

## East Lindsey District Council Response to ExA Second Written Questions

<b>Q2.4. Climate Change</b>			
Assessment and Calculations			
2.4.1	All Local Authorities	<p><b>Updated ES Chapter 15</b> The Applicant revised Environmental Statement (ES) Chapter 15 on Climate Change at Deadline 4 [REP4-029] answering requests for information. Furthermore, details of materials to be used and greenhouse gases derived therefrom were supplied as Appendix A to [REP4-041]. In respect of the updated information, do the local authorities have any comments or observations that the ExA should be aware of?</p>	<p>We have not been able to find Appendix A in the Examination documents with REP4-041 being "Deadline 4 Submission - 9.56 Central Compound Site Selection Note" not Appendix, therefore we cannot comment at this present time whether the information is suitable. Additionally, the bill of quantities is not available in the latest Climate Change Chapter (APP-057).</p>
2.4.2	All Local Authorities	<p><b>Climate Resilience</b> The revised ES Chapter 15 [REP4-029] sets out considerations in respect of climate change resilience for the Proposed Development. No substantive comments have been made about these to date, so the Examining Authority (ExA) assumes there are no fundamental concerns. Please confirm whether the Applicant's ES is robust or not regarding these considerations.</p>	<p>The comments made at the previous submission remain valid and unanswered, which are copied below "It is acknowledged that the climate change projection data is provided in Table 15-15, and that the methodology for assigning likelihood and significance is provided in tables 15-8 and 15-9. However, there is no evidence to support the assignment of likelihood or consequence metrics for each potential climate change or impact in Table 15-30. For example, the likelihood of "Increased frequency and severity of extreme weather events" is classified as "Possible, about as likely as not", and the measure of consequence is determined to be "Medium". There is no justification or narrative for how the assessment has arrived at these conclusions, for example why would the consequence of the impact not be 'Very</p>

			<p>high' instead of 'Medium' if there is an increase in the frequency and severity of extreme weather events."</p> <p>Overall, this is not likely to be material to the outcome of determining consent for the project, but the comment remains that the robustness of how likelihood and consequence metrics have been applied.</p>
<b>Q2.7. Draft Development Consent Order</b>			
<b>Interpretation and Articles</b>			
2.7.2.	<p>Applicant All Interested Parties All Statutory Undertakers All Local Authorities</p>	<p><b>ExA Schedule of Changes to the Development Consent Order</b> Comments are invited from all parties on the ExA's proposed Schedule of Changes to the Development Consent Order, without prejudice to the respective party's positions on the Proposed Development.</p>	<p>No comments on the proposed changes.</p>
<b>Q2.8. Ecology and Biodiversity</b>			
<b>Ecology</b>			
2.8.2	<p>Natural England All Local Authorities</p>	<p><b>Biodiversity Net Gain (BNG)</b> Given that BNG on NSIPs is not yet mandatory, provide any information you wish the ExA and the SoS to take into account as to why it is considered a Requirement is necessary for this project?</p>	<p>BNG is not yet mandatory, but will be by November 2025, which aligns with the proposed construction start date for the proposed development (late 2025). We note that the Applicant has committed to providing 10% BNG (for the permanent habitat losses at the Immingham Facility, Theddlethorpe Facility, and Block Valve Stations), which is welcomed.</p>
2.8.3	<p>All Local Authorities</p>	<p><b>BNG Details</b> In light of the Applicant's commitments within the Outline Landscape and Ecology Management Plan (OLEMP) [REP2-026], is there any uncertainty remaining as to what would be done and when, or any amendments required to the OLEMP to provide reassurances of effective and long management?</p>	<p>The latest version of the OLEMP [REP4-021] now includes updated text relating to the Applicant's position on BNG, which now aligns with the Initial BNG Assessment [APP-125]. There is sufficient information within the Initial BNG Assessment [APP-125] and Draft BNG Strategy [APP-126] to give confidence that BNG can be delivered, and we would expect the production and consultation of a final Biodiversity Net Gain Assessment, based on the Initial BNG</p>

