

From: [Pete Dowling](#)
To: [Richborough](#)
Cc: [REDACTED]
Subject: Richborough Connection Project - River Stour (Kent) IDB
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Dear Sir/Madam,

The River Stour (Kent) Internal Drainage Board has continued to liaise with National Grid regarding the above project, in particular regarding the joint Statement of Common Ground (SoCG). Whilst the latest proposed draft SoCG is considered to be more informative and useful than the original document, some minor suggested amendments were submitted to National Grid earlier today. Unfortunately, as Deadline 2 is tomorrow, I have been informed that National Grid is unable to sign up to the revised document as it stands and that it therefore intends to submit its earlier draft document at this stage (without the latest comments added by the IDB).

In order to provide a clear picture of the IDB's position, I attach a copy of the revised draft document (which includes the IDB's suggested amendments). Essentially, the main issue of concern/conflict is National Grid's intention to dis-apply some of the IDB's byelaws, which is not considered to be necessary as all proposed works close to watercourses can be dealt with through the normal land drainage consenting process.

The IDB will continue to liaise with National Grid regarding this matter and it is hoped that a final SoCG can be agreed and submitted in the near future.

Regards

Peter Dowling
Clerk & Engineer
The River Stour (Kent) IDB

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Richborough Connection Project
Statement of Common Ground between
National Grid and River Stour (Kent) Internal
Drainage Board

National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

Draft Issue 2

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23/06/16	2	Draft issue 2	Second issue for IDB comment – updated following receipt of relevant representation & subsequent meeting (pre-preliminary hearing)
13/07/16	2a	Draft issue 2a	Second issue with suggested amendments (from the IDB).

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1 INTRODUCTION

1.1 Purpose of this Document

- 1.1.1 This Statement of Common Ground (SoCG) is between National Grid Electricity Transmission Ltd (National Grid) and the River Stour (Kent) Internal Drainage Board (River Stour IDB) relating to the Development Consent Order (DCO) application for the Richborough Connection Project. It has been prepared in accordance with the guidance¹ published by the Department of Communities and Local Government.
- 1.1.2 This SoCG has been prepared to identify matters agreed and matters currently outstanding between National Grid and the River Stour IDB. The SoCG will evolve as the DCO application progresses through examination.

1.2 Background to the Project

- 1.2.1 National Grid connects people to the energy they use. As old power stations close new sources of energy need to be connected to National Grid's network. One of these new sources of energy is a proposed high-voltage electricity link between Belgium and Richborough near Sandwich in Kent, known as the Nemo Link®. In order to transport the energy from the Nemo Link around the country, National Grid need to connect it to the high-voltage electricity network. There is no high-voltage electricity network in the Richborough area, so National Grid needs to build a new connection to join Nemo Link from Richborough to its existing network approximately 20km away, near Canterbury. This new infrastructure project is known as the Richborough Connection project.
- 1.2.2 The Richborough Connection project is a Nationally Significant Infrastructure Project (NSIP) which means that any application should take the form of a DCO application to the Planning Inspectorate. The Planning Inspectorate will then make a recommendation on whether the project should go ahead and the final decision will rest with the Secretary of State for Energy and Climate Change.
- 1.2.3 In January 2016, National Grid submitted a DCO application to seek powers to construct, operate and maintain a new 400,000 volt (or 400 kilovolt [kV]) connection between Richborough 400kV Substation and Canterbury North 400kV/132kV2 Substation in Kent, together with various associated development and other works (collectively referred to in this document as "the proposed development"). Much of the proposed development is located within the boundaries of the River Stour (Kent) Internal Drainage Board District. The River Stour IDB are a statutory consultee for the application, and the Examining Authority (ExA) have requested that a Statement of Common Ground between National Grid and the River Stour IDB be prepared which covers the following topics:
- EIA Approach and Methodology;

¹ Planning Act 2008: Guidance for the examination of applications for development consent. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418015/examinations_guidance_final_for_publication.pdf

- DCO Requirements;
- Construction Environmental Management Plan;
- Construction Mitigation Plans;
- Consents relating to works in the vicinity of watercourses (Land Drainage Consent); and
- Discharge of DCO requirements, including time required for response from the IDB.

