

TRANSCRIPT_BRAMFORD_ISH1_SESSION 3_14092023

00:05

Thank you, everyone. It's now 145 Will recommence the hearing. Thank you. So we begin with so recommended Agenda Item five, which is covering construction and operational access and traffic. To the applicants will be asking you questions on the following topics. The transport assessments will ask three questions, proposed temporary restrictions, traffic restrictions to questions, the temporary permanent measures for access to the works and to the proposed development for questions. And finally, the assessment of construction traffic impacts on walkers, cyclists and horse riders. Three questions. So please start

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to your questions. Would you like me to introduce the new witnesses?

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That will be very helpful. Thank you.

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Thank you, obviously was right right on the end you're familiar with, but I'll just ask those to my immediate left to introduce themselves

01:03

as temporary. Thank you. Thank you, sir.

01:11

Good afternoon, sir. Katie Carpenter on behalf of the applicant, I'll be speaking to highway traffic aspects and public rights away some of the rights away issues are linked to those of my colleagues on the left.

01:28

Excuse me, good afternoon, John Hale. For the applicant, I lead the development of the transport assessment and the traffic and transport assessment es chapter 12.

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Thank you, sir.

01:43

recently noted, thank you. So first question, we just want some background understanding going to the transport assessment. So with referring mainly to your transport assessment application, a PP o six,

one. So the first question where he wants to set the scene. So I'd like to understand a little bit about the geographic boundaries of the transport assessment. And also perhaps an explanation of the forecast traffic increase during the construction of the project. Thank you.

02:21

Excuse me,

02:23

John Hale for the applicant. So the geographic boundaries, we've got figure one in the transport assessment, which sets out all of the construction routes impacted by construction traffic on the project. So all of those routes are within the geographic scope of the assessment. So in short, anywhere where we've added traffic to a road that is included within the geographic scope of the assessment. And everywhere, where a public right of way is closed, for a duration of longer than two weeks is included in the scope of the assessment as well. So there are some public rights of way where the closure, the expected closure is shorter than two weeks. Those were considered initially and then and then sifted out from the scope of the assessment. And then in terms of the background, traffic. Pardon, my notes are gone that. So in terms of the forecast traffic, the that's mainly covered in the transport assessment. So chapter six of the transport system and sets out the methodology by which those forecasts have been developed. I think the question you're, are you asking specifically, just to clarify the forecast numbers that we're dealing with? That would be helpful? Yes, yes, yes. So ta table 6.2. That's document 61 of the application. So that sets out the traffic impacts during the network peak hours. So that is the am the morning peak between eight and nine in the morning, and the evening peak between four and five. So those peaks have been defined from survey data as the busiest times on the network in the study area. So Table, Table 6.2 of the TA sets out that effectively in terms of construction vehicles, we're expecting to have 32, light goods, vehicle trips on the network. So that's 16 Outbound and 16, inbound to construction sites. And we're expecting to have 35 heavy goods vehicle trips on the network. So that's 17 and a half 17 and a half rounded up to 18, inbound and 17 and a half outbound across the full extent of the project. So those numbers for construction vehicles are applicable assumed to be applicable across the core working hours of the scheme, which is between seven and seven in the assessment, but the TA obviously been mainly concerned with impacts on the road network performance deal. With the traffic flow during the conventional network peak. And then in terms of staff vehicles during the peak period, we've got the the assumption is based on the assumption is 32. Vehicles inbound in the morning, the network morning peak hour and 32 vehicles outbound in the evening peak hour, so staff vehicles are assumed to park on the site. So you don't get an outbound trip in in the in the peak hours. And then just clarifying the daily totals because the daily totals had been used in the environmental assessment for the assessment of impacts on walkers, cyclists and horse riders. So again, ta table 6.2 sets out the peak day forecast, which is for 357, light goods vehicle trips. So that's 178 and a half inbound, and 178 and a half outbound across the peak day, and 387, heavy goods vehicle movements. So that's 193 and a half inbound, and 193 and a half outbound. And then finally, in terms of daily staff totals, and I appreciate this is potentially this can be derived from ta table 6.1, I appreciate it, we could have probably done with an additional row in that table setting this out. But essentially, what the assessment assumes is you have 528 staff on site, in your peak day, we assume 70% of those arriving in crew vans or mini buses, and we assume an average occupancy of four staff members per crew van. So if you run that calculation through, you effectively get 93 rounded up mini

buses inbound in the morning 93 Outbound in the evening, and there's a car forecast attached to that as well. So 30% of staff are assumed to travel by car. And they are assumed to be for the purposes of assessment that assumed to be one staff member per vehicle. So that's 528, staff times naught point three gives you 159 cars inbound in the morning and 158 Outbound in the evening. So that's the daily total for staff. I would add just to that, that most of because the site operation hours are seven till seven, we're anticipating that the majority of staff would be on site before 730 In the morning, and wouldn't depart from site site until after 630 In the evening. So there's a relatively small forecast in the conventional in the network peak hour. Hopefully that makes sense.

07:31

So I'll just go to you to clarify in relation to those numbers. And and when you say site, do you mean those numbers across the entire site?

07:43

Yes, yes. Just to make clear that's that's the headline forecast for in the peak day and the peak hour for the entire works, essentially. So those those numbers are broken down across across different access points, different roads in the network.

07:59

A couple of follow up queries, I noticed the figure of five to eight staff peak that conflicts with a figure we heard this morning 350. Can you explain that please?

08:07

Yes, John out for the applicant. So the assumption that's to do with the contingency that has been applied to the numbers. So the the peak, the the assessment is based on an August 2025 Peak, that's the peak month where the vehicle forecast is expected to be highest. What we do in terms of adding contingency to the numbers is that we you start with the August 2025 Peak, you then look for every access point at the traffic generation for every access point in a seven month window centred on that peak. So effectively, you look three months before August, you look three months after August for every for every access point. And if you take the maximum value from those seven months, effectively, and we do that for construction vehicles, and we do that for stock. So although the expectation is that you'd have 350 staff on the site in the peak month, effectively by doing that seven month review, at every access point, you're essentially drawing together PCAT activity at various access points, and that inflates the number of staff that we've actually used in this in the assessment. So that's up to 528. So I think yeah, I would, I would emphasise though that is that is a significant contingency uplift, that's a 50 That's a 50% uplift in the transport assessment on the number of staff that we are actually anticipating in this

09:36

unit inspectors sometimes ask applicants in these sorts of projects, you know, have we looked at a reasonable worst case in terms of highway impacts? Have we looked at a reasonable worst case?

09:56

John Hale for the applicant? Yeah, very much. So this is This is effectively contingency laid upon contingency laid upon contingency. So that's the main way in which in which we've applied contingencies to the numbers. But it's not the only way. For example, for starters, I think it was mentioned earlier in proceedings that we've used the alternative scenario in, yes, Appendix 4.2, I believe, rather than the baseline scenario, and that involves using more, that involves more construction activity happening concurrently. So that in itself generates a higher forecast, we applied that contingency related to a seven month review that I mentioned earlier. And we've also applied contingency essentially, at every step of the process, there's an uplift between translating from monthly today, there's an uplift when translating from day to our effectively. So this is I'd probably go further than this has been worse. This is probably the chances of reaching this forecast in reality are highly improbable, I would say.

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So because who's been there isn't in the sense and inconsistency the figure is 350. But what we have done in the transport assessment is assess a much higher figure than that. To see, again, if there are then issues or problems on the road and obviously, Mr. Hill can can can comment on that. But you can have absolute confidence, therefore, that even if those 350 turned up at one particular site or another particular site, we have, we have tested well beyond the numbers that are actually anticipated.

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Increase. Mr. Hill, thank you. Just as in terms of the geographic area models, I was interested to know to what extent you've considered the strategic road network. So the tie in from the construction access points back to the SRN at the snow,

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John Hill for the applicant. So the strategic road network is in the scope of the assessment. In chapter seven of the TA we report, the traffic flow changes on essentially the nearest link on the strategic road network to the to the junction where construction vehicles are expected to use. And that's that's indicating is the the uplift on. So for example, the the a 12, just south of COP dock is an example that's reported in the transport assessment. The baseline flows on on roads, like the 812 are so high that, you know in percentage terms, we were not adding very much at all, I think we're adding 2% to general traffic on the on the eight to 12 and 4% in terms of heavy goods, vehicles, but we wouldn't consider that to be a significant impact.

