

XLINKS' MOROCCO-UK POWER PROJECT

Consultation Report

**Annex K: Targeted consultation
Appendices K-1 to K-3**

Document Number: 5.2

PINS Reference: EN10164/APP/5.2

Section 37(3)(c) Planning Act 2008

APFP Regulations: Regulation 5(2)(q)

November 2024

For Issue

XLINKS' MOROCCO – UK POWER PROJECT

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Prepared by:

SEC Newgate UK Ltd

Prepared for:

Xlinks 1 Limited

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1 LIST OF CONSULTEES FOR TARGETED CONSULTATION FROM 6 SEPTEMBER TO 7 OCTOBER 2024

1.1 Overview

- 1.1.1 Table K-1.1 below sets out consultees for the targeted consultation. It notes whether they are still in the Book of Reference (Document Ref: 4.3) and if not the reasons why, their primary interest in land and the category of section 44 of the Planning Act 2008 they have an interest in land, and the dates they were consulted.
- 1.1.2 An example of the letter sent to consultees is included in Appendix K-2 of the Consultation Report (Document Ref: 5.2). Address details used for the purposes of consultation are included in the Book of Reference (Document Ref: 4.3).
- 1.1.3 The Change Number refers to the plan included in Appendix K-2 of the Consultation Report (Document Ref: 5.2) and indicates which change to the Order limits the Applicant identified as potentially impacting each consultees' interest in land.

Table K-1.1 List of consultees for targeted consultation from 6 September to 7 October 2024

Change Number (see plans in Appendix K-2)	Contact Name	Category	Book of Reference (Document Ref: 4.3) Plot Number	Included in Book of Reference (Document Ref: 4.3) Y/N
11	Bideford And District Angling Club	2	9-19, 9-27	Y
12	Colin Webber and Sarah Webber	2	10-26, 10-28, 10-29, 10-30	Y
11	Deborah Carol Lake	1 and 2	9-19, 9-20, 9-23, 9-24, 9-26, 9-25, 9-27, 9-28	Y
4	Ian David Arbuthnott and Kathleen Mary Arbuthnott	1	14-18	Y

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10	John Thomas Bellew 1 and 2 and Maureen Jean Bellew		7-15, 7-19, 7-20, 8-01, 8-06, 8-10, 8-15, 8-16, 8-19, 8-20, 8-22, 8-23, 8-24, 8-25, 9-01, 9-02, 9-03, 9-04, 9-05, 9-07, 9-08, 9-09, 9-10, 9-11, 9-12, 9-15, 9-18, 7-15/a, 7-15/b, 7-15, 7-18, 8-01, 8-06, 8-10, 7-15/a, 7-15/b, 7-18/a	
10	Margaret Elizabeth Withecombe	2	7-15, 7-18, 8-01, 8-06, 8-10, 7-15/a, 7-15/b, 7-18/a	
10	Michael Frederick Bellew	1 and 2	7-18, 9-25, 9-28, 9-29, 9-32, 9-34, 9-36, 10-02, 10-03, 10-04, 10-06, 10-07, 7-18/a, 7-15, 7-18, 8-01, 8-06, 8-10, 7-15/a, 7-15/b, 7-18/a	
11	Michael Frederick Bellew and Gillian Grace Bellew	1	7-18, 9-25, 9-28, 9-29, 9-34, 9-36, 10-02, 10-03, 10-06, 7-18/a	
3, 6	Paul Charles Blackmore	1	14-19, 14-24	Y
12	Paul Darren Bullock and Lindsay Marie Bullock	2	10-26, 10-28, 10-29, 10-30	Y
11	Peter David Lake and Vera Mary Lake	1 and 2	9-19, 9-20, 9-23, 9-24, 9-26, 9-25, 9-27, 9-28	
12	Richard Allen Ford and Kenneth Henry George Ford	1 and 2	10-12, 10-26, 10-28, 10-13, 10-21, 10-22, 10-24	Y
10	Rosemary Ethel Bellew	2	7-15, 7-18, 8-01, 8-06, 8-10, 7-15/a, 7-15/b, 7-18/a	

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1, 2, 5, 6, 9, 10, 11	The Chief Executive 1 Devon County Council	1-04, 1-08, 2-04, 2- 07, 2-10, 2-14, 2- 28, 2-29, 2-30, 2- 31, 2-32, 2-34, 2- 35, 2-36, 3-04, 3- 06, 4-04, 4-07, 4- 08, 4-09, 4-11, 4- 12, 4-13, 4-14, 4- 15, 4-18, 4-19, 4- 21, 4-24, 5-01, 5- 02, 5-03, 5-11, 6- 06, 7-02, 7-08, 7- 14, 8-02, 8-03, 8- 04, 8-05, 8-07, 8- 12, 8-13, 8-14, 8- 18, 8-19, 9-06, 9- 20, 9-21, 9-32, 9- 35, 10-01, 10-04, 10-07, 10-10, 10- 18, 10-20, 10-21, 10-23, 10-25, 11- 01, 11-02, 11-03, 11-04, 11-05, 11- 06, 11-07, 11-08, 11-09, 11-10, 11- 11, 11-12, 11-13, 11-14, 11-15, 11- 16, 11-17, 11-18, 11-19, 11-20, 11- 21, 11-22, 12-01, 12-02, 12-03, 12- 04, 12-05, 12-06, 12-07, 12-08, 12- 09, 12-10, 12-11, 12-12, 12-13, 12- 14, 13-01, 13-02, 14-01, 14-02, 14- 03, 14-04, 14-05, 14-06, 14-07, 14- 08, 14-09, 14-10, 14-11, 14-12, 14- 13, 14-14, 14-15, 14-16, 14-17, 14- 20, 14-21, 14-22, 14-23, 3-01/b, 7- 08/a
3, 6	The Chief Executive 1 and 2 National Grid Electricity	1-06, 2-12, 2-13, 2- 18, 2-19, 2-20, 2- 23, 2-25, 2-26, 2- 27, 3-02, 3-03, 4-

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	Distribution (South West) plc		03, 4-07, 4-08, 4-11, 4-12, 4-13, 5-05, 5-07, 5-08, 5-09, 5-10, 5-12, 6-01, 6-02, 6-03, 6-04, 6-05, 7-01, 7-04, 7-05, 7-06, 7-08, 7-13, 7-16, 7-20, 8-01, 8-02, 8-05, 8-06, 8-08, 8-09, 8-11, 8-20, 8-22, 8-23, 9-01, 9-02, 9-28, 9-35, 10-03, 10-04, 10-05, 10-06, 10-07, 10-10, 10-16, 10-24, 10-26, 10-28, 10-30, 10-31, 10-32, 10-33, 11-01, 11-03, 11-04, 11-06, 11-07, 11-08, 11-11, 11-12, 11-22, 12-01, 12-02, 12-04, 12-06, 12-07, 12-12, 14-01, 14-09, 14-10, 14-11, 14-14, 14-17, 14-19, 14-23, 14-24, 3-01/a, 7-04/a, 7-08/a, 7-16/a, 8-09, 9-19, 9-23, 9-24, 9-26, 10-05, 10-09, 10-18, 10-21, 10-22, 10-24, 10-26, 10-28, 10-29, 10-30, 10-31, 10-33, 14-19	
12	The Chief Executive National Grid Electricity Transmission plc	1 and 2	10-18, 10-24, 10-32, 10-33, 10-05, 10-09, 10-21, 10-22, 10-24, 10-26, 10-28, 10-29, 10-30, 10-31	Y
3, 6	The Chief Executive National Westminster Bank Public Limited Company	2	14-19, 14-24	Y

