

Submission ID: 33077

The Planning Inspectorate
National Infrastructure Planning
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Our ref: TR010064
SO/2024/124453/03-L01
Your ref: Deadline 5 (D5) - 10 January 2025
Date: 10 January 2025

Dear Sir/Madam

M60/M62/M66 SIMISTER ISLAND PROJECT

TR010064: Application by National Highways for the M60/M62/M66 Simister Island Interchange Project the Examining Authority's Written Questions and requests for further information (EXQ2) - DEADLINE 10 JANUARY 2025

Thank you for the opportunity for the Environment Agency (EA) to provide the Examining Authority (ExA) with written representation in relation to the further submissions made under deadline 5 (D5).

For the purposes of this response, we have focused on the question which specifically relate to the Environment Agency as follows:

DCO.2.9 – Requirement 13 – Consultation

Is the 'not less than' 14-day period stipulated for consultation under this paragraph a sufficient period of time for undertaking consultation? If not, explain why not and advise what an appropriate time period would be and why.

We have reviewed Requirement 13 within the latest version of the draft Development Consent Order [REP3-006].

For context, our interpretation of the 14 days constitutes 10 business days. Therefore, the Environment Agency is of the view that the provisions in this Schedule will not provide sufficient time for adequate consultation to take place for the discharge of Requirements. The practical application of the 10-business day timescale will not facilitate adequate consultation.

The Environment Agency requests that this is amended to 15 business days to provide sufficient consultation timescales that align with those in the Development Management Procedure Order 2015, i.e. 21 days (equivalent to 15 business days).

We also request that the term 'business days' is included in Requirement 13, similarly to Requirement 14 (5), to clarify this term means a day other than a Saturday or Sunday, Good Friday, Christmas Day or a bank holiday in England and Wales under section 1 of the banking and Financial Dealings Act 1971.

We would welcome such amendments to be made to the Development Consent Order (DCO).

Yours faithfully