12:52

Mr. Hill, thank you. Just one further point. I just like an explanation of construction routes, they seem to have a particular significance in the transport seven, could you explain or define what a construction route is please? Thank you.

13:06

John, for the applicant? Yes. So a construction route is just any road where on the public highway where a construction vehicle or a construction staff vehicle is assumed to us essentially. So it's it's it's every road where we are anticipating construction vehicles being on it, it is defined as a construction route.

13:29

To hell. Thank you. So the next question follows on from that and I just want to establish the status of the construction routes. And I'm going to refer to the construction traffic management plan. That's a pp 180. And specifically focus on the applicants reply to national highways and Suffolk County Council, which is reported in Table 4.1. And that's feedback received on the draft ctmp construction traffic management plan. The comment that I wanted to examine really is as a preferred is I quote as a preferred contractor has not yet been defined. The construction routes are subject to change by question to the applicant is at this stage. If the contractor were to change or opt to use different construction routes, what impact will that have on the transport assessment?

14:28

John Hill for the applicant so I think this is going to be response similar to others that you've heard earlier. National we don't have an appointed main works contractor yet. So they cannot confirm routes assumed for the assessment would be the final reads but I think I would in terms of the impact on the transport assessment. I just point out that many many roads in the vicinity of the projects are narrow. They're not supposed suitable for unsuitable for. They're not suitable for construction vehicles. So in practice, there's actually very limited flexibility in viable routes that We could use. So I think we can't we can't confirm at this stage that there definitely would be the final routes. But it's, you know, the flexibility to change those routes is very, very limited in practice.

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So thank you. So is it the case the contractor is unlikely to deviate from the construction routes that the applicant has chosen?

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John out for the applicant? Yes, that's that's a fair statement.

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Thank you. Okay, the next question, again, was on the topic of the transport assessment, and it's linked to the query about the guidelines for the environmental assessment of road traffic published in 1993. By the then Institute of Environmental Assessment, now would help if you had the environmental statement, chapter 12, a PP. O 802. Hand.

15:58

So the guidance I've just mentioned is commonly referred to as girt G AR T. In July of this year, the Institute of Environmental Management assessment, published new guidance, effectively replacing the 1993 guidance. And the new guidance is referred to as the environmental assessment of traffic and movement. My question to the applicant, will you be updating chapter 12 of the environmental statement to reflect the newly published guidance?

16:38

That John, I held for the applicant? I don't believe I don't believe there is a plan to update chapter 12, or will be at somebody else can correct me if I'm wrong? I mean, I would say that we have reviewed the

new guidance. As you as you mentioned it with looking at the assessment we've done, how the new guidance might change, what we do in practice. Our summary of that review is that the guidance in with regard to how it would apply to this project is it the changes are fairly limited. And so I don't believe that there would be any material change to the the assessment as we've undertaken it as a consequence of the new guidance. But I mean, if it helps, we could we could submit something to in writing to confirm that.

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That'd be very helpful. Thank you.

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Yes, I think the chapter 12 of the s refers to Gert as guidance that was in place at the time and it says why another place that we undertook discussions with other bodies based on good because that was the guidance at the time and then says you know, the assessment management methodology is is based on Gert? So in a sense, the the IES is correct. That is what it did. But as Mr. Hill is explained, I don't think we believe that the updated guidance would change the assessment in any way. But perhaps, you know, we can come back and sort of satisfy you on that particular that particular point. Would that be helpful

18:20

with some of his most helpful thank you. Thank you. Because that's the covers the questions on the transport assessments, we're not going to move to the temporary traffic regulation orders. Sorry, I'm referring to the orders that appear in the draft to develop a consent order a PP 034 sheduled 12 parts 123 And four, I'm going to focus in on the cause of moving traffic orders. So it's the orders restricting speed, restricting vehicle access, restricting vehicle movements in one way movement and prohibiting overtaking. So in total, by my count, there are 110 proposed temporary traffic regulation orders. So, my question in a sense is related to the need for those orders. Can the applicant explained the risk addressed by each of those temporary traffic regulation orders? For example, who is at risk, what is the hazard being addressed? What is the level of potential harm if these orders are not implemented and enforced?

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He happened to for the applicant the the temporary traffic regulation Order plans are set out in document a PP 011 can hopefully be read so with the number of other documents particularly AP p 012. That's the access rights of way public rights of navigation plans. trips often nicely. Those also show the access points, the APS, as noted on those plans, which show the points where construction traffic leaves the public highway to connect to access tracks, and the bell max for construction for those and so on, and the streets and rights away affected by the draft regulation order. So it's sort of a matrix of those those different components. So from a risk based approach, this sort of two broad aspects, there's the safety risk, which is the construction staff, and both my transport point of view and a works point of view, and the travelling public, in all classes of users, that's pedestrians, cyclists, motor vehicle users, and so on. And so includes people travelling through the network, but also local people going to and from private residential and commercial premises. So the risk baked based approach is to integrate sufficient flexibility into the proposals, that when the main works contractors in place, they can bring

forward effective and safe proposals to the construction of the works. And they set out the worst expected case that it's anticipated. And that's, again, you're underpinned by the flexibility so that the contractor can deliver works in a safe safe means. And then the works that those then facilitate are temporary access modifications. And the permanent access to the works. Obviously, the majority of the works we're talking about are temporary works for the construction of the the works themselves.

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Thank you this was helpful, just by means of following up with this, they've kind of changed with the conversation you've just had concerning construction routes, and the fact the main contractor has not been appointed in the event that the contractor is appointed. Is it possible that the contractor will seek additional temporary traffic orders on top of the 110 that you're that you've suggested as an applicant,

22:11

cake topper on on behalf of the applicant, we think it's extremely unlikely that other routes will be affected or affected in different ways. As my colleague Mr. Hill has said, the constraints on the network here are so great that the scope for choosing alternative routes and alternative means are very limited. So we've created flexibility where possible development of proposals, but we wouldn't expect a contractor to seek additional orders either in terms of additional natures of restriction, or locations or extents of restriction.

22:48

Thank you. That's quite clear. Thank you. Okay, so stick around the theme of the temporary traffic orders. So the speed limit orders no access and overtaking and one way restrictions would constitute a moving traffic offence enforceable only by the police. To ensure the risks identified by your good cells are properly managed. It's important that all motorists adhere to these restrictions. To the applicants, can you confirm that the relevant roads policing constabularies have been consulted about the enforceability of the proposed 110 temporary traffic regulation orders for the duration of the construction work.

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Comp and on behalf the applicant and I confirm that the the various affected bodies have been consulted through the development of the proposals, particularly in respect of the highway authorities, we had a highways working group looking at the different aspects of the of the proposals temporary and permanent. And the impact of those, the both civil parking and criminal enforcement affects both district and county councils. And we're further developing those working groups to ensure that all of the necessary issues are addressed. So the the intention would be that restrictions are naturally self enforcing. So from you know, from a speed and compliance point of view, performance created, the intention is always to create something that naturally creates appropriate compliant behaviour, rather than requiring enforcement partly because that's a logistical issue for those affected bodies and partly because it's an additional burden. But where that enforcement when necessary, then that will be subject to that those ongoing liaison through those those stakeholder groups. Okay, that's

24:41

helpful. I just picked up an account of self enforcing what measures would you intend or you think likely will be needed to ensure those orders are self enforcing and could be self enforcing and thinking for example of one way systems or traffic calming systems, for example, for speed reductions? Is it your intention to provide additional measures to Ensure the orders are self enforcing

25:03

catch copper and odd carpenters on behalf of the applicant. And yes that the physical form in terms of restriction of wits have directions of flow and so on are often part of the detail design which clearly will be undertaken when the domain was contractor is in place. But the work undertaken to date recognising those restrictions on the network has brought forward the order set out to with an intention of creating clear self explaining routing for drivers. And then that will be complemented by communications, both in the planning context. So in the in the lead up to to delivery the works that affected parties or residents and so on could be will be engaged to understand what impact to closure will be. And then in the actual delivery the works, that local effective people could see what planned closures are in place. And being well informed in advance of making a journey is the best approach to reduce somebody taking a shortcut getting confused, not certain of what the appropriate routing would be. And so the detailed design of those measures has not been undertaken. But I would expect you to include those sorts of measures about appropriate assigning routing and restrictions, but that will be subject to detail design.