1.3 The proposed development

1.3.1 The proposed development is made up of:

- A new 400kV overhead line between Richborough 400kV and Canterbury North 400kV Substations (to be known as the PC route). This would be approximately 20km long and would be built using 45 standard lattice pylons and 15 low height lattice pylons (60 pylons in total).
- A permanent diversion of an existing lower voltage 132kV overhead line (known as the PY route). This would enable the new 400kV overhead line to be constructed above the existing lower voltage overhead line, and would be done by building six new pylons, four of which are a different height so that the new 400kV overhead line could then be built. In addition to the removal of two pylons of existing lower voltage 132kV overhead line on the PY route due to the permanent diversion.
- Three temporary diversions where the new 400kV overhead line would cross over another existing lower voltage 132kV overhead line which runs from Richborough to Canterbury and is proposed to be removed as part of this project (known as the PX route). The PX route has to keep transferring electricity whilst the new 400kV overhead line is being built. To maintain local electricity supplies the PX route would be lowered onto wooden poles so that the new 400kV overhead line can be built over the top of this line.
- The removal of 20.6km (79 pylons) of existing lower voltage 132kV overhead line, the PX route (and its temporary diversions) which runs between Richborough 132kV Substation and Canterbury South 132kV Substation.
- Other works, for example, temporary access roads to reach pylon construction and demolition areas, bridge structures, highway works, construction compounds, protective scaffold structures, pylon work sites and ancillary works.

1.3.2 The interests of the River Stour IDB are focussed mainly on the construction phase, and specifically works in the vicinity of watercourses within the IDB District, such as temporary watercourse crossings to enable construction vehicles to reach the pylon construction locations although the possible effects of the works on future watercourse maintenance will also need to be considered. Proposed construction works, as detailed to date, include the following:

- 5 new crossings over IDB maintained watercourses (2 x temporary clear span bridges over Eastern Monkton Stream and 3 x temporary clear span bridges over Western Monkton Stream);

- 39 new crossings over privately maintained ordinary watercourses within the IDB District (18 x clear span bridges and 21 x culverts)
- 51 additional locations in which construction works are anticipated within the banktops of ordinary watercourses with the IDB District (comprising outfalls for new/replacement land drains); and
- a further 31 locations where it is hoped that existing bridges and culverts can be used, but which might require consenting if the existing crossings are found to be unsuitable following structural survey.

There may be some additional locations in which construction works are proposed within the 8m byelaw distance of IDB maintained watercourses, but where possible these will be avoided.

1.4 Approach to the SoCG

1.4.1 This SoCG is structured as follows:

- Section 1 provides an introduction to this SoCG and a description of its purpose.
- Section 2 states the role of the River Stour IDB in the DCO application process and details consultation undertaken between National Grid and the River Stour IDB.
- Section 3 sets out matters agreed between National Grid and the River Stour IDB.
- Section 4 sets out matters where agreement is currently outstanding between National Grid and the River Stour IDB.
- Appendix A includes the signing off sheet.

2 CONSULTATION

2.1 Role of the River Stour IDB in the DCO process

- 2.1.1 Internal Drainage Boards (IDBs) are statutory public bodies responsible directly to the Department for Environment, Food and Rural Affairs (Defra). They are constituted under the Land Drainage Act 1991, to undertake water level management and flood risk functions in their catchment areas. In addition to this, IDBs are defined as Risk Management Authorities under the Flood & Water Management Act (2010).
- 2.1.2 The principal duty of IDBs is to exercise a general supervision over all matters relating to the drainage of land within their statutory Drainage Districts. They also have powers to undertake flood defence works, land drainage improvements and water level control, on all watercourses other than 'main river' (which are under the control of the Environment Agency), within their Drainage Districts.
- 2.1.3 The River Stour IDB is responsible for flood protection and land drainage in the River Stour (Kent) area.
- 2.1.4 The IDB is named as a prescribed consultee for DCO applications in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.