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7	The Company Secretary Appledore Land Limited	2	Plot of land an interest is held in is no longer included in the Order Limits	N
7	The Company Secretary Appledore Shipbuilders Limited	2	Plot of land an interest is held in is no longer included in the Order Limits	N
1	The Company Secretary Baker Estates Limited	1	14-22	Y
12	The Company Secretary Barclays Security Trustee Limited	2	10-12, 10-26, 10-28, 10-29, 10-30	Y
7	The Company Secretary Harland And Wolff (Appledore) Limited	2	Plot of land an interest is held in is no longer included in the Order Limits	N
12	The Company Secretary Jleag Solar 1 Limited	1 and 2	10-29, 10-26, 10-28	Y
12	The Company Secretary National Grid Telecoms Limited	2	10-05, 10-09, 10-22, 10-26, 10-28, 10-29, 10-30, 10-31	Y
12	The Company Secretary Share Solar PV Limited	2	Plot of land an interest is held in is no longer included in the Order Limits	N
12	The Company Secretary Sonnedix Gammaton Limited	2	10-12, 10-18, 10-24, 10-26, 10-30, 10-32, 10-33	Y
10	Thomas Fulford Bellew	2	7-15, 7-18, 8-01, 8-06, 8-10, 7-15/a, 7-15/b, 7-18/a	Y
8	William John Moase	1 and 2	2-05, 2-06, 2-09, 2-10, 2-11, 2-12, 2-13, 2-14, 2-16, 2-17, 2-18, 2-20, 2-22, 2-23, 4-03, 4-05, 4-06, 2-15, 2-21, 2-24, 2-26	Y

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7	The Chief Executive Riverstone Credit Management LLC	2	Plot of land an interest is held in is no longer included in the Order Limits	N
Statutory undertaker	The Company Secretary Openreach Limited	Statutory undertaker	Statutory undertaker	Y
Statutory undertaker	The Chief Executive BT Group plc	Statutory undertaker	Statutory undertaker	Y
Statutory undertaker	The Company Secretary British Telecommunications Public Limited Company	Statutory undertaker	Statutory undertaker	Y
Statutory undertaker	The Chief Executive Torrige District Council	Statutory undertaker	Statutory undertaker	Y
Statutory undertaker	The Company Secretary Wales & West Utilities Limited	Statutory undertaker	Statutory undertaker	Y

2 LETTER TO CONSULTEES

2.1 Letter

Copy inserted overleaf. The signature has been redacted using Adobe Acrobat for data protection reasons.

Name
Address
Address
Address
Address

5 September 2024

Dear [Insert recipient name],

**Xlinks Morocco-UK Power Project Development Consent Order (the “Order”)
Additional statutory pre-application consultation: Friday 6 September 2024 until 11.59pm on
Monday 7 October 2024
Section 42(1)(d) of the Planning Act 2008 (as amended) (the “Act”): Duty to consult on a proposed
application
Notification under Regulation 13 of the Infrastructure Planning (Applications: Prescribed Forms
and Procedure) Regulations 2009 (“APFP Regulations”)
The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (“EIA
Regulations”)**

Xlinks 1 Ltd (the “Applicant”) is consulting on proposed changes to the boundary of the elements of the Morocco-UK Power Project (the “Project”) which are located in the UK (the “Proposed Development”) between Friday 6 September 2024 and Monday 7 October 2024. This letter invites you to respond to this additional statutory consultation.

Why we are writing to you

This letter is sent to you as part of a statutory consultation exercise on the Proposed Development carried out pursuant to section 42(1)(d) of the Act. The Applicant initially consulted on the Proposed Development as a whole between Thursday 16 May 2024 and Thursday 11 July 2024.

The Applicant is now consulting with you as it is proposing changes to the Proposed Development boundary (the “Order limits”) to include additional land (“additional land”) and, having carried out diligent inquiry, considers that you may be a person who is either: (1) an owner, lessee, tenant, or occupier of land within the Proposed Development's boundary; (2) a person who holds an interest in the land or has the power to sell or convey the land or release the land within the Proposed Development's boundary; or (3) might be entitled to make a relevant claim if the Order were to be made and implemented.

The additional statutory consultation will run from **Friday 6 September 2024 until 11.59pm on Monday 7 October 2024**. Following this statutory consultation period, the intention is for the Applicant to finalise the application for the Proposed Development having had regard to the consultation responses received. The Applicant would then submit to the Secretary of State for Energy Security and Net Zero (the “Secretary of State”) an application for a Development Consent Order (“DCO”) that would authorise the construction and operation (which includes maintenance) of the Proposed Development. The Planning Inspectorate (“PINS”) will administer the process on behalf of the Secretary of State. The Applicant intends to make this application by the end of 2024.

The Proposed Development

The Proposed Development could facilitate the delivery of 3.6 Gigawatts (“GW”) of low carbon electricity to the UK’s electricity grid and could improve the security and diversity of the UK’s electricity supply. The Secretary of State recognised last year that the Proposed Development is nationally significant and therefore directed under Section 35 of the Act that elements of the Proposed Development should be treated as development for which development consent is required.

All onshore elements of the Proposed Development are located within the administrative area of Torrridge District Council in the County of Devon. The offshore elements of the Proposed Development extend from Cornborough Range, also in Torrridge, to the seaward limit of the UK’s Exclusive Economic Zone (“EEZ”).

The Proposed Development is split into three distinctive elements, as follows:

Onshore elements

- Two independent 1.8GW converter stations plus external equipment, landscaping and other ancillary buildings (the “Converter Site”) to convert electricity from Direct Current (“DC”) into Alternating Current (“AC”) before transmission to the National Grid, located west of the existing National Grid Alverdiscott 400 kilovolt (“kV”) substation.
- 12 High Voltage Alternating Current (“HVAC”) cables connecting the Converter Site into the National Grid Alverdiscott 400kV substation, each approximately 1.2 kilometres (“km”) in length.
- A new 400kV substation to replace the existing National Grid Alverdiscott 400kV substation, to the immediate east of the existing substation.
- 4 High Voltage Direct Current (“HVDC”) cables to link the onshore converter stations to a landfall site at Cornborough Range, buried in bundled pairs with 6 fibreoptic cables in a corridor approximately 14.5km long and approximately 65metres (“m”) wide.

Landfall site

- A landfall point at Cornborough Range on the Devon coast, about 2.5km south of Westward Ho! and 4km west of Bideford, hosting two Transition Joint Bays to transition from offshore HVDC cables to onshore HVDC cables.

Offshore elements

- HVDC cables which would bring electricity from its generation to the landfall point, which are located within the UK EEZ in a corridor approximately 370km in length and between 500m and 1.5km wide. These would be in bundled pairs with 6 fibreoptic cables.

The Proposed Development will include other required works, such as temporary access roads, highway works, temporary works compounds, work sites, ancillary works, temporary and permanent utility connections, permanent utility diversions, biodiversity net gain offsetting, and any other works identified as necessary to enable the Proposed Development.

The proposed application will seek authorisation for the compulsory acquisition of land and interests in and rights over land, the overriding of easements and other rights, the temporary use of land, the application and/or disapplication of legislation relating to the Proposed Development, and such ancillary, incidental and consequential provisions, licences, property rights, permits and consents as are necessary and/or convenient.

The Proposed Development is an Environmental Impact Assessment (“EIA”) development for the purposes of the EIA Regulations. The Applicant therefore produced a Preliminary Environmental Information Report (“PEIR”) as part of the statutory consultation, which contained preliminary information about the likely significant environmental effects of the Proposed Development, together with a non-technical summary of this information. Further environmental studies and assessments are being undertaken, and a full Environmental Statement will be produced and submitted with the proposed application.