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Much I'm just gonna look to the County Council's for any feedback, please under temporary traffic regulation orders. Thank you.

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Thank you. Thank you, sir. Michael Beckwith, Suffolk County Council. So I'll come back to the TR o point in a moment. But I know you didn't ask us. For any views on the earlier item. We did have some views. So

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Teresa, my apologies.

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What is it? Is it convenient for you if I deal with that as well? I'm grateful. Sir. In relation to the transporter assessment matters. The the key issue of concern to us is the absence of specificity specificity in relation to the construction routes. And the way we see there as being a problem is that the applicants chosen approach is to produce as a control document, the construction traffic management plan that is intended, unlike in some development consent orders, not to be an outline document to be followed in due course, when you get to a more detailed stage of construction by a detailed construction traffic management plan, it is simply this document that we have before as in the examination, and that will be the certified document. And there is no further approval of that document at a later stage. But then when you look at the content of that document, and the construction routes, is a good example. But it's not the only example. And it's the point you've already referred to Sir, that when you look at that document, what it says about construction routes is that the construction routes

are in a strict sense at large, because a contractor has not been appointed and therefore it is not appropriate says the applicant to specify what those construction routes are. And there is no further check or requirement. Once the contractor has selected the routes that it wants to use. Are those routes having been selected to then be the subject of consideration and approval by the local highway authority. So so we see that as as it were, as a kind of an a structural or systemic weakness of the controls in the ctmp. There are similar things with some of the other control documents, but obviously I'm staying with traffic at the moment. And so so we think that there is not sufficient information at this stage to allow the ctmp to stand as the only control document without a further opportunity for particularly the local highway authority to be consulted on the detail. Once the detail is known. The only qualification to that is that the applicant does make provision for access points to be the sub vector of approval by the local highway authority in due course. But that's the effectively the only element of the construction traffic arrangements. That then goes through a second loop as it were of further control. So that that is a concern in relation to the transport assessment. Because of the the nature of the controls, there are issues where we don't feel that there has been sufficient information provided in terms of vehicle movements, vehicle numbers, I say, those sort of issues could be resolved, if there was another bite at the cherry through the control mechanisms. But at the moment, we do have concerns about that. And then, turning to the second element of this issue, which is the approach taken to temporary traffic regulation orders. Again, we do have concerns about the approach, particularly in terms of the practical enforceability of the measures. And I have to say, I don't know the answer to this question. I note that the applicant in their comments did explain that they had consulted with the appropriate bodies, including the local highway authorities. Certainly it's absolutely right, that the county council was consulted. Obviously, that's relating the CTE MP, what I wasn't quite clear about because I couldn't see it referred to directly in that part of the ctmp, whether there was a separate consultation with the police, who would be the enforcing authority for things which were the criminal offence side of things as opposed to the civil side of things. And it would be helpful if that can be clarified. But what I'm now going to do is just bring in, if I can, Mr. Mary, who is obviously appearing virtually. So he's the inset highways manager for the county council, and asked him to explain a little bit more what his concerns are, with the current approach that's been taken in relation to temporary traffic regulation orders. Thank you, sir.

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Mr. Batra? Thank you, Mr. Murray.

32:26

Good afternoon. Steve Murray, Suffolk County Council. Yes, the concerns we have are twofold. With the draft regulation orders. We agree with the comments made about enforceability. And we have some guidance that clearly states that speed limits should be self enforcing, referring particularly to the parking restrictions, we have concerns about the practicality of them. The vast majority of the parking restrictions are 7am to 7pm, as described in the DCO, which is I think it's Oh 3403 For sheduled 12. And it's a slog, we have a practical practical mesh here is that is in the applicant intending to put single yellow lines down with signs back them up, which case we're going to end up with quite a significant number of miles of yellow lines, which then need to be removed post construction. The other alternative is to use temporary signs and no waiting cones, but then they would have to be put out and taken up each evening, for example. So we've got some concerns about the actual, that practicality side of it. in

Suffolk Park has been decriminalised, and we've got a slightly strange arrangement is that in Baber, the civil parking enforcement is undertaken by Baber District Council for part of an alternate vapour District Council sorry, Ipswich Borough Council for part of Baber and West Suffolk for another part of the area, we will provide you a link to the map. So this makes it clear in our notes, but just to say that I'm not aware of any conversations undertaken with the enforcement agency, we have had conversations separately with the applicant on a higher level. If the applicant is expecting additional resource for enforcement, then that's a discussion about how that resource is provided. The other point I would like to make with regard to the sheduled 12 in particular is there are a number of errors there is that to be enforceable, the any restriction needs to be referred to the citric acid here, and a couple of errors in there. So for example, I'd refer to sheduled 12. In AP oh three four where it identifies the B 1508. has been in Essex when most clearly it's in Suffolk and also there was another one which was there's a 30 mile an hour speed limits shown on sheet seven of AP oh one one between A B 17. And a B 18. Which is within on Duke street within the And that is already within a 30 mile an hour speed limit, so doesn't need a second email mine has been. So there's probably some drafting errors that just need to be corrected. And if I may, just going back to my colleagues comments on the transport assessment, in terms of the controls, one of the key concerns we have is, we've heard that this is a realistic worst case scenario. So out of that degenerated number of HGV movements and lights, good vehicles, workers movements. concern is how they are secured, particularly when there's this uncertainty about contractors, and what input they're going to have in them and sort of refer back to the shift pattern. So we've already heard the shift pattern is secured between seven and seven. But there's there's nothing within any of the management plans that anchors those movements at the beginning and end of those shift movements and outside the network peak. So I appreciate my colleague when the applicant was talking of only 32 movements in the network peak, but it's where is that secured? How is that? How are extra movements prevented? We will put much more detail in our local impact report. So I think I'll leave it there.

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Mr. Murray, thank you to eat verify. So

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and I'm very grateful to Mr. Marion and Miss Belford for outlining those things. As Mr. Murray said, they will go into the council's local impact report and we will obviously respond to that.

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Mr. Humphries, thank you. It's a handout from Essex County Council.

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Thank you, sir. Good afternoon, excuse me. Margetts county council and apologies. I'm not highway engineer, nor do I am proposed to be one. But obviously, let's just follow on from the comments that have been made by Suffolk County Council. She's county council similar. Except that approach and also will come into my local impact report and is one match I'd like to like to talk about specifically here. And that's the thing about construction routes. What we've heard today is the number of vehicles that are going to be accessing site, the breakdown in terms of HGVs and ordinary good vehicles, like goods, vehicles and private cars. While we haven't discussed this abnormal loads, and there was a comment

made this morning, that's the channel abnormal loads being up to six metres wide. So obviously, I'd like to ask how that's going to be effectively managed, and what impact that's going to have on strategic road network. Because from discussions with with the way that this DCM has been progressed, I understand that those things like cable drums, for example, are going to be delivered to muster ports and then brought on to site now that may itself have quite a significant impact on the highway network. And you'll probably be aware if you've driven up in the last few days works to the A 12. And the forthcoming Secretary State transport decision on changes the a trial between Johnson and longstay. Just not to understand how those abnormal loads will work and what the impact that's going to be on the street, you have a network. So what I can do on that is I'll ask Mr. Hale to just respond briefly on that. And then we can certainly take things offline with Mr. Wiltshire. And if something ends up in the Essex County Council, local impact report, we we can respond. But he's raised, you know, as ever, a perfectly proper point. So I'll just ask Mr. Hill to comment briefly if that would be acceptable to you.

38:46

Thank you, Mr. precess.

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John Hale for the applicant. Yeah, just a brief comment from me about that. Really, it's just to make the point that that construction would require a limited number of ACLs. So the frequency what they're expected to be infrequent, and they obviously all fall under special type general orders S T. stos. So that requires consent from the relevant Highway Authority, in this case, Essex and Suffolk, and I believe National Grid have applied for the relevant consents applicable to those allow routes already. So they're Yes, the counties that will they will need to approve those routes.