2.2 Summary of consultation

- 2.2.1 Consultation carried out by National Grid and the way in which it has informed the DCO application is set out in full in the Consultation Report submitted with the DCO application. The River Stour IDB was included in the pre-application consultation carried out by National Grid.
- 2.2.2 National Grid and the River Stour IDB continue to be in direct communication with regard to the DCO application and issues pertinent to the River Stour IDB's interests. This SoCG between National Grid and the River Stour IDB is based on an extensive programme of consultation and discussions as summarised in Table 2.1.

Table 2.1 Consultation between National Grid and the River Stour IDB

Date	Details
19 June 2013	Email from River Stour IDB to National Grid advising that the project will cross the IDB District, the requirement for consent for works affecting Ordinary Watercourses and request for further information as the project progresses.
25 June 2013	Email from NG to the River Stour IDB replying to their email dated 19 June 2013, and confirming that the River Stour IDB has been identified as a consultee and that further information will be forthcoming as part of the first stage of consultation on the project.
29 April 2014	Meeting between National Grid and the River Stour IDB to initiate discussions, provide an overview of the project, including the Nemo Link, the options appraisal, programme, and to discuss the South East Water (Broad Oak) Reservoir, and the scope and assessment of biodiversity and water environment issues. Final meeting minutes issued on 22 July 2015.
22 September 2014	Meeting between National Grid and the River Stour IDB to provide a general project update, and to discuss general water environment, the IDB remit and consent requirements, engineering information to support the application, and EIA requirements. Final meeting minutes issued on 05 November 2014.
10 February 2015	National Grid's statutory consultation submission under Section 42 of the Planning Act 2008, comprising a Preliminary Environmental Information Report (PEIR), to all consultees for review. With respect to the water environment, the PEIR took the form of a draft Environmental Statement (ES) chapter, including proposed environmental measures to address potential effects. The PEIR included a draft Flood Risk Assessment (FRA). No response from the River Stour IDB was received.
17 April 2015	Email from the River Stour IDB to National Grid providing apologies for absence for a consultation meeting scheduled for the same day, advice on the consenting process, minimum clearance distances and questions and document requests.
29 April 2015	Email from National Grid to the River Stour IDB in response to their email dated 17 April 2015, and provision of requested documents (lists of DCO and non-DCO consents).
21 May 2015	Email from the River Stour IDB to National Grid providing advice on information required to facilitate further discussion on consent requirements, advice on minimum clearance heights, SoCG and provision of GIS shape files of the IDB District and IDB maintained watercourses.
13 October 2015	Meeting between National Grid and the River Stour IDB to provide an update on the development proposals, the DCO application, the water EIA and FRA, and discuss DCO requirements (Construction Environmental Management Plan (CEMP)), permitting requirements (flood defence and discharge consents), and the SoCG.
23 November 2015	Email from National Grid to the River Stour IDB providing draft set of minutes for the 13 October 2015 meeting, and request for comments.

4 December 2015	Email from National Grid to the River Stour IDB advising that as no comments had been received, that the minutes for the meeting on 13 October had been finalised (final minutes attached).
15 January 2016	Email from National Grid to the IDB providing further information on likely future Land Drainage Consent applications, including location plans, typical construction drawings, and a bridge/culvert schedule setting out which crossing type is likely to be utilised at each location.
29 March 2016	Email from National Grid to River Stour IDB requesting direct provision of relevant representation to help resolve issues as soon as possible.
31 March 2016	Email from River Stour IDB to EA providing their relevant representation and a response to the Land Drainage Consent consultation information sent on 15 January.
07 April 2016	Email from National Grid to the River Stour IDB providing the Indicative Construction Programme for the Richborough Connection Project.
19 April 2016	Meeting between National Grid and River Stour IDB to discuss response to Land Drainage Consent application consultation and this draft SoCG.
7 June 2016	Email from River Stour IDB to National Grid addressing actions from the meeting held on 19 April 2016, including confirmation of receipt of draft meeting minutes and hard copies of the FRA and ES Chapter on the Water Environment, and provision of land drainage consent application form.
15 June 2016	Email from National Grid to the River Stour IDB addressing actions from the meeting held on 19 April 2016, including design vertical clearance heights of overhead lines over IDB maintained watercourses, and an updated Figure showing indicative Land Drainage Consent Locations and associated GIS files.

