

The Planning Inspectorate

**Our ref:** XA/2024/100191/01-L01

**Your ref:** TR010065

[via email:

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**Date:** 12 November 2024

Dear Sir/Madam

## **A46 Newark Bypass – Development Consent Order (DCO) Application**

### **A46 from Farndon Roundabout to Winthorpe Roundabout, near Newark-On-Trent**

#### **Deadline 2 (12 November 2024) – Written Representations**

We are pleased to provide our Written Representations (WR) in relation to the above DCO application. Essentially, this is an update on our position on the issues we raised in our Relevant Representations (RR) [[RR-020](#)]. We have also included comments on our Statement of Common Ground with the Applicant and our comments on documentation submitted at Deadline 1 (22 October 2024)

Following our RR, we have engaged positively with the Applicant in relation to addressing the issues we have raised, and many of these are considered to be resolved, or are pending the submission of satisfactorily updated documents at Deadline 2 (12 November 2024), or future deadlines in the Examination process.

Appendix 1 provides an overview of the current progress on addressing the issues we raised in our RR in table format with a RAG score for issue status.

The key issues of importance which have not yet been resolved are in relation to flood risk. In Table 1 below, we have provided more detailed comments on our position on these issues, which have been informed by two technical notes prepared by the Applicant that we have reviewed outside of the Examination process.

We have reviewed the documents submitted at Deadline 1 and our comments are set out below in relation to the following documents:

### **3.1 Draft Development Consent Order [REP1-001 / REP1-002]**

Following the submission of the updated draft Development Consent Order, several of the issues we raised at RR have now been resolved.

#### Requirement 3 - Second Iteration Environmental Management Plan

We are pleased to see that Requirement 3 now identifies the Environment Agency as a consultee in relation to the discharge of this requirement, and that the Environmental Management Plan includes a Dewatering Management Plan.

The following issues as raised in our RR are now therefore resolved (insofar as they relate to Requirement 3):

- EAFBG-003 (Biodiversity net gain – missed opportunity for watercourse improvements)
- EAFBG-004 (Biodiversity net gain – improvements to river units)
- EAFBG-005 (Invasive species – Himalayan Balsam)
- EAGWCL-002 (Dewatering Management Plan)
- EAWA-001 (Disposal of waste – British Sugar landfill)
- EAWQ-009 and EAREQ-001 (Requirement 3 – Second Iteration Environmental Management Plan).

#### Requirement 4 - Third Iteration Environmental Management Plan

We are pleased to see that Requirement 4 now identifies the Environment Agency as a consultee. RR Issue EAREQ-002 (Requirement 4 – Third Iteration Environmental Management Plan) is now therefore resolved.

#### Requirement 6 - Landscaping

Following engagement with the Applicant on this issue, we have further considered the need for our inclusion as a consultee. We have concluded that we no longer need to be included as a consultee as issues relating to our function will be picked up through other mechanisms, i.e. environmental management plans (as part of Requirement 3) and environmental permitting (e.g. flood risk activities). As such, issue EAREQ-003 (Requirement 6 - Landscaping) is now resolved.

#### Requirement 8 - Contaminated land and groundwater

We are pleased to see that Requirement 8 has been updated to include our suggested wording, to ensure that development stops if previously unidentified contamination is found, only in the identifiable area in which suspected contamination is located. As such, issue EAREQ-004 (Requirement 8 - Contaminated land and groundwater) is now resolved.

#### Requirement 14 – Flood compensatory storage

See comment in the flood risk table (Table 1) below.

#### Requirement 15 – Flood risk assessment

See comment in the flood risk table (Table 1) below.

#### Disapplication of Environmental Permitting Regulations for flood risk activities

Since our RR, we have engaged with the Applicant on this matter. The Applicant has stated in the Statement of Common Ground with the Environment Agency [REP1-020] that they are: *not currently seeking to disapply the Environmental Permitting Regulations for flood risk activities. Therefore, there are no Protective Provisions within the draft Development Consent Order. Should this position change, the Applicant will contact the Environment Agency to agree the terms of the protective provisions.*

We are satisfied that the latest draft Development Consent Order, as submitted at Deadline 1, does not include an article regarding the disapplication of the Environmental Permitting Regulations, and that there is no protective provision included for our benefit. As such, flood risk activity permits from the Environment Agency will be required for any relevant works which fall under Schedule 25 of the Environmental Permitting Regulations (England and Wales) 2016.

#### **7.21 Statement of Common Ground with the Environment Agency [REP1-020]**

We have reviewed the Deadline 1 submission of the Statement of Common Ground (SOCG) and we consider it captures the relevant issues we have raised, and discussed with the Applicant. While this SOCG reflected the progress on resolving the issues at the time of submission, it is an evolving document and is now out of date. There are also a few amendments that need to be made. We expect an up-to-date iteration of the SOCG will be submitted at Deadline 2. We will continue to engage with the Applicant on this matter as the Examination progresses and we work towards a final SOCG.