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As to hell. Thank you. I'm just one other question. Is it likely that the police will be accompany those extra wind loads? There's abnormal loads.

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John Hill for the applicant? I believe some of them Yes.

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Mr. Hill, thank you. Any further questions from authorities? Indeed, so we'll move on to the temporary and permanent measures for access to the works. It may be helpful to have application 018 which is the general arrangement plans to hand So we're just gonna focus on the strategy for the for the temporary routes so the applicant very helpful he has given an explanation detailed explanation of the thinking and reasoning. Behind the selection of construction routes on the local highway network had four points in the transport assessment, a PP o six one. That thinking is set out in paragraph one, point 3.9 section 4.2, paragraph 4.3 point two and section 1.1 of Appendix C to the applicant having the document I've mentioned to hand can you provide a similarly detailed explanation of the reasoning behind the selection of temporary access routes shown in the general arrangement plans?

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Sir, thank you. Yes, I think I think we can comment on on that. And but please tell us if we're not quite getting the right point, you'll guide us I'm sure.

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Kate Carpenter on behalf of the applicant, the so there's the the access points which are shown in the advantage statement, Chapter Four as AP p 07. To show all of the measures required to deliver works, all of those temporary measures will be completed in full on completion. And the matrix of those measures to execute the works combine the access points, which is shown on the plans previously referred to and the temporary access routes leading from those, if we see on the screen, for example, the water crossings, including bridges and culverts, permanent access points, and then substation routes, where the impact of the traffic on the public highway network to get directly to access points is considered to be excessive, due to the nature of the network or the nature of the movement as dedicated temporary access route or your whole road has been proposed to facilitate that movement. And that was based on a careful evaluation of the relative options for either only using public IP network or to use whole road, different options to it to secure the safe access for materials and people to the site without an adverse in an excessive adverse impact on the local highway network being very constrained in that location.

43:02

So you know, as I'm sure you're aware, that part of the background and rationale to the what we were talking about on Tuesday, the four kilometre Holyrood was feedback from public consultation that didn't want us to use small local roads. And to be wrong to say that that was the only reason that those roads were very constrained. But that was that was part of the rationale that led to that switch. And indeed, the timing of of that. You know, that may be something that we come to explore later in the examination. And obviously, we're producing a note for you by the end of this week on the particular issues that were raised on Tuesday.

44:01

And priests, thank you, if you could provide some notes on the general reasoning for the selection, just as a broad statement, explain that the reason as you have just now. Thank you. Thank you, sir, can help the County Council's please in terms of their response? Thank you.

44:17

Thank you. So so this is another area where at the moment, we do have concerns as to whether there is sufficient information in the material that the applicant has provided to show in particular that the access routes are feasible and deliverable. And at the moment, we don't feel that that information is sufficient to enable you to reach that conclusion. And if I can just touch on a point that may be made. Well, actually, I say requirement 11 does give the county council as local highway authority, some further control. And obviously that is welcome. But as I'm sure Mr. Humphries will be well aware, in a Town and Country Planning Act context, there is a case called probe run, sometime sometimes also called Medina Borough Council. But effectively what it says, in essence, is that if you in that case, it was a grant of an outline planning permission for a access on a particular route, but then subject to reserve matters for the details. And when it came to the reserve matters stage, the applicant submitted, effectively the best he could achieve within the red line of the application site. But it still produced a

substandard visibility, so far as the Highway Authority was concerned. And they therefore sought it to where through the agency of the local planning authority, they sought to refuse to approve the details. But the courts held that once as it were, the principle had been established off the approval, then all that the applicant was required to do was the best that could be achieved within the red line, even if it might appear to be substandard. And I have a concern that although obviously this is a different regime, but a similar principle would apply that if the applicant has shown on the plans, various points of access, and then said, Well, there's a further control through requirement 11. The county council, as it were, wouldn't be able to say, well, actually, that access doesn't work. When it comes to the approval stage, it would have to approve the best that could be achieved within the context of that location has already been approved as a point of access. So the answer to that, it seems to me is that it's it's perfectly okay to do that. So long as you know, that at the time that you are approving, particularly the principle of an excess in that location, there is at least a feasible solution. So that in principle is going to be possible to provide adequate visibility without let's say, the removal of a tree, which is our immunity value in a roadside hedge or whatever it may be. And we feel at the moment that there isn't sufficient level of information provided to give us confidence that you can simply leave the detail to that requirement 11 stage, and therefore we would not be at the moment content with the applicants approach. I'm sure there can be offline discussion to see well, what further information do we want? Are there particular locations where that's a particular pressing concern, so on which, obviously, I don't trouble you with now, but I simply say that at the moment, we're not content that the proposals are satisfactory.

48:04

To Bedford do the county council knows specifically the points, the areas on the highways that are of concern to the county in terms of those discussion around the need for the temporary access routes because of adverse conditions on the highway, or the temporary access points, whether they be concerns of visibility, is the caddy castle where each point of concern related to access points or

48:27

so I'll bring in Mr. Mary. To give you an initial view, I suspect that he may want to say that the detail or follow in the local impact report, but I'll bring him in if he can give you any assistance at this stage. Thank you.

48:43

Hello, good afternoon. Again, Steve Murray from Suffolk County Council. We have got a table we're intending to submit as an appendix to the local impact report which will detail the individual junctions and the concerns about them. But as a very high level point, I'll just point out that firstly, we are struggling to get the detail we need off the plan. So for example, the plan in front of us was just disappeared. They are very large scale and it is quite difficult to scale off, particularly visibility. And as Mr. Bedford has rightly pointed out, one of the key issues with providing visibility is the impact on the vegetation and the trees around it. And I'd hasten to add that this is a problem we are actually finding in delivery of DCO. So for example ScottishPower and size well we are finding exactly these issues where we are having to accept substandard visibility on some accesses. And I can give some examples of that. What would be really useful is to have an understanding from the applicant and we have asked them for this and I think they are going to respond with it is an understanding of exactly what each

access is going to be used for. Because obviously from our perspective, then that helps us balance the risk of lower traffic we might be prepared to take on a greater risk. But oh It's just gonna say is that the applicant has helpfully and I'm looking for the reference. They have helpfully provided app oh three Oh, which is a temporary bowel mouth access. But the big point I'd like to get across is that works well for the bowel mouth. But each road is unique. Particularly if, for example, if you look around posted, there's some really narrow roads there. And while the bellmouth might be nice and wide, the road itself is substandard. So that would be one of the things we point out. But as I said at the beginning, we are intending to submit in the local impact report report a more detailed summary of each access with the visibility and where our concerns are.

50:43

Tomorrow, thank you. That's very, very helpful. I'm looking to the County Council's Essex branch rate. Any comments, please.

50:50

Thanks, Mark. We're just going to cancel, just like to agree with the comments that have been made by Mr. Murray. Mr. Howard's afternoon in particular, there was additional comment this morning about road safety audits. And if you follow Mr. Howard, comments on the safety within the red line of those audits, what the county council does not want to see is that any that isn't the safety of the primary accesses onto the road network or in any way prejudice, this particular DCO. And in particular, just as one example, the access for the whole road on day 131.

51:28

is torture. Thank you, Mr. Humphries do to reply.

51:32

Yes, sir. Just briefly, and again, we can respond in more detail if, if necessary. The circumstances in the 1990 Medina Borough Council and probe run case were quite different. That was a housing development, lots of bungalows on the Isle of Wight, the circumstances here is that we're dealing with infrastructure, the infrastructure has to be in this location, the reinforcement has to be between Bramford and twinset, we can't go and put it somewhere else. And that means that the construction and the construction vehicles have to travel on the roads that exist in in this local area, they are constrained in some areas, and we entirely accept that we believe and obviously, Miss carpenter and the other members of the team can talk to you about the efforts, we have gone to ensure that the construction routes and the junctions are acceptable. We believe that they are acceptable, though it may be said that they're not ideal, they are constrained routes in some areas. It is of course, as I say, in part in response to exactly that type of point that led us to the going across the agricultural fields and the poor kilometre access track course we understand that also has a potential impact and will no doubt be coming back to that. But on balance, as you know, we decided that that is more appropriate than trying to take in many cases very large vehicles down very small, very small roads are, as I say, maybe miss carpenter wishes to call in. But our our our view is that all of the junctions proposed are acceptable and all are within the red line. And we've done a lot of work on that. And so really, we can answer further questions on that, but that's at a high level or opposition.