The proposed changes

The Applicant is proposing the following changes to the Order limits:

- **Hubbastone Road:** The route we are proposing for large deliveries during construction which cannot be broken up, called Abnormal Indivisible Loads (AILs), includes Hubbastone Road. Further assessment has identified the potential for parts of the AILs to pass through the air over the ground on the west side of Hubbastone Road when travelling on this route – known as oversailing. This area needs to be included within the Order limits to secure the ability of AILs to travel along this route – no permanent use of land is proposed.
- **Diversion of utilities north of Gammaton Cross:** Further assessment of the proposed operational access road north of Gammaton Cross has identified existing utility connections that may be adversely affected by the construction of the proposed operational access road. An extension of the Order Limits is required north of the proposed operational road footprint to facilitate the diversion of existing utilities and reconnection on Gammaton Road. The further development of the detailed design of the proposed operational road and associated engagement with relevant statutory undertakers will determine the need for the diversion of any utilities within the extended area of the Order Limits.
- **Diversion of utilities south of East Langdon Farm:** Further assessment and discussion with consultees has identified that the temporary utility corridor south of East Langdon Farm should be moved further southwards to avoid an area of woodland. This would require a change to the Order limits.
- **Manteo Way:** Further assessment has identified the potential for limited oversail by construction vehicles in small part of the proposed route along Manteo Way. These areas need to be included within the Order limits to secure the use of the route for construction vehicles - no permanent use of land is proposed.
- **Diversion of utilities north of Alverdiscott National Grid Substation:** Further engagement with consultees has identified an opportunity to extend the Order limits by around 6 metres to include an existing 11kV pole north of Alverdiscott National Grid Substation. This will avoid the need to divert two 11kV overhead lines.

These changes are shown on the plans enclosed. The changes are purely to facilitate the temporary diversion of utilities and ensure that the Applicant acquires the appropriate powers for access during construction. They would not affect the outcomes of the EIA we set out in the PEIR during the statutory consultation. This remains available to view at www.xlinks.co/devon.

Copies of consultation documents on USBs, as well as hard copies of the consultation booklet and consultation questionnaire, will be made available free of charge on request. Given the size of the document, requests for hard copies of the PEIR will be reviewed on a case-by-case basis. To cover printing costs a reasonable charge may apply, to be paid by the recipient, up-to a maximum of £750 for the whole suite. To request these materials in hard copy or an alternative format, please get in touch with us using the contact information in this notice.

Responding to the consultation

The Applicant is now consulting on the proposed changes to the Order limits and would be grateful for your comments. Any response or representation in respect of the proposed application must (i) be received by the Applicant on or before **11:59pm on Monday 7 October 2024**, (ii) be made in writing, (iii) state the grounds of the response or representation, (iv) indicate who is making the response or representation, and (v) give an address to which correspondence relating to the response or representation may be sent.

Any responses to this consultation or other representations in respect of the Proposed Development should be sent to the following:

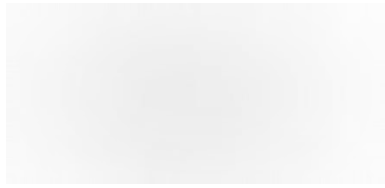
- By post: Xlinks Morocco-UK Power Project consultation FREEPOST SEC NEWGATE UK LOCAL
- Online: www.xlinks.co
- By email: hello@xlinks.co

Consultation commences on **Tuesday 13 August 2024**. **All responses must be received by 11:59pm on Monday 7 October 2024**.

Any comments received will be analysed and had regard to by the Applicant and any of its appointed agents. Copies may be made available in due course to the Secretary of State, the PINS and other relevant statutory authorities so that feedback can be considered as part of the process. The Applicant will request that any personal details are not placed on public record and will be held securely by the Applicant and its agents in accordance with data protection law and will be used solely in connection with the consultation process and subsequent application for the DCO and, except as noted above, will not be passed to third parties. Responses will also form the basis of a Consultation Report that will be one of the factors taken into consideration by the Secretary of State when deciding whether the application can be accepted for Examination. Therefore, in providing any comment, it should be borne in mind that the substance of it may also be communicated to others as part of the Consultation Report.

Should you have any queries in relation to the consultation materials or to discuss our proposals further, please do not hesitate to contact us on hello@xlinks.co or 0800 038 3486.

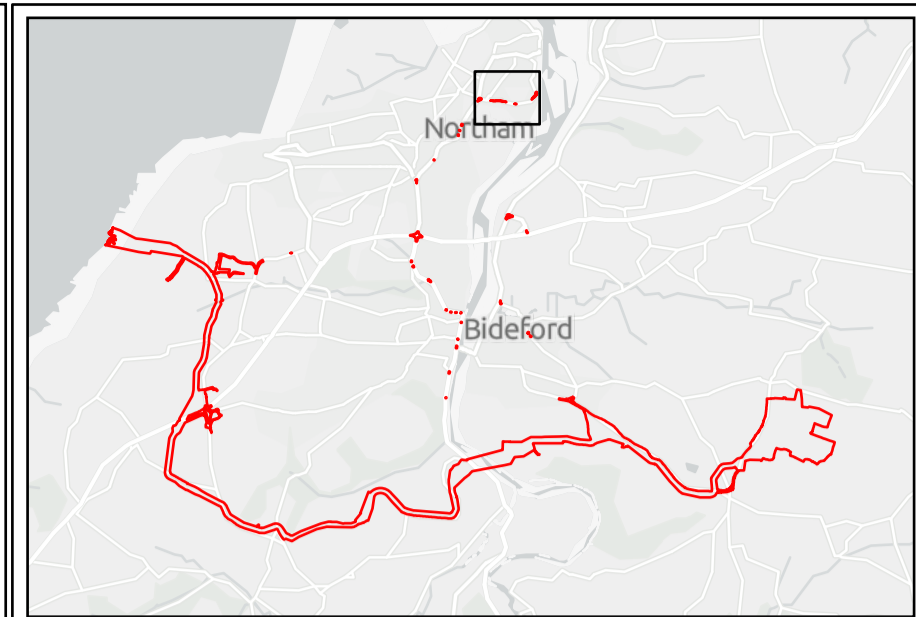
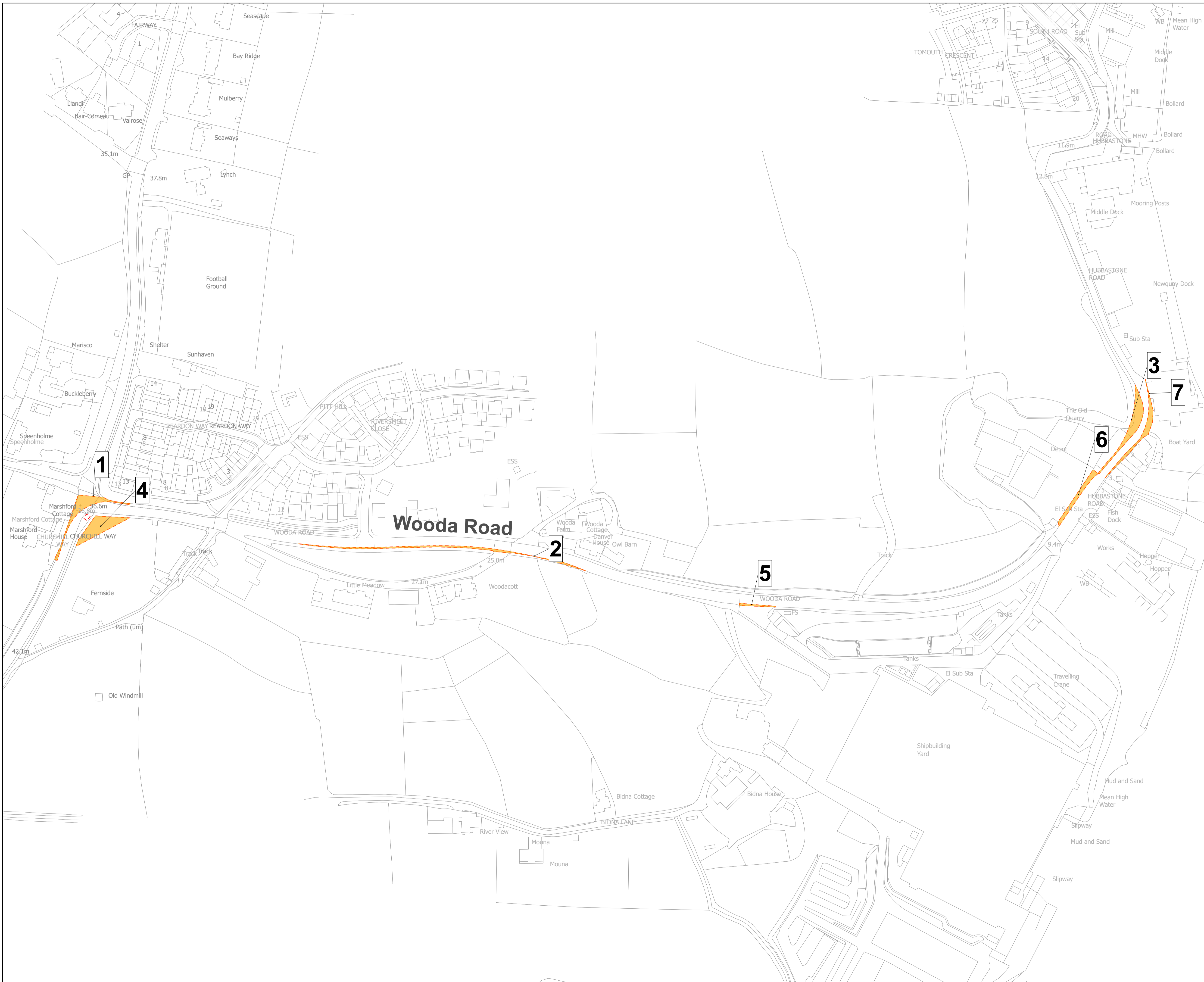
Yours sincerely,