3 MATTERS AGREED

3.1 Summary of current position

- 3.1.1 The River Stour IDB has no objection to the principle of the proposed development.
- 3.1.2 National Grid and the River Stour IDB have worked together to ensure the inclusion in the DCO application of suitable environmental measures.

3.2 River Stour IDB principle matters agreed

- 3.2.1 The River Stour IDB agrees with the following principal matters relating to the DCO application:
- the River Stour IDB will limit its interests in the DCO application to the consenting process for land drainage – the IDB has no concerns to raise with regards to the findings of the FRA and ES and have no objection to the DCO application.
 - National Grid and the River Stour agree that Land Drainage Consent will be sought outside of the DCO process and we are in discussion around the details of these.

3.3 River Stour IDB specific matters agreed

- 3.3.1 Specific matters for which agreement between National Grid and the River Stour IDB has been reached to date are set out in Table 3.1 below.

Table 3.1 – Specific Matters Agree between National Grid and River Stour IDB

SoCG ID	Matter	Agreed Position	Date Agreed
3.1 Consents			
3.1.1	Consents - remit and consent requirements	<p>The River Stour IDB is the consenting authority for works affecting any ordinary watercourses (not Main River) within its District (outside of the IDB District, the consenting body for ordinary watercourses is KCC). The definition of watercourses includes all rivers, streams, ditches, drains, cuts, culverts, dykes, sluices, sewers and passages through which water flows (except mains and other supply/sewer pipes).</p> <p>National Grid are not seeking to disapply the River Stour IDB's land drainage consenting requirements (under the Land Drainage Act 1991 or IDB byelaws) and therefore it has been agreed that consents will be sought prior to construction through the usual process before undertaking works:</p> <ul style="list-style-type: none"> • within 8m of the top of the bank of any IDB maintained watercourses; and • within banktop or over/under any other ordinary watercourses within the River Stour IDB District (no byelaw margin applies). <p>Apart from this, the River Stour IDB has advised that there is no difference in the consenting process between IDB maintained drains and private drains in IDB areas and that all structures will need to be individually assessed.</p>	<p>22 September 2014 21 May 2015 19 April 2016</p>
3.1.2	Consents - avoidance of duplication with the EA	<p>It has been agreed that the River Stour IDB and EA will work together to ensure that only one Flood Risk Activity Permit/Land Drainage Consent is required for each crossing location; both would not seek to provide consents where works technically fell within both of their remits/distances, e.g. where an ordinary watercourse crossing was located within 8m of a main river, for example. The River Stour IDB and EA would liaise and agree between themselves the single authority best positioned to issue the permit/consent for each location. Whilst this is agreed, the River Stour IDB has been advised of a recent change to EA consenting procedures so this will need to be clarified.</p> <p>The River Stour IDB has indicated that within the Main River margin, they would be prepared to leave the permitting responsibility to the EA, however, the EA have indicated that they might be seeking for the permitting/consenting responsibility to lie with the watercourse within which the works would take place. This will need to be checked against the EA's new consent procedures, but each location will need to be assessed on a case by case basis.</p>	<p>13 October 2015 19 April 2016</p>