53:58

Okay, thank you noted.

54:10

I'll try and keep this to high level rather than go to too much detail. But as an example, if I was referring to say, the main site compound, and obviously, you indicated the peripheral of the auto limits, so that would probably be in the north western part of the site. So what I'm hearing correctly, I've got this wrongly this that you made assumptions whereby it will be acceptable in terms of visibility. So the the thing that comes to my mind is the what's acceptable. So as a general principle, I don't know if it's been agreed, but our past See, such as Suffolk County Council, looking for the applicant to meet particular design standards. So for that particular road, an assessment would be made to generate a design speed. And then from that design speed, you'll be looking at the relevance design manual for roads and bridges that then could, for example, give an undertaking to comply with a desirable minimum of a sippy sight distance. So if I was saying you had say, 100 kph design speed, you would have in order to meet what is acceptable, desirable minimum, you'd be looking at a stopping sight distance of 215. So the how you define what is acceptable, if for example, Suffolk County Council was saying, RS SX as well, in the context of the a 131. If they were saying, Oh, we would accept it. So considered, we're one step below desirable, and the stopping sight distance was delights. So I always, as a principal, is parties could maybe find common ground regarding what is acceptable if it's a desirable minimum or one step below as an example.

56:24

Yes or not. Sorry, Michael Humphries for national period are not sure that acceptable can necessarily be defined in precisely those terms, or at least not in all cases. One of the things that you raised earlier or that was raised earlier was road safety audits, for example, and I made the comment that road safety audits aren't always required, at this stage solely on projects of the site under the development consent orders, rather different, perhaps with a high res act type order, or even sometimes Town and Country Planning Act. Orders. I note that in relation to the main construction compound, obviously, although the access is shown in a particular location, that entire stretch of road is within the red line, if limitary Road Safety Audit indicated that it should move slightly further along the road to improve visibility, we've allowed ourselves the the ability to do that. I'm probably best at this stage sort of handing over to the technical highway people. So I'll hand over to Miss Carpenter, who can sort of comment a little bit more about about these things. But we do not anticipate, certainly from any of our discussions, any problems with these particular junctions or indeed, the access points that you've you've identified.

58:12

Cage Carpenter on behalf of the applicant. Yes. So, your question is exactly right, the the principle of the form of the generic access which is shown in the applicant document, and 030, I believe, the the sample axis is based on Diamond off road and produce approach. Necessarily, it's a generic form because the underprice axis onto all individually detailed design. So the principle is that we start from a design standards compliant form. And then each individual location, we determine the right form of the individual location. We had some very useful initial meetings with Suffolk County Council, the most recent highways group a couple of weeks ago around exactly that talking about what does right look like in a context. So for example, you start with a design speed which is based on speed limit, whereas

if the physical constraints or the actual prevailing speed of the road or both mean that people are travelling at a lower speed, with good reliability, then it may be appropriate to reduce the size of the visibility display to reflect a shorter stopping sight distance. And similarly, we'd all be looking for the lowest environmental impact of each axis. So with slight alterations to the form, can facilitate appropriate level of visibility at an individual access with less impact that might be crime raising of a tree or it might be alteration to display to create a safe arrangement which would be subjected to road safety audit and that will be appropriate and then Mr. was referred to the A 131. As an example, the principle of the approach at that location whether the whole road temporary exit route meets the one through one is based on engagement with with a success, the higher authority and the detailed design will do the same. Again, that will be subject to Road Safety Audit both of the form the physical layout and the operation of it off, because it's clearly accessing what is a private road, the whole road is not publicly accessible. So both control preventing unauthorised access to that route and the safe movement on the highway for the public. So the individual site detailed design will include the individual site criteria to agree and they will all be subject to agreement and road safety audit because they are alterations to the public highway.

1:00:52

Thank you good luck to the county council. If there's any comments, please.

1:00:58

So I don't think so. Michael Bedford Suffolk County Council, I don't think that only was a general approach. there's anything we want to add. And on the detail, if they we said we'll provide you with more information in the local impact report, we acknowledge that there has been some good working with the applicant, and we will hope to continue that good working. And hopefully, we will be achieving a closer position even if we've not achieved a completely agreed position. Thank you, sir. Daughter,

1:01:33

logic is county council. Similarly, we look forward to continued engagement with the applicant on this particular matter. We recognise the fact that this is not an easy site to access. Far from it. It's it's the proverbial cat camel through the eye of a needle in some particular circumstances. So yeah, we will look them to do that. But again, the issue for us is to make sure that the environmental damage and potential damage to the use of uses of road traffic to pedestrians etc are not compromised as a result of this. While we've been talking about the a 131 access, it also just like to in terms of environmental impact, and just like to draw your attention to the arboricultural impact plan, which is a p p 067. In particular sheet 13 at the same. And you'll see on that sheet, that the arboricultural Impact Assessment doesn't show the loss of any vegetation along the A 131. For me like that access. I don't think that's right. Bearing in mind the images that I can see on Google street maps at this particular point in time, but again, it's something we can discuss with the

1:02:56

applicant. Thank you, Mr. Bhatia. Oh, to discuss with the applicant outside is foreign. Thank you. Thank you.

1:03:16

Thank you The next point will be we're referring to documents additional submission as double O five. Also referred to application document a PP 012 which is the access rights of way and public rights of navigation plans sheet three zero and will also refer to the transport assessment a PP 061 paragraph two point 2.4 So looking at paragraph two point 2.4 It lists five construction access points to receive abnormal indivisible loads. Application 012 sheet three zero refers to the temporary access point H A. P 20. And this question revolves around the submission from Essex County Council and very much changed with just a past conversation. The county council are suggesting or recommending a temporary ghost Island to be constructed on the A 131 Sudbury road at the point where it will join the proposed access point h a p 20. And the council's reasoning behind the recommendation is by reason of the volume of traffic and the speed of traffic on Sudbury road. How he found the documents that mentioned sorry. Yep, quite a few documents. In essence, but my question is, do you intend to comply with the recommendation to actually construct a ghost island on the a 131 where it joins the proposed access point. Note Think the access point will be used to receive abnormal, indivisible loads

1:05:09

its Carpenter on behalf of the applicant. Yes. The the form of that junction, the principle of the form of the of go silent form was as was also the engagement with Essex County Council. So that's the principle of the the form of the junction. And yes, that junction will need to be adequate to accommodate all of the relevant vehicle types, including abnormal indivisible loads. The the detailed form and operation of that would be the subject to agreement and the detailed design stage through the highways, agreements as previously mentioned. But yes, that act that junction will need to have capability to accommodate the sweat path of the ACL.

1:05:51

Can I follow up on that, just note that if, for example, a ghost Island is to be constructed, is there sufficient land available within the border limits to accommodate a ghost island a temporary ghost Island?

1:06:04

Katie Carpenter on behalf of the applicant, I believe there is it may be the because the vehicles are escorted both inbound and outbound as a result of their size, it may be that the escorted loads will be subject to a separate form of traffic control than the regular cars vehicles coming in and out. I holding traffic further back from the junction to provide enable them to turn using both sides of the road for example. But as I understand it, the land of identified is sufficient to build an axis adequate for those vehicles.

1:06:41

If I understand correctly, there is sufficient land within the order limits to accommodate the construction of a temporary ghost Island at that location.

1:06:48

Am I correct? That that's my understanding.

1:06:51

If I were to apply that same reasoning to the remaining four, temporary construction points start to receive abnormal, indivisible loads. Do we know if those four sites can also accommodate a temporary ghost Island if they need to?

1:07:07

Take a Carpenter on behalf of the applicant. The I'm not aware of a ghost island being suggested specifically at the other locations. But all of the locations have been designed for all of the vehicles requiring access.

1:07:22

Carpenter Thank you. They'll just look to the County Council's funny comment.