Richard Hardy
Project Director

2.2 Accompanying plan

Copy inserted overleaf.



Key

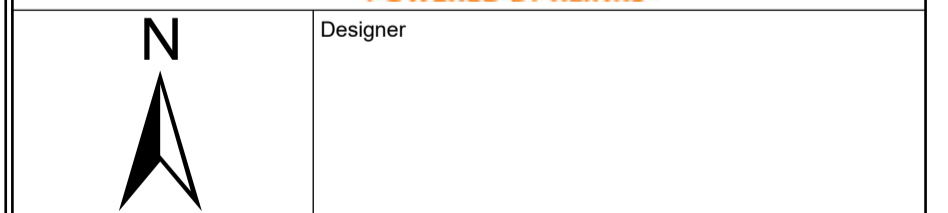
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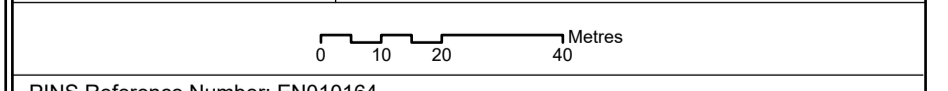
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Project Title
**DRAFT ORDER LIMIT CHANGES
 SHEET 1 OF 6**

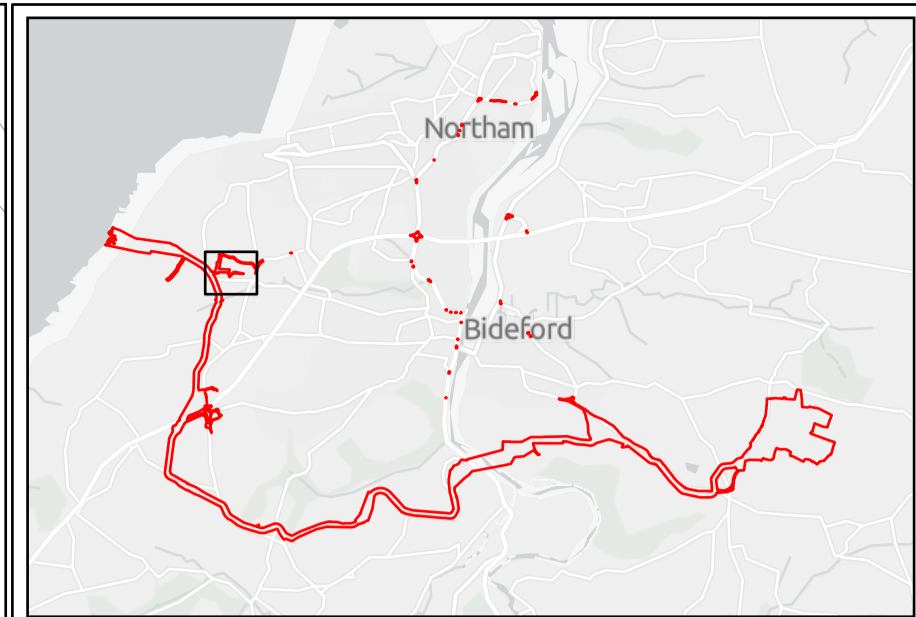
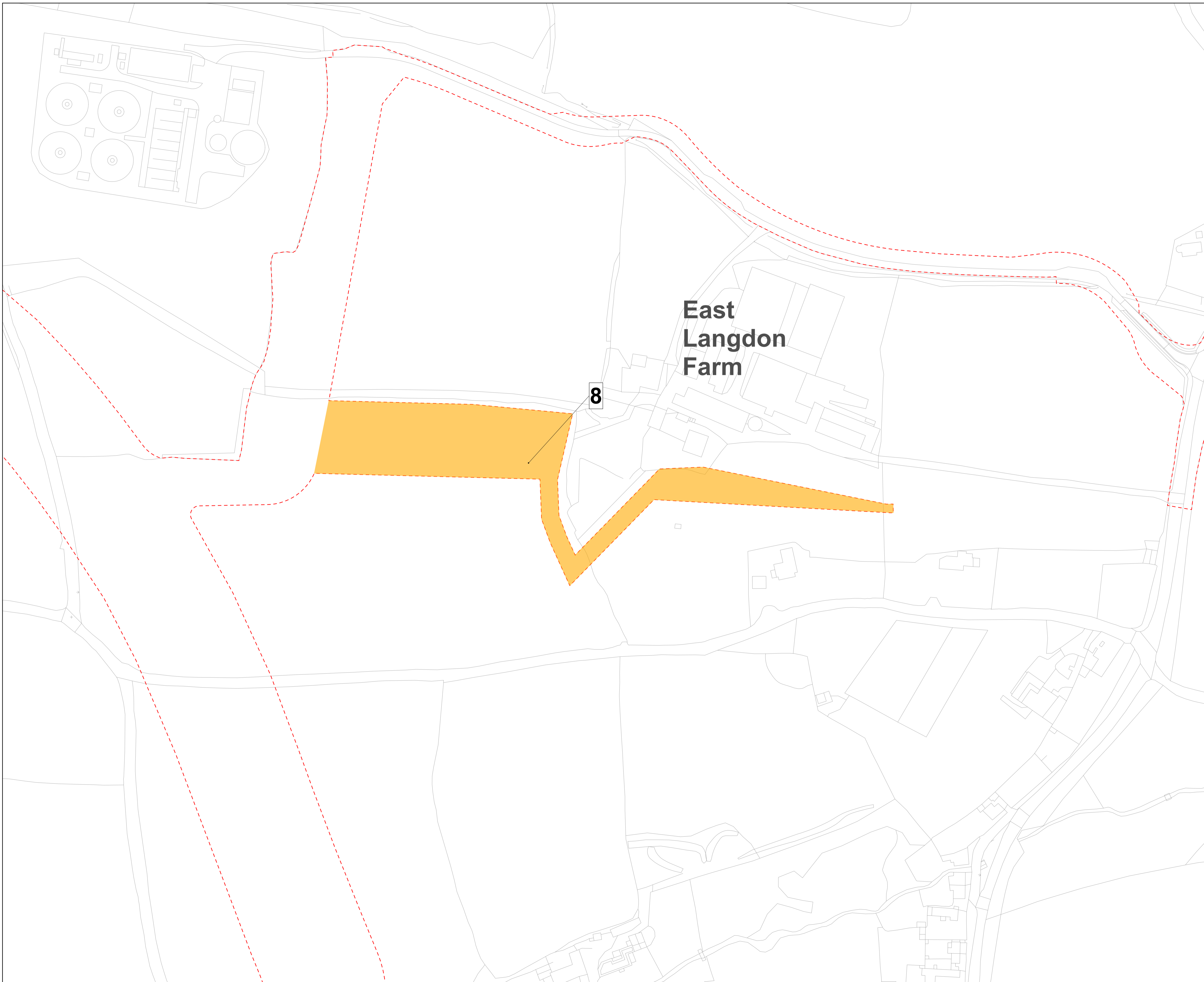
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Spatial Reference System	British National Grid		