SoCG ID	Matter	Agreed Position	Date Agreed
3.1.3	Consents - pre-agreement of general principles	<p>It has been agreed that National Grid's proposed approach to IDB Land Drainage Consents, whereby the submission of the consent applications themselves (including the final location and design of each watercourse crossing), will be down to the construction contractor, and will not form part of the DCO application, is acceptable. This will enable the contractor to make the final decisions based upon the environmental conditions/constraints at each location. Detailed information will be provided at the time of the consent application. It is anticipated that the applications would be submitted subsequent to the end of the DCO examination, but before the DCO is granted.</p> <p>It has been agreed that, whilst the IDB consents would be applied for by NG's construction contractor outwith the DCO process, the general principles applicable to the consenting process would be agreed between the relevant parties during the examination stage as part of this SOCG. The intention is to provide the ExA reassurance that there will be no insurmountable obstacles to the granting of the required permits, once DCO consent has been secured.</p> <p>It has been agreed that provision of typical construction drawings, indicating the generic types of crossings and location plans and a schedule that together indicate the most likely crossing type (bridge or culvert) for each crossing location, would be sufficient for the River Stour IDB to provide such a statement of reassurance.</p> <p>The River Stour IDB's current position on this matter is as follows:</p> <p><i>On the basis of the preliminary design information provided to date, the IDB is not unduly concerned about the prospect of granting the required consents for the Richborough Connection Project, subject to the contractor providing the necessary information for the applications in due course.</i></p> <p>The River Stour IDB does not foresee any significant obstacles with respect to the consenting process, but would need further detail at the land drainage consent application stage.</p>	<p>17 April 2014</p> <p>22 September 2014</p> <p>13 October 2015</p> <p>19 April 2016</p>
3.1.4	Consents - grouping of activities/applications	<p>It has been agreed that, rather than processing a separate application for each crossing, the consents could be grouped by marsh (for example, Chislet Marsh, Monkton Marsh, Minster Marsh and Ash Level). Applications fees (currently £50 per structure) will still be applied to each structure but paperwork should be reduced by this grouping. It has also agreed that the marshes could be broken down according to the Project timetable if required.</p>	<p>13 October 2015</p> <p>19 April 2016</p>

SoCG ID	Matter	Agreed Position	Date Agreed
3.1.5	Consents - turnaround for consent applications	A maximum 2 month determination period for consent applications has been agreed (in accordance with the Land Drainage Act), which will start when all supporting information has been provided.	19 April 2016
3.1.6	Consents - no permanent new crossings	National Grid has advised that the only permanent structure for which NG are seeking Development Consent is the new overhead line itself. Everything else will be temporary. National Grid has advised that temporary culverts could be in place for a couple of years. The River Stour IDB has advised that all structures will be assessed in line with their intended purpose.	19 April 2016
3.1.7	Consents - culverts vs clear span bridges	The River Stour IDB generally prefers clear span bridges to culverts, but have accepted National Grid's position that where there is low environmental risk (e.g. no water voles) and the crossing width is suitable, culverts are preferable to NG on the basis of programme and cost. National Grid has advised that a number of clear span bridges are likely to be required on the basis of the presence of water voles and/or the width of the watercourse being too great to warrant use of a culvert.	19 April 2016
3.1.8	Consents - elevation of culvert invert levels with respect to the bed	It has been agreed that new temporary culvert structures would be installed slightly into the 'hard' alluvial material in the bed. As a general rule, the invert level of the temporary culverts should be set at 150mm below the hard bed of the channel to provide continuity of natural bed for ecology. The River Stour IDB has advised that IDB maintained watercourses are cleared of silt frequently (every 7-10 years), so should not have excessive silt build up on the bed, but where this is encountered, more likely in non-maintained watercourses, it has been agreed the invert could be determined on a case by case basis.	19 April 2016