			<p>Assessment [APP-125] and Draft BNG Strategy [APP-126], to be included within the DCO Requirements to secure this.</p> <p>There remains no detail in the OLEMP regarding what would be delivered and the timescale for delivery. It would be useful for the Applicant to confirm, via updates to the Initial BNG Assessment [APP-125] and Draft BNG Strategy [APP-126], that the 30 year monitoring and maintenance period is being committed to for all habitats being put forward for BNG, and to confirm when habitats are intended to be created by during the outline construction programme.</p>
2.8.4	East Lindsey District Council	<p><b>Clarity of Information</b>  In the Local Impact Report [REP1-053, Paragraph 6.2] there are several instances where the Applicant's information is said to be unclear. 1) Do these concerns remain and, if so, why? 2) If such matters were unresolved at the end of the Examination, explain whether any residual lack of clarity would have any bearing on the outcomes of the ES or upon the recommendations of the ExA.</p>	<p>The points raised in paragraph 6.2 of the Local Impact Report [REP1-053] are "It is currently unclear as to which areas of habitat will be affected during the construction and operational phases of the project. This needs to be quantified and assessed for the whole of the pipeline route. It is also currently unclear if there will be any temporary or permanent losses of the coastal habitats east of the Theddlethorpe Facility which is located within the East Lindsey District Council area." These concerns remain, no further information updating this missing information from Section 6.7 of 6.2.6 Environmental Statement - Volume II - Chapter 6: Ecology and Biodiversity [APP-048] has been provided to date. The absence of quantitative data regarding habitat loss makes it impossible to draw a conclusion regarding the nature of effects, and the adequacy of mitigation. If such matters were unresolved by the conclusion of Examination, it would not be possible to agree with the findings of the impact assessment presented in Section 6.7 of 6.2.6 Environmental Statement - Volume II - Chapter 6: Ecology and Biodiversity [APP-048].</p>

## Q2.13. Landscape and Visual Amenity

### Character and Appearance of the Countryside

2.13.2	All Local Authorities	<p><b>OLEMP strategy</b> Confirm for the record if the landscaping strategy, planting strategy and replacement/compensatory landscape proposals of the Applicant, as set out in the OLEMP, are satisfactory and fit for purpose. If not, why not?</p>	<p>The landscaping strategy, planting strategy and replacement / compensatory landscape proposals set out in the OLEMP are considered adequate and fit for purpose.</p> <p>The potential requirement for future flexibility and adaptation of landscaping measures is outlined in 6.8 Outline Landscape and Ecological Management Plan – Revision B (Document Reference: EN070008/APP/6.8), section 1.1.6:</p> <p>‘This Outline LEMP is a live document, the context of which will continue to be updated, refined and (where necessary) added to, based on ongoing discussions between the Applicant and statutory bodies and relevant Local Planning Authorities. It will be updated by the Applicant into a final detailed Landscape and Ecology Management Plan (LEMP) prior to the commencement of works in accordance with the Requirements contained in Schedule 2 of the Draft DCO (Application Document 2.1)’.</p>
2.13.3	All Local Authorities	<p><b>Reinstatement of land and landscape</b> Notwithstanding decommissioning of the block valve stations and above ground infrastructure, are there any residual concerns regarding the proposals for reinstatement of land and landscape features for the pipeline construction corridor, or does the OCEMP and OLEMP provide sufficient reassurance that the landscape would be reinstated in a timely and effective manner?</p>	<p>There are no residual concerns regarding the reinstatement of land and landscape features along the pipeline construction corridor. The Draft CEMP and OLEMP provide a strategy for pre-construction, construction and post construction activity, overall construction programme, monitoring of works and the roles and responsibilities of key project members.</p> <p>The Final CEMP and LEMP will require approval by East Lindsey District Council prior to construction commencing and, as such, provides a mechanism to ensure proposed reinstatement measures will be undertaken in a timely and effective manner.</p>

## Q1.14. Noise and Vibration

### Noise Effects

2.14.2	Applicant East Lindsey District Council	<b>Statement of Common Ground (SoCG)</b> It would be useful for the ExA if an updated SoCG were to be submitted at Deadline 5. In particular, a separate annexe within the SoCG should set out the specific matters of agreement and disagreement regarding the methodology, assessment criteria and application of noise thresholds/ tolerances so that the ExA can clearly see what the disputes and differences are between the parties.	East Lindsey District Council have passed back to the applicant's agent a revised SoCG which it is understood they will submit at Deadline 5. However please have regard to the comments below regarding noise.
2.14.3	East Lindsey District Council	<b>Receptors and mitigation</b> The Applicant's technical note [REP4-047] identifies significant effects at specific residential receptors and suggests mitigation measures accordingly. 1. Is the list of identified receptors complete to your satisfaction, or are there additional receptors that should be considered, assessed or give rise to the concerns from the Council. 2. Are there any residual concerns about the mitigation being applied or the ability for further measures to be derived later in the process, should development consent be granted?	Due to the Council's consultant advisor being away due to illness we are unable to respond at this deadline. We fully expect to respond at Deadline 6 (19th September) on these matters noting the documents submitted by the Applicant at Deadline 4.

## Q2.17. Waste and Minerals

### Waste

2.17.1	Applicant Environment Agency All Local Authorities	<p><b>Revised ES Chapter 18</b></p> <p>The Applicant revised ES Chapter 18 at Deadline 2 [REP2-012]. Following these revisions, are there any comments or observations arising on waste matters that the ExA should be aware of, or have any/ all issues been resolved? Explain with reasons.</p>	In relation to waste and minerals we would adopt the position of Lincolnshire County Council.
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