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Drawing reference: **XLINKS- Works Plans**

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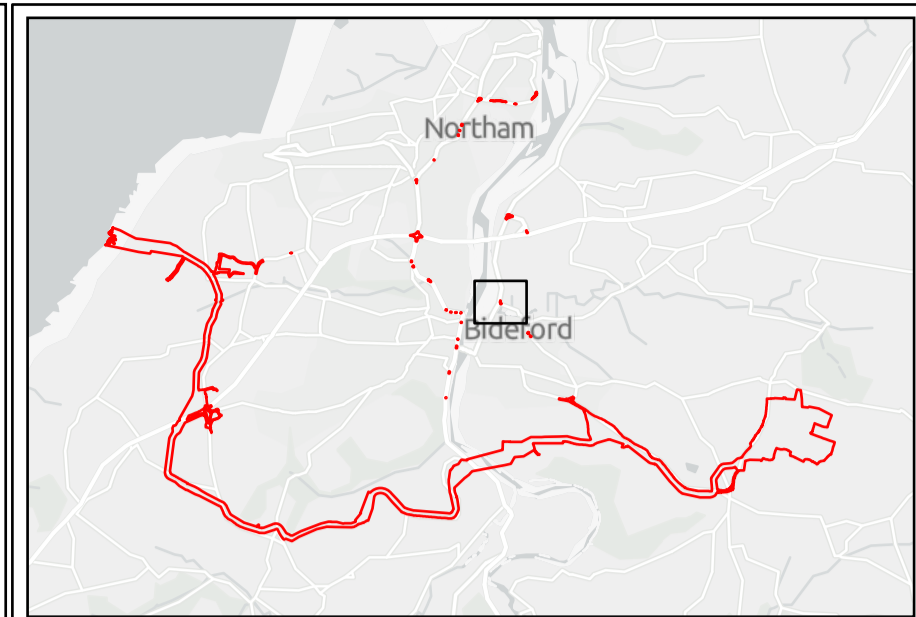
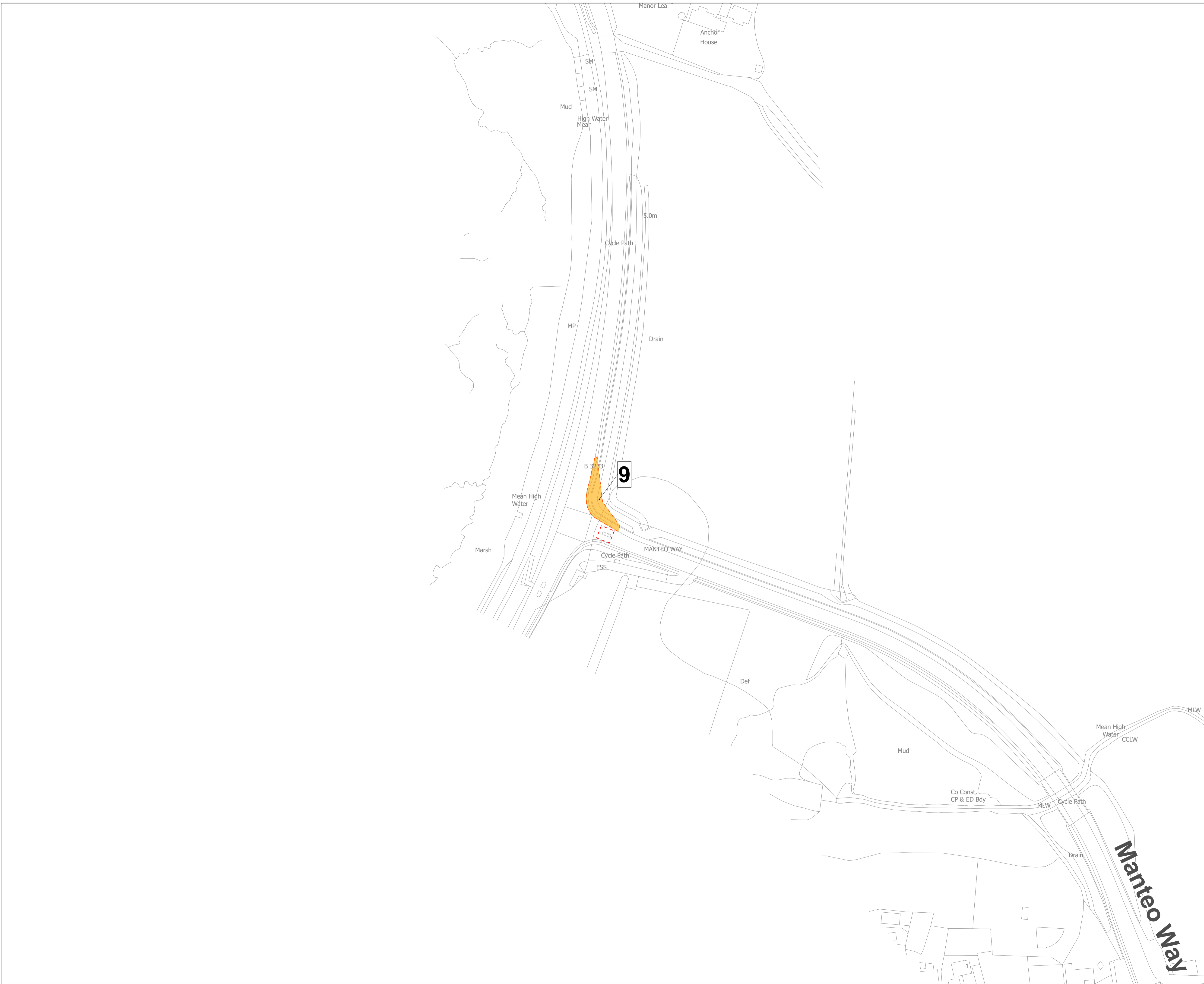
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**DRAFT ORDER LIMIT CHANGES
 SHEET 2 OF 6**

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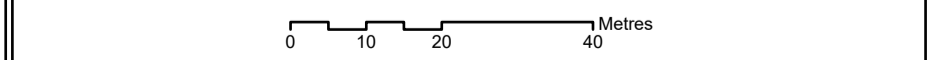
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Designer