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We also have the following update on other issues we raised at RR:

#### **Agreed documents/work packages**

In addition to the above, after further engagement with the Applicant in relation to the issues we raised regarding water quality, water resources, waste, fisheries,

biodiversity and geomorphology, we are now satisfied that following documents/work packages are Agreed:

- **Highways England Water Risk Assessment Tool (HEWRAT) Assessment** – issue reference EAWQ-005 (HEWRAT)
- **Water Framework Directive (WFD) Assessment** – issue references EAFBG-002 (WFD – water body mitigation), EAWQ-001 (Water quality – surface water run-off), EAWQ-002 (Water quality – surface water sensitivity), EAWQ-003 (WFD – detailed assessment), EAWQ-004 (WFD – detailed assessment).
- **Water usage strategy** – issue reference EAWR-001 (Water usage – abstraction licencing)
- **Waste management strategy** – issue reference EAWA-001 (Disposal of waste – British Sugar landfill)
- **Biodiversity net gain strategy** – issue references EAFBG-003 (Biodiversity net gain – missed opportunity for watercourse improvements) and EAFBG-004 (Biodiversity net gain – improvements to river units).

### **Documents/work packages yet to be Agreed**

The following documents/work packages are not yet Agreed:

- **Flood risk assessment**  
We are still working with the Applicant on this. Further information is required. We have provided detailed comments on flood risk issues in the table set out below.
  - **Contaminated land assessment**  
We are awaiting an updated Environmental Constraints Plan to be submitted at Deadline 2 in relation to issue EAGWCL-001 (British Sugar authorised (active) landfill site), and the submission of a Detailed Quantitative Risk Assessment (DQRA) and agreement of a satisfactory approach to addressing the contamination hotspot at WS46 (issue ref. EAGWCL-005).
  - **First Iteration Environmental Management Plan (EMP)**  
We are currently waiting for an updated document to be submitted at Deadline 2. Once we are satisfied with the First Iteration EMP, issues EAWQ-006 (Surface water quality monitoring – frequency), EAGWCL-002 (Dewatering Management Plan) and EAGWCL-004 (Surface water and groundwater monitoring) will be able to be resolved.
  - **Consents and Agreements Position Statement (CAPS)**  
We are awaiting the submission of a satisfactorily updated CAPS document. This relates to issue EAGCC-001 (Required Environment Agency permits and licences) and the disapplication of flood risk activity permits.
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## Flood risk issues – updated position

Following our RR, we have had two meetings with the Applicant to discuss our flood risk issues and the Applicant has provided to us for review (outside of the Examination) two flood risk technical notes to address our concerns:

- Floodplain Compensation Areas Technical Note (Document ref. HE551478-SKAG-EGN-CONWI\_CONW-RP-CD-00001, Revision P02, dated 15 October 2024)
- Hydraulic Modelling Technical Note (Document ref. HE551478-SKAG-EGN-CONWI\_CONW-RP-CD-00002, Revision P01, dated 22 October 2024).

We have provided more detailed comments to the applicant, but our comments below aim to provide the Examining Authority with sufficient information to understand our current position on these issues.

<b>Issue/ref.</b>	<b>EA comments</b>
EAFR-001 Flood risk exception test (part 2) – fluvial flood	We are not satisfied that the second part of the flood risk exception test ( <i>an FRA must demonstrate that the project will be safe for its lifetime, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall</i> ) has been passed, until the below points about increases in flood risk off-site and information about the compensatory flood storage have been fully addressed. Additionally, the Applicant should provide evidence to show what other opportunities were explored to reduce flood risk and clear justification for why these were not taken forward.
EAFR-002 Increase in fluvial flood risk elsewhere	<p>The Hydraulic Modelling Technical Note (as submitted to us for review outside the Examination process) shows there to be no increases outside of flood model tolerances in the fluvial design flood scenario (1% annual probability / 1 in 100 year plus climate change allowance). We are satisfied that flood depth increases of 10mm are within model tolerance.</p> <p>However, the Applicant has provided more detail (within the Technical Note appendices) which shows there are off-site increases larger than model tolerances with in the smaller flood scenarios, i.e. 1% annual probability / 1 in 100 year (without climate change), the 3.3% annual probability / 1 in 30 year and the 5% annual probability (1 in 20 year) flood scenarios.</p> <p>The Applicant needs to provide additional supporting evidence with regards to these increases, particularly where they are associated with modelling tolerances or uncertainties within the hydraulic modelling, and mitigation where there are observable increases in water level.</p>

