in connection with gaining such a permit for this activity?</p>   |   |
| Q12.0.8 | <p>Section 1.4 of the Flood Risk Assessment <a href="#">[APP-086]</a> states that the Order limits are not within the operational boundary of an Internal Drainage Board (IDB). However, consultation feedback summarised in ES Appendix 11.3 <a href="#">[APP-084]</a> revealed the Order limits do fall within the extended operational boundaries of the Black Sluice and Upper Witham IDBs as they act as an agent to the Lead Local Flood Authority (LLFA), namely Lincolnshire County Council. ES Appendix 11.3 details evidence of engagement between the Applicant and the IDBs. However, it is not clear from Appendix 11.3 if the Upper Witham IDB has provided any feedback to the Applicant to confirm the 6m buffer or on any other matters.</p> <p>a) Please can the role of the IDBs and their relationship with the LLFA be clarified?</p> | <p>a) See response to Q.5.0.6 - LCC hold a memorandum of understanding with IDBs that operate within Lincolnshire, with IDBs acting as agent to the LLFA. The Order Limits are shown to fall within the extended operational boundaries of the Black Sluice and Upper Witham IDBs</p> |