Project
XLINKS MOROCCO TO UK POWER PROJECT

Drawing Title
**DRAFT ORDER LIMIT CHANGES
 SHEET 3 OF 6**

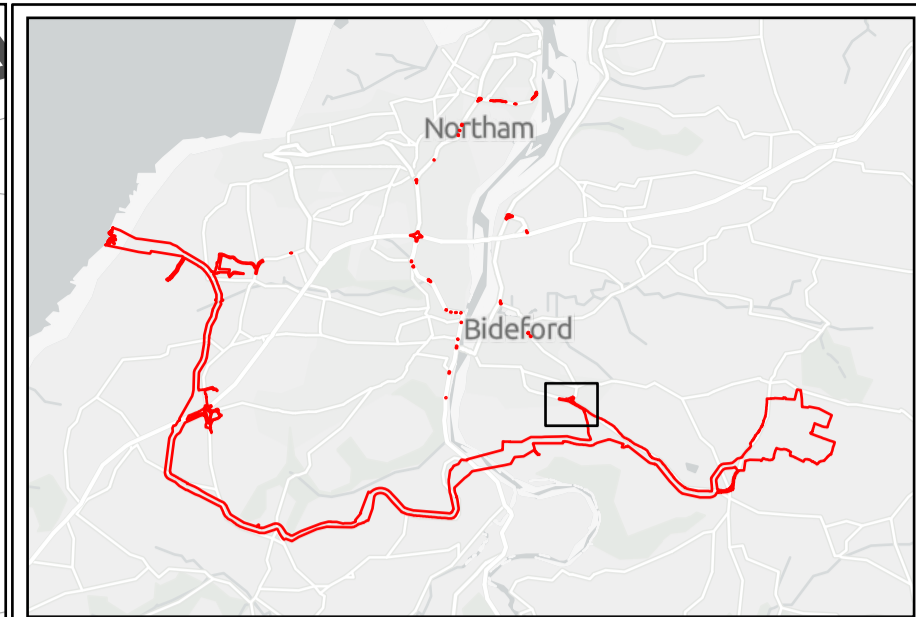
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Spatial Reference System	British National Grid		



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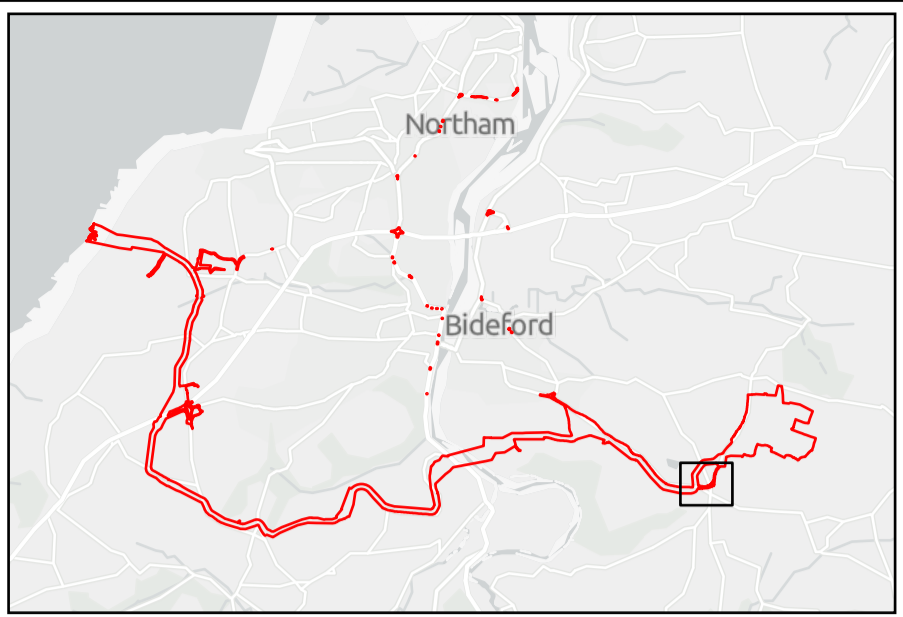
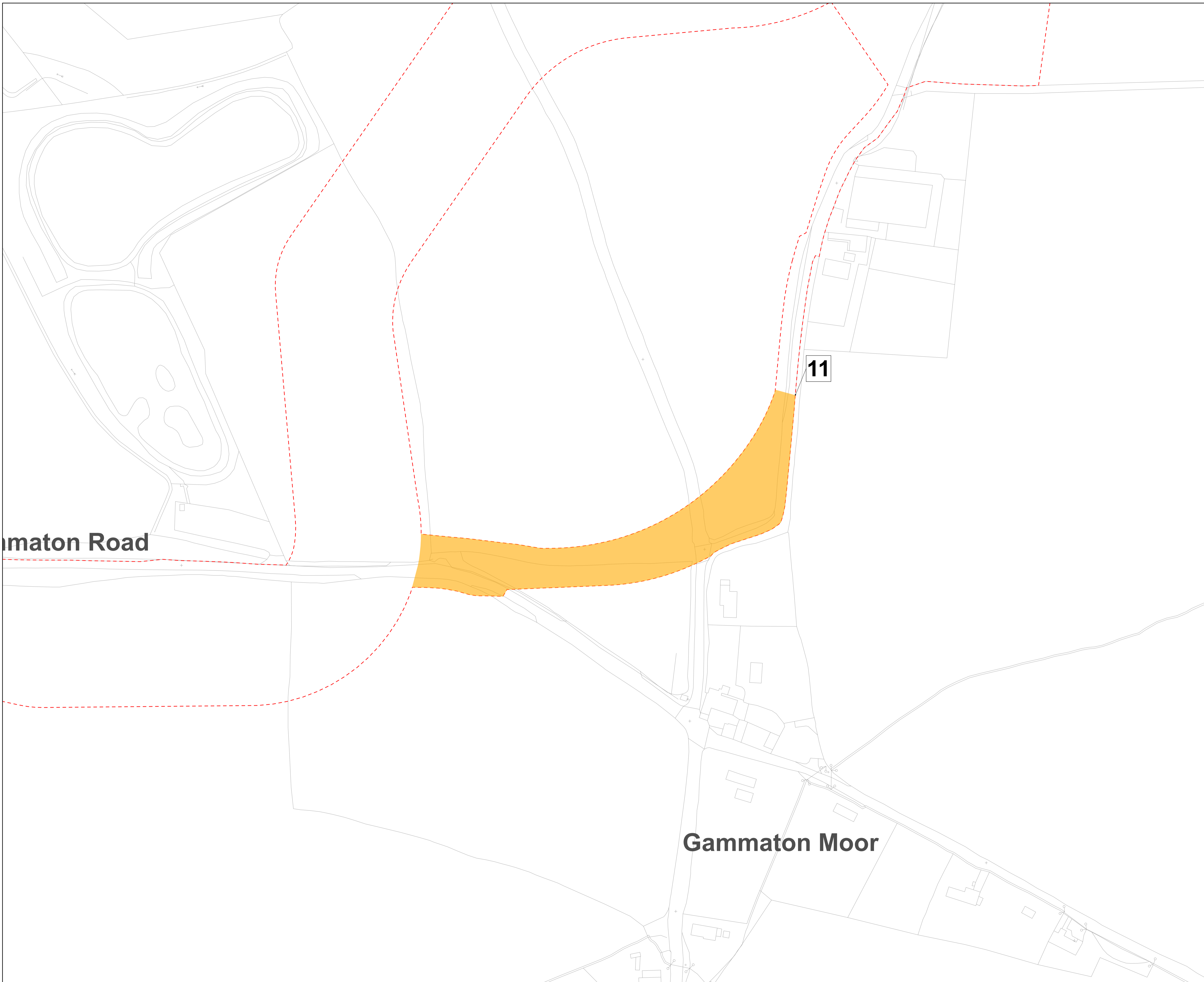
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Drawing Title
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 SHEET 4 OF 6**