SoCG ID	Matter	Agreed Position	Date Agreed
3.1.9	Consents - hydrological assessment of culvert flow capacity	<p>It has been agreed that consent applications for new culverts would be accompanied by an assessment of flow capacity. It has been agreed that a qualitative approach can be taken, on the basis that quantitative approaches are only suitable for gravity driven channels, such as the upstream section of the Sarre Penn, and such approaches are not applicable to channels in the level dependent and managed watercourses of the marshes and levels.</p> <p>It has been agreed that the starting point for the hydrological assessment would be to size the temporary culverts in accordance with the channel size (with pipe sizes being maximised) but also taking into account the capacity of any culverts or other structures located up- and down-stream (which would provide main the constraint to flow). The River Stour IDB has acknowledged that this is a reasonable approach, but advised that this would not be suitable for all locations – at some locations there are known problems with the capacity of existing culverts and that larger capacity than these would be required. It was agreed that such exceptions could be considered on a case by case basis.</p> <p>It has been agreed that a hydraulic assessments are not required for temporary clear span bridges.</p>	19 April 2016
3.1.10	Consents - continuation of habitat corridor for wildlife	<p>It has been agreed that ledges and/or pipes would be provided for continuation of habitat corridor for wildlife. On the basis that many of the temporary culverts may be submerged, it was agreed that a high level pipe would be acceptable. Any pipe would need to be located above the summer water level of the drain, to ensure that it remained dry and thus usable by wildlife. The River Stour IDB suggested a diameter of 300mm would be appropriate, but intend to confirm subsequently. National Grid's ecologists have advised that a 300mm diameter pipe would be suitable for all potential species, and that an elevation slightly above the summer water level (so routinely dry), would be appropriate.</p>	19 April 2016
3.1.11	Consents - embankments	<p>The River Stour IDB has advised that matters relating to flooding, including defences, are generally dealt with by the EA. The River Stour IDB has advised that no consent would be required from the River Stour IDB for works to or in the vicinity of embankments providing flood defence benefit, but that the River Stour IDB would expect National Grid to consult with the EA. National Grid has agreed to liaise with the EA regarding embankments and obtaining the necessary permits, and to copy these to the IDB for information.</p>	19 April 2016

SoCG ID	Matter	Agreed Position	Date Agreed
3.1.12	Consents - flood risk and bridge levels	The River Stour IDB has advised that they are happy to be steered by the EA with respect to wider flood risk and would not be raising an issue if the EA are happy with National Grid's proposed approach.	19 April 2016
3.1.13	Consents - new/replacement land drainage outfalls	New land drainage infrastructure may be required where new pylons would interrupt existing land drainage networks. It has been agreed that any new outfalls would need to be recessed into the bank, and marker posts provided on the bank to indicate their location. It was agreed that applications for land drains could be grouped by marsh, as per watercourse crossings.	
3.1.14	Consents - Water Framework Directive (WFD) assessment	It has been agreed that WFD assessment would accompany consent applications. It has been agreed that a similar approach to WFD assessment as required by the EA for Main River applications would be undertaken.	19 April 2016
3.2 Design of the 400kV line			
3.2.1	Sufficient clearance for watercourse maintenance activities beneath the operational 400kV overhead lines	It has been agreed that a minimum clearance of 8.1m would be provided over land and watercourses to safeguard the long term accessibility for maintenance purposes. In practice this will provide the River Stour IDB with a 5m safe working height within which to undertake maintenance works without impinging upon the 3.1m safety clearance distance from the 400kV overhead cable. The 8.1m minimum accounts for maximum sag during worst case conditions. NG have agreed to provide the proposed clearance heights over each of the IDB maintained watercourses, although it should be noted that these are only indicative heights, which may change once built, but would never be less than 8.1m.	22 September 2014 19 April 2016
3.3 Routine maintenance			
3.3.1	Programming of construction and IDB maintenance	It has been agreed that National Grid and the River Stour IDB would liaise regarding National Grid's construction programme and the River Stour IDB's maintenance cycle. The River Stour IDB has advised that, if the timeframes coincided, it may be possible to programme desilting operations around National Grid's construction timetable, but weed cutting is less flexible due to legal, ecological and other operational constraints.	19 April 2016

