

# MALDON DISTRICT COUNCIL

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**Your Ref: PINS Ref: TR010060**

**Our Ref: MDC/A12/PINS/030123a**

Dear Sir,

## **RE: TR010060 - PROCEDURAL DEADLINE A - WRITTEN SUBMISSION ON EXAMINATION PROCEDURE – 3 JANUARY 2023**

I write on behalf of Maldon District Council with regards to your letter dated 12 December 2022 and its request for any considerations on the draft examination timetable as set out in Annex D and/or comments on the arrangements on future Examination Hearings.

This letter sets out the council's views on the initial assessment of Principal Issues, the draft Examination Timetable and the proposed approach to the Examination. Whilst it is hoped the Examining Authority (ExA) can understand the council's feedback on these matters, it is noted the applicant also has the right to respond to this feedback at the Preliminary Meeting and therefore the Council will be registering to attend the Preliminary Meeting online, via MSTeams (rather than in-person in Witham) in order to provide further clarification to the ExA on the day should it be needed.

### **1. Annex C – Principal Issues 6: Gas Pipeline Diversion (Preliminary Meeting - Item 3)**

In addition to the three issues set out by the ExA in Annex C (6), the council considers that the arrangements for operational maintenance of the diverted gas pipeline and any permanent or temporary requirements for access to the affected land should also be reviewed by the ExA; just as they are being examined for primary project of the A12.

At present, the Examination only appears concerned with the diversion of gas pipeline, whilst further discussions with National Highways during December 2022 have clarified with the District Council that the A12 to A120 Order Limit 2022 includes a current gated field access in Little Braxted. This would be used by Cadent, post construction, for any maintenance requirements. The council feels this matter still requires further consideration due to designated historic assets in the vicinity of the access, including a Grade I Listed church opposite; as well as the relatively minor nature of Little Braxted Lane as a highway consisting a single track with passing places and historic bridges designated as Grade II Listed Buildings.

### **2. Comments on how the application should be examined (Preliminary Meeting - Item 4)**

You have specifically sought written submissions about how the Examination should be examined.

Having considered the dates of the draft Examination Timetable set out in Annex D to your letter, the council has one specific comment, which relates to the choice of the ExA to schedule Item 14's deadline as 23:59 on Monday 8 May 2022. The Prime Minister proclaimed this day a Bank Holiday on 6 November 2022 and therefore the ExA has had advance notice that this day will no longer be a working day and that

the preceding weekend will also be occupied with national and local public events to mark His Majesty King Charles III's coronation on Saturday 6 May 2022. As a small local authority, our limited staffing resources are likely to be engaged in public events in the Maldon District to help the local community mark His Majesty's coronation. Respectively, therefore, it is requested that the ExA move Item 14's deadline a little further into the month of May to allow all participants in the Examination to mark this important national occasion unhindered, as intended by the Government. Unfortunately, moving it backwards earlier into May would not be preferable as the Maldon District Council elections are taking place on 4 May 2022 and many council staff are to be deployed elsewhere to support the poll.

Having consulted Annex B, Advice Note 8.5, and Advice Note 8.6, the council understands and supports the ExA's intention that the Preliminary Meeting and Examination Hearings will be 'blended events'; with some participants attending in-person at Witham Public Hall and some taking part virtually via MSTeams. It is understood that neither attending in-person, nor online would confer advantage over the other format and all participants would be treated equally by the ExA. It is also understood that the Preliminary Meeting and Examination Hearings will also be live streamed so they can be observed remotely as well.

This 'blended' format is supported in principle as it is felt that this flexibility will enable more local people and businesses to engage in the Examination, reduce unnecessary travel to Witham (particularly with the possibility of train strikes during 2023 that could otherwise disrupt attendees to the in-person hearings), as well as make some participants feel more comfortable to take part than perhaps they would have had the format just been in-person, as has been the case traditionally.

### 3. Annex G – Factual Errors

Finally, Annex G, page G1 contains errors concerning Deposit Locations in the Maldon District which the council would like to draw to the ExA's attention. The venue address states Maldon *Town* Council, but lists the District Council's postal address, together with what used to be (pre-Covid) the District Council's weekday opening times. The District Council offices are no longer open on this basis. Similar to all other locations listed in the same table, it is considered better in terms of weekday and weekend access for the community to list **Maldon Library, Carmelite House, White Horse Lane, Maldon, Essex, CM9 5FW** as the Deposit Location which has accessible computer terminals available for the deposit information on the following days and times:

Mon – 9am-7pm; Tue – 9am – 5:30pm; Wed – Closed; Thu – 9am – 5.30pm; Fri – 9am – 5.30pm; Sat – 9am – 5pm and Sun – Closed

Yours sincerely,

Matthew Winslow BSc. (Hons.) MSc. MRTPI AInstLM  
Strategy, Policy & Communications Manager