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Key

- Targeted Consultation Order Limits
- Targeted Consultation area_ExportFeatures

Notes

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P0 02/09/2024 DRAFT JT AF KC XLINKS 1 LTD

REV	DATE	DESCRIPTION	DRAWN	CHECKED	REVIEWED	APPROVED

Client



Designer



Project

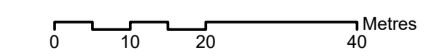
XLINKS MOROCCO TO UK POWER PROJECT

Drawing Title

**DRAFT ORDER LIMIT CHANGES
SHEET 5 OF 6**

Status	PROPOSED	Revision	P0
Date	04/09/2024		

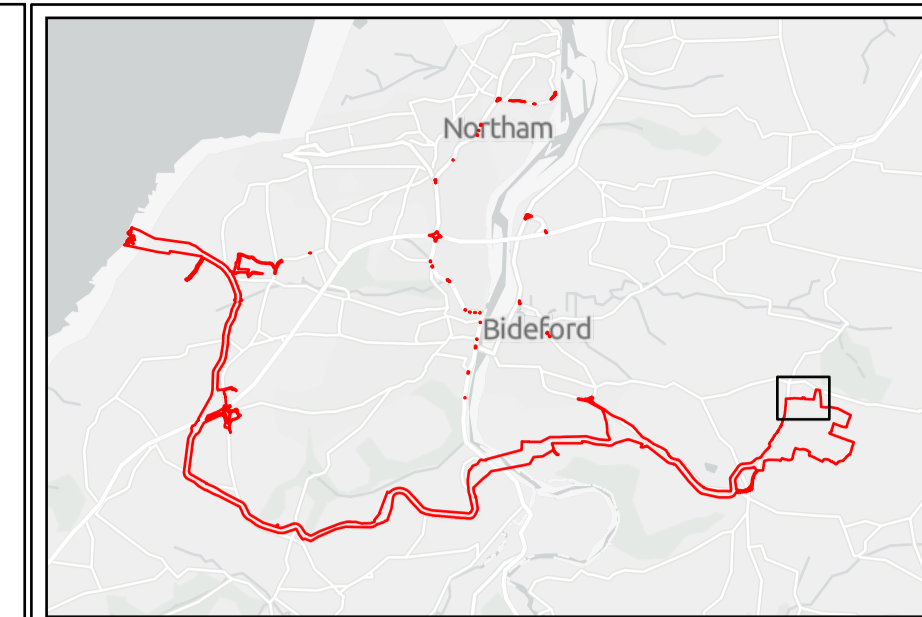
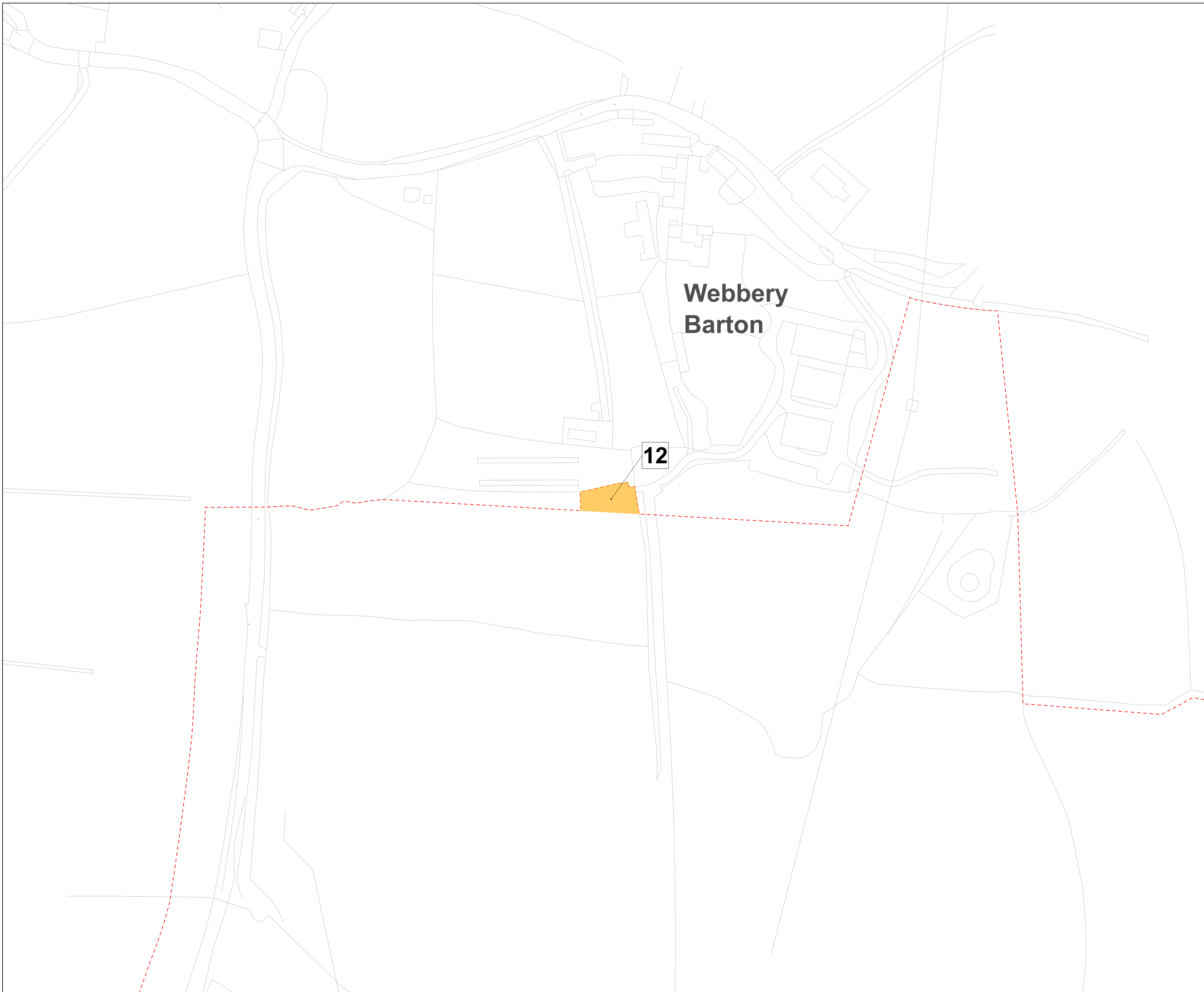
Scale 1:1,000 @ A1 Spatial Reference System British National Grid



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P0	02/09/2024	DRAFT	JT	AF	KC	XLINKS 1 LTD
REV	DATE	DESCRIPTION	DRAWN	CHECKED	REVIEWED	APPROVED

Client



Designer



Project

XLINKS MOROCCO TO UK POWER PROJECT

Drawing Title

DRAFT ORDER LIMIT CHANGES
SHEET 6 OF 6

Status	PROPOSED	Revision	P0
Scale	1:1,000 @ A1	Date	04/09/2024
Spatial Reference System	British National Grid		



PINS Reference Number: EN010164
 Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, APFP Regulations: XXX

Drawing reference: XLinks- Works Plans

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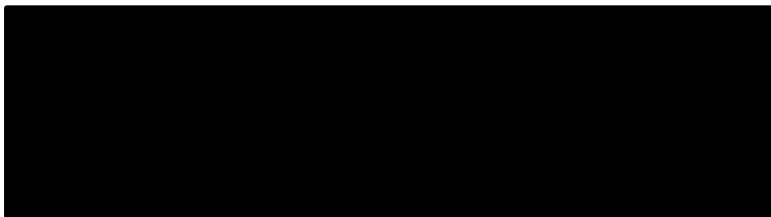
3 RESPONSES TO TARGETED CONSULTATION AND REGARD HAD BY THE APPLICANT

3.1 Response from Devon County Council in full

3.1.1 The signature and address information have been redacted using Adobe Acrobat for data protection reasons.



Climate Change, Environment and Transport
County Hall
Room 120
Topsham Road
Exeter
EX2 4QD



Xlinks Morocco-UK Power Project Development Consent Order (the "Order")
Additional statutory pre-application consultation

Section 42(1)(d) of the Planning Act 2008 (as amended) (the "Act"): Duty to consult on a proposed application

Notification under Regulation 13 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ("APFP Regulations")
The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("EIA Regulations")

Dear Sir/ Madam

Thank you for consulting Devon County Council (the "Council") on 5 September 2024 in relation to land interests associated with the Proposed Development detailed above.