1:07:31

So microbead for Suffolk County Council. Obviously we don't comment on that. The first one the A 131. Because that's in ethics so far as the others are concerned. So I don't think that's a point that we've yet fully absorbed. So I think if we've got a concern about that, we'll pick that up in our comments in our local impact report.

1:07:51

Mr. Bedford, thank you. I'm looking to Essex and Braintree.

1:07:55

Now, which in essence county council, after no comment specifically to make on that, and again, look forward to comments, Mr. Carpenter and you.

1:08:03

Would you Thank you. Okay, so the next question relates to again, a common theme this afternoon, highway standards for temporary access points. just referring to the construction traffic management plan a PP 180 at table 4.1 And it's a common to get from Suffolk County Council in response to the draft ctmp table 4.1 I quote, sec notes that it is likely that existing accesses will need improvement as useful intensify and they may not comply with current design standards. Second point in paragraph two point 2.4 of the transport assessment. The applicant indicates there will be 126 temporary access points on the local road network 74 of which make use of existing access points and 52 will be new question to the applicant and the applicant confirm that all 126 temporary access points will provide safe and suitable access between the highway and the site.

1:09:22

Carpenter on behalf of the applicant, yes all of the accesses has been based on as described earlier the worst case for all of the permutations of of traffic and all have been identified as acceptable locations from a suitable sufficient form of access that safe for use. As described earlier, not all these locations are ideal because they are they reflect the nature of the highways on which they occur, but all have been identified as locations that can be safe and and suitable accesses for them. The construction vehicles using them.

1:10:04

As I had to follow up points, I'll just touch on very briefly. So just to consider, my question to you is, they will conform with the relevant hybrid design standards. Is that only the new access points? Or will the existing access points also conform to the relevant highway design standards. And the second point comes back to road safety audits. Now, my knowledge of audits is that they're done independently of the design team and the applicant. And they do allow for a feasibility stage audit. So these audits are carried out at feasibility stage, design stage construction stage and post construction. So as far as the feasibility stage, is it the case that each of those temporary access points will be subject to a feasibility Road Safety Audit

1:10:51

case can print on behalf of the applicant. And in respect of compliance with standards there are there are three layers of standards, there's the overarching code of practice, which I think aren't relevant to the specific geometry. There's geometrical standards relating to physical forms of accesses and junctions. And then there's methodology and construction around the actual construction payment, for example, for for, for an access, all standards have been out sorry, all accesses had been designed on the basis that they would comply with those standards. The start point being the design manual for roads and bridges standard access form, subject to site specific design, as described earlier to optimise them for appropriate for the location. In terms of road safety audit, there isn't a statutory requirement that all of the different permutations or audit must be undertaken at every stage. However, it is a requirement of the higher authorities, local highway authorities affected by the scheme, and that work should be subject to road safety audit. And it will be the discretion of the highway authority or whether that will be a stage one that centre approval designed and a separate stage two end of detailed design before construction, or very, very commonly, for smaller works like accesses, they're conventionally combined into a stage one and toured it. It's important that doesn't avoid any elements of the evaluation. But for small, physical works like individual accesses are combined to date one two audit is often the most appropriate approach is the same level of control. But it reflects the fact the the scale of the works under a review.

1:12:39

calendar. Thank you, looking to the local authorities for a response to please.

1:12:46

Thank you. So Michael Bedford, Suffolk County Council. Again, I don't want to repeat the points we've previously made about the level of information and whether it's sufficient to enable one to reach sound conclusions at this stage. In relation to standards, I know that it's been referenced to the design manual for roads and bridges. Suffolk County Council also has its own local highway authority design standards, which we would expect to be applied appropriately to the County Council's road network. And that's a factor to be taken into account. We would expect road safety audit to be undertaken. Before we would be wanting to discharge requirements under requirement 11, which is the one that deals with pick your axis is affecting the highway. And I suspect there is a dialogue to be had as to the form of that audit. And the extent to which one does combine stage one and stage two or separate but that's a matter detail.

1:14:00

I think that's probably all we want to set the stage. Thank you, sir.

1:14:04

Benefit. Thank you. Okay, thank you move on. Thank you. Okay, so moving on to the public rights of way. First question relates to the usage surveys. So I'll be referring to tables 4.2 and 4.3. Of the transport assessment PPPoE six, one, chapter 12. That's application a PP. 080. And also national highways at owl guidance hell a 112, published in 2020. So the usage surveys in the public rights of way. Table 4.2 reports on those surveys conducted in 2013 at 10 locations across the wider study area. Surveys recorded the numbers of walkers, cyclists and horse riders, and whether the users were adults or children. Table 4.3 surveys undertaken September October 2021, at five locations. Again, record the number of walkers, cyclists and horse riders of whether the users were adults, or children. I'm gonna jump straight to La 112. And it provides current guidance on the sensitivity of public rights of way receptors. Looking at the descriptions in that guidance, la 112 a table 3.11. The assessment of impacts using the current guidance requires data on whether the walker cyclists, a horse rider is a vulnerable traveller, a school child, elderly person, or a person with disabilities requires data on whether the walker cyclist or horse rider is commuting or they're for recreational purposes. It also requires data on the connectivity to employment, land and other services and connectivity to the wider network of public rights of way. And the availability of alternative routes. My question really would be in terms of what the surveys conducted in 2013, and 2021, did and did not capture. So I'm going to ask a series of questions along those lines. So my first question, the 2013 and 21, surveys capture information on whether the public rights of way user was a vulnerable traveller.

1:16:36

John Hale for the applicant. So the certainly the 2021 surveys recorded the age of the user based on observation. So it was recorded, whether they were whether they were a child or an elderly person, or were in a wheelchair, or some other form of visible mobility impairment, that's obviously based on the surveyors assessment and observation, essentially, so the 2021 surveys definitely did. I think I'd have to get back to you on the 2013 surveys, they're obviously done some time ago. So we can check on that and confirm that.

1:17:23

Thank you, Mr. him. My second question in relation to the weather the user was commuting are there for recreational purposes, again, did the survey information captured in 2013 and 2021? gather that information.

1:17:40

John Hale for the applicant. So we in 2021, we recorded things like weather, the weather, the applicant, whether the user was walking a dog, for example, that kind of thing. So observations about the characteristics of the user can help kind of provide an an indication of whether they were a commuting user or, or a leisure user. So that kind of information is available, whether they're a dog walker, or otherwise, again, I think I'd have to get back to you on the 2013 surveys, it's similar response to the first question on that.

1:18:17

Thank you for that, that's quite helpful. And finally, in terms of the connectivity to employment, and other services, did the surveys in 2013 and 2021 capture that data?

1:18:30

John Hale for the applicants. So this, the surveys themselves wouldn't necessarily be able to tell whether somebody was commuting or otherwise. As I said, the the survey is able to to make observations about the age of a person, whether they have a mobility impairment, whether they're walking a dog, etc. The what I would say though, is the the the assessment of walkers, cyclists, horse riders journey length, WCAG, Journey length, which I believe you're going to come on to later in the agenda so that that assessment, specifically focused on temporary public rights of way closures that involves a review of the land uses within the vicinity of those public rights of way that are affected by the project. So the surveys themselves, we wouldn't be able to tell definitively whether someone someone was a commuter or otherwise, but the acidity of the route affected effectively is reviewed. And you can you can look at where the locations of employment sites are with respect to the route and make a judgement about the likely extent to which a route is going to be used by commuters.

1:19:41

Thank you. So I do wait presentation after the hearing, you will provide further information on those surveys. But really what I'm getting out is to try to make an assessment of whether there's been a full and proper assessment of the impacts using the current guidance. That's what I'm that's my intention.

1:19:59

Yes, John Hill. The applicant? Yes noted, we can we can get back to you on that.

1:20:03

Mr. Hill. Thank you looking to local authorities

1:20:08

microbead for Suffolk County Council, we do have some concerns about the surveys. In terms of their adequacy, I'll bring in a moment Miss Claire Dixon, who's the rights away manager for Suffolk County Council. And that's Dixon with a c k in the middle, not an ex. But that's just for your your note. Obviously, we will welcome seeing the further information that the applicant has offered to you. And it may help the applicant in formulating that notice of mistakes and explains the current concerns, because to the extent the applicant wants to comment on that it can perhaps pick that up in in this note. So Miss Dixon, please.