SoCG ID	Matter	Agreed Position	Date Agreed
3.4 DCO Application			
3.4.1	DCO Requirements – method by which the environmental measures set out in the ES (& FRA) will be secured.	<p>It has been agreed that the environmental measures set out in the ES and FRA will be secured through the DCO requirements (conditions) and, for the most part, the CEMP.</p> <p>The main draft Requirements relevant to the water environment are as follows:</p> <ul style="list-style-type: none"> • A Construction Environmental Management Plan (CEMP), which will capture all construction related mitigation set out in the ES. The CEMP will not be finalised until the DCO examination process is concluded. • A number of plans will be specified in the CEMP to be prepared by the contractor subsequent to the DCO process. In addition, a number of construction mitigation plans will be required, including a Drainage Management Plan and an Emergency Response Plan for Flood Events. • Inspection of temporary watercourse crossings. • Removal of temporary access roads including all new bridges and culverts. 	13 October 2015
3.4.2	Discharge of DCO requirements, including time required for response from the River Stour IDB	<p>As requested in the ExA's Rule 6 letter, the following has been agreed with respect to discharge of DCO requirements, including time required for response from the River Stour IDB.</p> <p>Local Authorities will have 35 days to consider applications to discharge requirements (as outlined in Schedule 4 of the draft DCO). Where the Local Authority is the discharging authority and the River Stour IDB is a consultee this will be issued within 3 days of receipt of an application by National Grid.</p>	

4 MATTERS CURRENTLY OUTSTANDING

4.1 Summary of current position

4.1.1 Outstanding principle matters relating to the DCO application between National Grid and the River Stour IDB are set out in Table 4.1 below.

4.2 River Stour IDB specific matters currently outstanding

4.2.1 The River Stour IDB matters currently outstanding are understood to relate to:

- Disapplication of byelaws.

4.2.2 These matters currently outstanding are captured in Table 4.1 with the position of the River Stour IDB and National Grid provided.

Table 4.1 Matters Currently Outstanding between National Grid and River Stour IDB

SoCG ID	Matter	River Stour IDB position	National Grid Position
4.1	Disapplication of byelaws		

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SoCG ID	Matter	River Stour IDB position	National Grid Position
4.1.1	Aspects of local legislation and byelaws disapplied as part of the DCO	<p>The River Stour IDB has requested further information on National Grid's reasoning for seeking to have byelaws 10, 14, 17 and 20 disapplied. Further discussion on this matter is required.</p>	<p>NG are seeking to have aspects of local legislation and byelaws disapplied as part of the DCO. Schedule 15, Part 2 of the draft DCO (Document 2.1) lists those byelaws that NG are seeking to disapply through the DCO – namely Byelaws 10, 14, 17 and 20 of the River Stour (Kent) IDB Land Drainage Byelaws 1991.</p> <p>Set out below is further information on the byelaws proposed for disapplication.</p> <p>10. No Obstructions within Eight Metres of the Edge of the Watercourse</p> <p>Byelaw 10 states <i>'No person without the previous consent of the Board shall erect any building or structure, whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 8 metres of the landward toe of the bank where there is an embankment or wall or within 8 metres of the top of the latter where there is no embankment or wall, or where the watercourse is enclosed within 8 metres of the enclosing structure'</i>.</p> <p>On review of this byelaw, NG considers that the disapplication of Byelaw 10 is not necessary as the provisions of this byelaw could be addressed via the land drainage consenting process. As such the draft DCO will be updated to remove Byelaw 10 from Schedule 15, Part 2. This will be included in the updated draft DCO (Document 2.1A) submitted at Deadline 2.</p> <p>14. Vehicles not to be Driven on Banks</p> <p>Byelaw 14 states <i>'no person shall use or drive or permit or cause to be used or driven any cart, vehicle or implement of any kind whatsoever on, over or along any bank of a watercourse in such manner as to cause damage to such bank'</i>. National Grid will undertake activities including scaffolding and access/maintenance roads being located adjacent to or on the tops of banks. On that basis National Grid considers it necessary to disapply this byelaw.</p> <p>The River Stour IDB does not consider it necessary or appropriate to disapply this byelaw. Any land affected is likely to be in private ownership and the IDB would be unlikely to become involved unless any adjacent watercourse were to be affected (by pollution for example). NG would need to ensure appropriate pollution control measures and must make good any damage caused in direct liaison with the IDB.</p>

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APPENDIX A – SIGNING SHEET

APPROVALS	
Signed	
On Behalf of	National Grid Electricity Transmission Ltd
Name	
Position	
Date	

APPROVALS	
Signed	
On Behalf of	River Stour (Kent) Internal Drainage Board
Name	Peter Dowling
Position	Clerk & Engineer to the Board
Date	TBC