On 12 September 2024, the Council met with representatives from the Xlinks team to discuss the Council's land interests. Further clarification was provided by Xlinks on 2 October 2024 following further enquiries by the Council.

From this communication, it is understood that:

- No freehold DCC land is to proposed be acquired;
- Xlinks proposes to acquire permanent rights (easements) to lay and maintain a power cable under the Tarka Trail;
- Xlinks proposes to acquire permanent and temporary rights to:
 - carry out carriageway widenings on some land belonging to DCC including agreement by the Council as Highway Authority to maintain such areas as Highways Maintainable at Public Expense (HMPE);
 - remove and install street furniture on HMPE land;
 - require DCC as Highway Authority to adopt and maintain as HMPE sections of carriageway constructed by the promoter on third party land;
 - the right to use a section of HMPE as working space to install and subsequently maintain electricity cables installed in third party land, if and when required.

It was also confirmed that the detail of these agreements would be addressed within the draft Development Consent Order. The Council requires clarification as to how specific issues that would ordinarily be covered by the licenses, permissions and agreements under the relevant sections of legislation including, the Highways Act 1980, the New Roads & Street Works Act 1991 and the Road Traffic Regulation Act 1984 would be addressed. This includes contractor insurance and public liability; bonds; inspection fees; arbitration and disputes; change control; quality assurance; any required Traffic Regulation Orders (TROs) or Temporary TROs (TTROs). The Council cannot make any substantive comment until further details are received.

It is also noted that during the meeting of 12 September 2024, Xlinks identified the need for street furniture to be moved/removed along the abnormal indivisible loads (AIL) route. It appears from the information provided, that the street furniture identified only relates to that which currently exists. The Order, or any other agreement required, should take into account any street furniture not currently in place but which may be installed prior to works commencing, should the Order be made.

The Council would like it noted that compensation for any easement rights related to DCC land will need be discussed at a later suitable date albeit this is not a matter for the Examining Authority should the DCO be accepted for examination. It is likely however that the Council will require commuted sums for maintenance purposes for any land that will be transferred to the Council. Should the need to acquire the freehold of DCC land arise, the Council must be immediately notified.

It is noted that there is the possibility for 'frac-outs' to occur in areas where horizontal directional drilling is taking place. Any implications of a 'frac-out' on public highways and transport infrastructure should be considered in the submission. For example, a section of the Tarka Trail could require temporary closure in the event of a 'frac-out'. It is unclear at this stage what measures will be put in place in this eventuality, with the most pressing concern being where trail users would likely be directed whilst any closure and repair took place. This will need to be addressed in the submission. It is recognised that the only alternative diversionary route might be to follow the A386, which is not considered a suitable route to be promoted. Should the A386 route be proposed, trail users will need to be advised of the limitations. Appropriate mitigation and improvement works may need to be carried out on the A386, for example, vegetation management to optimise sight lines and to maximise the available width of the footway. Similar consideration would be required for other locations affected.

The Council land affected by the works should be the absolute minimum necessary to deliver the scheme and prior agreement of the working arrangements is required, on the basis that any damage resulting from the works shall be made good to the satisfaction of the Council and upon condition that the constructors and operators shall maintain suitable insurance cover and shall indemnify the Council against any damages, claims, costs expenses and liabilities etc. arising from the installation and existence of the equipment on its land.

The Council would welcome early and continued engaged from Xlinks to properly understand and assess the likely impacts from a land perspective in addition to the other aspects of the proposal.

Yours sincerely,



County Planning Manager

3.2 Regard had by the Applicant

Table K-3.1 Regard had by the Applicant to responses to the targeted consultation

Response	Regard had by the Applicant
<p>Devon County Council requires clarification as to how specific issues that would ordinarily be covered by the licenses, permissions and agreements under the relevant sections of legislation including, the Highways Act 1980, the New Roads & Street Works Act 1991 and the Road Traffic Regulation Act 1984 would be addressed. This includes contractor insurance and public liability; bonds; inspection fees; arbitration and disputes; change control; quality assurance; any required Traffic Regulation Orders or Temporary Traffic Regulation Orders. The Council cannot make any substantive comment until further details are received.</p>	<p>The draft DCO (Document Ref: 3.1) includes a requirement to seek approval of the detailed design of highways works from Devon County Council.</p>
<p>The Order, or any other agreement required, should take into account any street furniture not currently in place but which may be installed prior to works commencing, should the Order be made.</p>	<p>The draft DCO (Document Ref: 3.1) includes an article to allow the removal and replacement of street furniture.</p>
<p>Devon County Council would like it noted that compensation for any easement rights related to Devon County Council land will need be discussed at a later suitable date albeit this is not a matter for the Examining Authority should the DCO be accepted for examination. It is likely however that the Council will require commuted sums for maintenance purposes for any land that will be transferred to the Council. Should the need to acquire the freehold of Devon County Council land arise, the Council must be immediately notified.</p>	<p>The Applicant is not seeking to acquire the freehold of any Devon County Council land. The Applicant will discuss compensation for any easement rights with Devon County Council directly. Any commuted sums would be agreed within a s278 agreement.</p>
<p>It is noted that there is the possibility for ‘frac-outs’ to occur in areas where horizontal directional drilling is taking place. Any implications of a ‘frac-out’ on public highways and transport infrastructure should be considered in the submission.</p>	<p>The Outline Bentonite Breakout Plan (Document Ref: 7.20) includes measures to manage frac-out, including notification.</p>

The Devon County Council land affected by the works should be the absolute minimum necessary to deliver the scheme and prior agreement of the working arrangements is required, on the basis that any damage resulting from the works shall be made good to the satisfaction of the Council and upon condition that the constructors and operators shall maintain suitable insurance cover and shall indemnify the Council against any damages, claims, costs expenses and liabilities etc. arising from the installation and existence of the equipment on its land.

The Applicant confirms that use of Council land has been kept to the absolute necessary minimum to deliver the Proposed Development. Where access is required, prior agreement of working arrangements will be sought, noting that the majority of Council land potentially affected by the Project is within the highway corridor and is associated with ALL movements which will have their own agreement process in line with existing policy and legislative requirements for ALL movements (i.e. engagement with Police, National Highways and Local Highways Authorities). The Applicant anticipates that any requirements for maintenance following use of the relevant highway network will be managed through section 106 or section 278 agreements.

Devon County Council would welcome early and continued engaged from Xlinks to properly understand and assess the likely impacts from a land perspective in addition to the other aspects of the proposal.

The Applicant has continued to engage with Devon County Council as set out in Table 8-1 of the Consultation Report (Document Ref: 5.1). It will continue to engage with Devon County Council.