1:20:53

Hi, Dixon, Suffolk County Council, from the details that have been provided with within that assessment on there, we have no actual information on the times of day that was undertaken. So it's difficult for us to make further assessment, whether that's adequate or not, when we only have a period of 1010 hours a day, and haven't stipulated those times a day, or what days of the week, they have been assessed on they've just stated a weekday or a weekend. And that does sometimes affect public use, where you may get more usage early in the morning, particularly if it's sort of September time when their mornings

are quite light still at 630 in the morning. And so that information would be would be required for us to make further assessment as well, whether that's adequate.

1:21:47

Let's take some Thank you. I'm looking to the applicants. Mr. Humphries. Do you wish to respond?

1:21:52

No, sir. Clearly, we've explained we'll go back and look at the data and see what can be said and and as I've said a couple of times before clearly, Suffolk County Council will will make a number of points in their li are and will be able to respond to those. Sorry, okay, apparently we can provide some of the information on on times. Now if if you feel that you'd like that now. Again, I'm conscious of the programme that entirely in your hands,

1:22:29

the fact it's available, it's reassuring surprise, we can have it after the hearing. So if we can proceed this Dixon, thank you. Next question relates to the identification of all routes accessible to the public. So referring to the applet construction traffic management plan a PP 180 Paragraph six point 2.1 refers to public rights of way mapping provided by Essex and Suffolk County Council being taken to represent a definitive record of public rights of way. And neither the transport assessment nor the construction traffic management plan refer to open access land, permissive paths, or other routes with public access known as open to the applicant. Can the applicant confirm whether all routes with public access including Open Access land, permissive paths, and other routes with public access have been identified and considered as part of the application? Thank you?

1:23:49

I think we'll need to come back to in writing. But we think what has been assessed our part public rights of way rather than open access, I think it will be. I don't know how we survey open access. But But I think that's what it is. You've asked the question, Does it include open access, we'll clearly just need to come back and tell you perhaps only to go back to the assessors to the survey as well.

1:24:17

Please, thank you. I'm looking to the local authorities.

1:24:22

So obviously, we don't know what the applicant did or didn't include. So we can see the note on that. Obviously, our records and our rights away function relates to the public rights of way, which typically recorded on the definitive map. There are obviously open source mapping of open access land under the countryside rights of way act. But that's I don't think something that we have a responsibility to monitor

1:25:00

Mr. President, thank you for questions from Essex or Braintree pilot group final question this agenda item, it's in respect of the non preparation of a public rights of way management plan, we note the application does not contain a public rights of way management plan. In the absence of a public way to

a management plan is the applicant. Where in the application apologies were in the application are the construction impacts on public rights of way reported? Thank you.

1:25:39

Charlie White on behalf of the applicants. So in terms of the public rightaway assessment that's assessed as part of the environmental statement in the traffic and transport chapter. And that is because as well as the public right of ways themselves, there are walkers, cyclists and horse riders on the local road network. So we thought it made sense to include all those impacts together in that chapter. In terms of where the measures are set out, they are contained in the construction traffic management plan. So there is a specific chapter within that document that covers the aspects of a public rights of way management plan, and the measures that we have outlined in relation to that topic, contained within that document and covered by requirement for the draft ACO.

1:26:22

Slide. Thank you. Just a follow up question. Indigenous relation to the layperson wishing to understand those construction impacts, I think was a management plan, a dedicated management plan that would assist in my view, the lay person wishing to understand the construction impacts on the public roadway network. So how navigable is the transport assessment to the layer user.

1:26:46

It can light on behalf of the applicant. I mean, the management plans have been written to be accessible documents. But we can take that away and have a look and see how accessible that would be in terms of the layperson.

1:27:01

This way, thank you looking to local authorities. Sucks.

1:27:06

Thank you so much justice came to council just to say that we will be looking at this in a local impact report. And this does form part and parcel of what we'll be presenting there.

1:27:16

Thank you, Mr. Bedford. Thank you. Okay. Okay, that concludes the agenda item five. Agenda item six, will we be asking the applicant to summarise the outcome of the environmental impact assessment, and to describe mitigation measures required and how they will be secured and monitored. We'll also have a discussion on the register of environmental actions and commitments. And we'll also focus on the language used in four of the certified documents. So we're going to the first question on agenda item 6.1. To the applicant. Can you explain the outcomes of the environmental impact assessment in terms of significant residual impacts? Thank you.

1:28:03

Ciao, White on behalf of the applicants. So the environmental statement has the different chapters where we've assessed the different topics as part of the project. And there is a section at the end of each chapter that summarises the residual effects. There are also a summary within the non technical

summary as well. But just for the purposes of this meeting today in terms of the residual significant effects on the project, we've identified moderate adverse effect on landscape character area to Burstall and Hintlesham. We've also identified moderate beneficial effects on Dedham, Vale, AONB landscape character area five, Devon and Chatter some LaMarsh and posted and that's primarily due to the removal of the 132 kilovolt overhead line and also the underground cables proposed in those locations. There is also a residual adverse cumulative effect on landscape and visual due to cumulative effects around Bromford substation in connection with other projects, particularly East Anglia, three, which is until year 20, when the vegetation planting would have developed on both projects and also in relation to the current proposals for the Norwich to Tilbury project.

1:29:23

So thank you, to my colleagues, to local authorities, any questions questions is why Thank you.

1:29:38

Excuse me the conclusion. The logical next step really is to discuss the mitigation measures to avoid further adverse effects, how they will be secured and monitored. So focusing on the mitigation measures is Why thank you. I

1:29:54

Charl writes on behalf of the applicants. So we have a different measures proposed As part of the environmental statement to help reduce the environmental effects, we've got the embedded measures, which are those that we have considered as part and parcel of the project, for example, removal of the 132 kilovolt overhead line, and also the underground cables and the trenches, crossings and certain locations. They are outlined within the register of environmental actions and commitments, which forms Appendix B of the construction environmental management plan. We also have good practice measures which are set out within the code construction practice. They are set out in a slightly different document just because we had a draft version of the code of construction practice at scoping which we consulted on and also again at the statutory consultation. So those are the sorts of good practice measures that would be applied across the project. And that forms Appendix A of the construction environmental management plan. And then there are four management plans which also secure other measures. So we have got the construction Environmental Management Plan, which sets out the general good practice construction methods across the project, particularly for things like water, surface water and groundwater, air quality, and noise. We have the landscape and ecological management plan, which covers the landscape and ecological proposals. And we have the material and waste management plan, which covers the material and waste side. And as we've been talking about earlier, the construction traffic management plan. In terms of the additional mitigation that has been identified within the environmental statements, to reduce or mitigate significant effects, we've termed that additional mitigation. And that is set out within the register of environmental actions and commitments. And a say forms Appendix B of the construction environmental management plan. And all the management plans are secured through requirements for if the draft development consent order

1:32:03

is fine. Thank you, to my colleagues, any questions? Local authorities, Mr. Bedford,

1:32:11

thank you. So microbead for Suffolk County Council. So we do have, I think, some detail points on the extent to which the particularly the landscape and ecological management plan actually secures all of the embedded mitigation that has been described, I think, we'll set out the detail of that in our local impact report. Some of it may be just drafting matters where things don't quite tie up as opposed to matters of more substance. But, again, we do have the just repeat that general overarching point that the structure that the applicant has chosen with the control documents in this particular developed consent order, is that there is to be one stage that is to save the certified documents, which are the four control documents you've identified in your agenda are to be approved at this stage. But we think that they're lacking in sufficient specificity to be able to provide adequate controls. And therefore, we're looking for a further requirement for approval of detailed measures when some of the detailed design matters are more fully known. As opposed to saying, I say is this and nothing else? But that's the overarching point.

1:33:42

Thank you, sir. Tibet for thank you to Essex and Braintree.

