

The Council makes the following observations on the applicant's revised Book of Reference and Land Plans.

Book of Reference Vol 8.9 Nov 2016

1. It is not clear which articles under part 5 of the DCO apply to each plot. 3/14/a, 3/14/b 3/14/c, 3/14/d
2. **Page 29, Plot reference 3/14/a in the column entitled 'extent and description of the land it states'** : temporary possession and use of and a permanent new right to construct, operate and maintain the Church Road overbridge and related works and mitigation measures including access with or with vehicles plant and machinery over approximately 1588.07square metres of special category land (open space) located east of former A2070'.
3. It is not clear to ABC what rights HE is seeking over plot 3/14/a.
4. What does HE mean by the term permanent new right to construct?
5. Could HE provide an example of a DCO where the permanent new right to construct an overbridge
6. Could HE advise ABC how it intends to secure the new permanent right to construct? (As it is not acquiring the freehold) Permanent suggests that HE will have a right to construct on land that belongs to ABC at any time, which is not what the DCO seeks.
7. What does HE the mean by the term maintain in this context?
8. **Plot ref 3/14/b** states: all interests and rights in approx 1738.39 square metres of special category land. What does HE mean by this?
9. **Plot ref 3/14/c** states: temporary possession and use of approx. 1133.28 square metres of land forming part of Barrey Rd. What does HE mean by this?
10. **Plot 3/14/d**: all interests and rights in approx. 300.45 of land forming part of Barrey Road

2.2 Land Plans, Volume 2 October 2016

The Council does not want the replacement land to be vested in the Council.

The replacement land is still being shown to include the cycle track and lighting. ABC is not responsible for maintaining these. On 22 August HE confirmed that these would not be part of the replacement land.