1:33:50

And, Sarah blessing, please will we will respond to respond to two points when they're set out in the LIRR. I have to say, there's no criticism of Mr. Bedford at all, having sat through literally hundreds of issues specific hearings, the usual complaint is that it's a two stage process and the document before the examination is high level and local authorities don't know what the what the detail is. So it's perhaps refreshing and different to be criticised on the fact that we've got one document at this stage. Clearly, if there are particular points, you know, we travel with an open mind, we will want to try and resolve things insofar as insofar as we can and insofar as we think it's, we think it's appropriate, but we actually think having the one stage the fact that you have now these detailed plans available to you rather than higher level plans is, is actually appropriate.

1:35:00

To improve Thank you. Okay, so the next question will focus on the presentational style of the applicants register of environmental actions and commitments. So the register of environmental action and commitments that's a pp 179. In its presentation is not straightforward to navigate. It's not always clear from the register, which environmental topic is being addressed. The potential changes and effects, relevant policy guidance or legislation, the project days, the discharging authority, specific monitoring details, the code of construction practice reference, and the environmental statement, reference. My first question to the applicant? Are you familiar with the embedded measures shedule. prepared for the applicants current application for the Yorkshire green project

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can tell whites on behalf of the applicants. And yes, I've had a look at the embedded measures shedule prepared for Yorkshire green as in terms of how we've done things on this project, we have got these management plans, which is different to Yorkshire green, having had a look at their embedded measures schedule, I can see that a lot of the measures that are set out within that schedule, and the detail that's in there is contained within our management plans. And it sets out who would be

responsible for doing them and the processes for monitoring that during the implementation of those management plans. So at the moment, we believe that the measures that are set out within their sheduled are all currently set out generally in in our management plans. And the management plans are set up in a way that we consider it's easier to hand to a contractor to deliver. They're used to seeing things in the form of management plans. And so we've tried to set it out in that style. So it's easy for them to understand compared with other projects.

1:36:57

That's right, thank you, can I just leave you with this notes, please? USA is finding it difficult at the moment to navigate mitigation mapping. And that could lead to misunderstandings or a situation where crucial measures are missed and not accounted for.

1:37:11

Can I just add another point to that because it's a source of register, or mitigation room mapping document has a second function or a third function indeed. And that's where the local authorities at some stage potentially having to discharge the follow up documents per the requirements. And in my experience is quite handy to have a central reference point, which completely follows the mitigation route mapping are handed over to the local authorities to determine whether they feel that would be useful. So would it be possible to duplicate the matters you've talked about in the management plans into the REAP react to make it into something more akin to the comprehensive document for route mitigation route mapping, this field will be auctioned green.

1:38:21

So we'll clearly the objective is to make sure that the mitigation route mapping is clear to you. And as you rightly say, the local authorities that we we'd got it right. But, you know, if you say it's not clear enough to you, then then that's a pretty clear indication to us. What I've just checked with Mr. Bevin is if, if we can, you know, can we do something else? I don't know how long it will take, but can we do something else? And I think the answer is yes. I don't know whether we would precisely follow the Yorkshire green model because things have developed in a slightly different way. But your message is understood. And we'll have a look at we'll have a look at either following or certainly adapting that Yorkshire green approach if you would find that helpful.

1:39:24

Temporary singularly most helpful. Local local authorities will comment this to benefit

1:39:31

remarkably microbead for Suffolk County Council. So we would certainly welcome anything which makes the mitigation measures that are being provided comprehensive in terms of there being a document which is comprehensive, so they are clear, and also topic based so that they can be clearly identified. And so we absolutely echo your point that we will have responsibilities, both in terms of discharging requirements. And then depending on which authorities the relevant authority, they will may well then be enforcing responsibilities as well. And so clearly one wants to have things as clear as possible for both of those stages or potential stages I should say because one likes to think that one would never need to enforce because there is always compliance but we're

1:40:28

better thank you

1:40:36

Braintree

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after all branch to accounts are really just echo the comments made by software. Thank you.

1:40:43

Essex County Council.

1:40:50

Only this the last question on the agenda item six, and it's regarding the use of unclear and ambiguous language in the management plans. I'm referring to four of the management plans and their appendices. Those application documents are the construction environmental management plan a PP 177 code of construction practice, which is Appendix A, to a pp 178. The Register of environmental actions and commitments to appendix B A, pp. 179. The construction traffic management plan a PP 180 materials and waste management plan a PP 181 and the landscape and ecological management plan EPP 182. Just to note the significance of the management plans, those plans provide a security mechanisms for the embedded measures good practice measures, and the additional mitigation identified during the EIA process. They described the control measures to carry out the construction of works Authorised by the development consent order. The written description of the control measures both individually and cumulatively should give a clear sense of purpose a clear sense of the outcomes regarding the construction of the project. In terms of ambiguous language, I just want to list the words and phrase I am referring to they are if appropriate, as may be appropriate, where appropriate, where applicable, could be are likely may require, where practicable, assume and anticipate and securing the mechanisms that good practice measures and the control measures. It needs to be they should they need to be clearly understood and should not be qualified or conditional on probable or possible outcomes. The examining authority is therefore left to doubt whether the management plans incorporate appropriate measures, and that the controls are capable of being carried out correctly. The extensive use of these phrases and words I have listed introduces a level of uncertainty and doubt in reading the management plans. My request to the applicant? Could you please carefully review these four management plans and their appendices and remove those words and phrases using clear explanations of weather is that setting out the range of outcomes? Thank you.

1:43:27

Thank you, sir, for that. And thank you, you really kindly gave us the range of words on Tuesday, which was helpful and has allowed us to, to look at those things, we we will certainly review the documents just from an initial review, we think there are some places where you know, ambiguous language can be removed, there are other places where we would want to retain some flexibility. But it may be as you have indicated that we need to give a range of things that might have might happen. Part of the reason that this type of language is is used is to give contractors the ability to frankly innovate and come up

with better ways of doing things I can personally think of several examples in DCs were very strict language has been used and then post grant or the DCA DCO. The thing for example, the tight Thames tideway tunnel, the contractor has come along with a better way of doing it and we've had to say no, sorry, that might have a less impact, but you can't do it because it was prescribed. We had I think less familiar with all of them. But I think there are some examples from grid as well. Richboro project I think was one we were talking about. The other day. So the point is well understood and it's taken, we will certainly review the document, we're in places where we think there ought to be some flexibility. We will examine how that could be expressed. And if necessary, we will explain it to you. And frankly, if we have to go through a further iteration of this where you look at that, then then then then so be it. But I think there are certainly places where we will want to retain, I wouldn't call it ambiguity, but I would call it flexibility to allow the contractors to do a better job.

1:45:47

For us, thank you. That's helpful. Mechanics, questions, local authorities. Mr. Bedford.

1:45:54

Thank you. So my copay for Suffolk County Council is the same point and you're highlighting that language underscores our concern. These particular control documents are intended by the applicant to be the only as it were control stage. And therefore, if the applicant wants to maintain that position. With respect, it needs to lose the flexibility that's built in to that language. The alternative, and we entirely understand this, that if the flexibility serves an important purpose, then in a sense, that's fine. But there needs to then be a further check on what is put forward. Once the design has unfolded. The contractor has inputted and there is indeed a better way, let's say of doing something. And since the applicant seems to want it only one way. And we with respect thing, there are tried and tested ways of doing this. So that flexibility can be maintained. But the responsible authorities then do get the opportunity to scrutinise when the ranges were being narrowed to ensure that what he's put forward doesn't have undue impacts. So that's in a sense, that's probably just going to be a theme that goes forward during the examination. But we would certainly welcome the applicant reviewing the document, and obviously will comment on the revised documents as and when we see them.

1:47:32

So I think in the sense on this, the the objective, if I make put it like this is is to secure the right outcome is the outcome that is important. The methodology, how you get to the outcome is where we would want some flexibility and certainly we can we can look at the language. In that sense. It doesn't fit if I may respectfully put it matter precisely what methodology we lose use as long as the outcome is the one that we all that we all want. And that is anticipated. So we as I say we will we will review this and and come back with some some further thoughts

1:48:23

and prayers. Thank you just turning to Braintree.

1:48:26

Matthew, our brains restrict counsel, a risk of sound like a broken record where you agree with sovereigns points.

1:48:34

As to Well, thank you, Essex County Council. So we'll break for 10 minute break. We'll resume at 345