	<p>Additionally, the Applicant needs to provide evidence that they have engaged with affected landowners and made them aware of all increases of risk and flood depths.</p>
<p>EAFR-003 Overall reduction in fluvial flood risk</p>	<p>In the FRA, as submitted with the DCO application ('6.3 Environmental Statement - Appendix 13.2 Flood Risk Assessment' [APP-177]), the Applicant has shown the screening process for choosing the most affective and appropriate floodplain compensation areas. However, we require evidence to show what other opportunities were explored to reduce flood risk and clear justification for why these were not taken forward.</p>
<p>EAFR-004 Compensatory flood storage</p>	<p>Within the most recent Floodplain Compensation Area Technical Note (as submitted to us for review outside the Examination process), the Applicant has provided additional detail about where water will be stored during a design flood (inclusive of climate change allowance) and a breakdown of water levels and volumes.</p> <p>This technical note shows the amount of storage available at 0.2 metre slices as well as the design volume and temporary works volumes of storage lost. This technical note also describes the impact of increasing overall storage volume by 20% on flood risk. The flood compensation scheme has been tested within the hydraulic model as well as the sensitivity test increasing storage by 20%.</p> <p>However, we still require the Applicant to provide more information about the conveyance of flood water to the storage areas. In particular, we require further information about how the Kelham and Averham Floodplain Compensation Area will interact with a separate solar farm development (planning application ref. 23/01837/FULM - Newark &amp; Sherwood District Council). This relates to ExQ1 questions Q4.0.20 and Q5.0.10 for which we have provided separate comments to the ExA (in response to ExQ1).</p>
<p>EAFR-005 Compensatory flood storage – phasing of works</p>	<p>The Applicant has committed to undertaking works to building connections between the River Trent and areas which will become Floodplain Compensation Areas before any other works commence as part of the Pre-commencement Plan ('6.9 Environmental Statement - Pre-Commencement Plan' [APP-188]). However, we require the Applicant to provide clarity that at no point during construction there will be a net loss of floodplain storage and a plan of how phasing of work will be coordinated with</p>

	<p>the planned solar farm development (planning application ref. 23/01837/FULM - Newark &amp; Sherwood District Council). It will also need to be demonstrated that both developments can be constructed without compromising each other and overall flood storage.</p>
<p>EAFR-006 Compensatory flood storage – maintenance</p>	<p>The impact of blockage of the Main Road (A617) culverts on flood risk has been tested within the hydraulic model. The effects of blockage for the culverts into Kelham Flood Compensation Area (FCA) are summarised in Appendix B of the Flood Risk Assessment [APP-177] and show a fairly negligible effect on flood risk. A blockage of 75% was applied to these culverts.</p> <p>We understand that Requirement 14 (in the dDCO) will require the Applicant to provide details of the compensatory flood storage scheme before any works can commence. However, it is necessary for a maintenance plan to be provided and to understand who will be taking on the maintenance for the lifetime of the development. This is due to the proposed floodplain compensation area (FCA) using a network of culverts to connect the FCAs to the River Trent, which has additional risk associated with it compared to the traditional free flow of water to compensation areas. Although blockage modelling has been undertaken to understand the risks which may occur if these culverts become blocked, it is necessary to have a plan of how these culverts and compensation areas will be maintained and cleared to ensure they function correctly and to reduce the additional associated risk.</p> <p>Additionally, as we have been made aware of the overlapping of land associated with a new solar development (planning application ref. 23/01837/FULM - Newark &amp; Sherwood District Council), we require clarification from the Applicant regarding who will be responsible for the assets and land within these crossover areas and any agreements which have been put in place to facilitate this.</p>
<p>EAFR-007 Slough Dyke (main river) realignment</p>	<p>Within the most recent Hydraulic Modelling Technical Note (as submitted to us for review outside the Examination process), the Applicant has shown that the realignment of Slough Dyke has now been tested within the hydraulic model and confirms no impact on flood risk. No further action is required by the Applicant with regards to testing the Slough Dyke re-alignment within the hydraulic model. The Hydraulic Modelling Technical Note should be included as appendix of an updated FRA to be submitted as part of the DCO application.</p>

	<p>While the Applicant has provided sufficient evidence to us to demonstrate that the realignment of Slough Dyke will not have an adverse impact of flood risk, we are still awaiting detailed plans of the proposed river channel in situ. The Environment Agency requires satisfactory cross-sectional plans of the channel and drawings of the channel connecting to the existing channel in order to full resolved this issue.</p> <p>Once a satisfactory revised FRA and plans as mentioned above have been submitted as part of the DCO application, we will be able to resolve this issue.</p>
<p>EAFR-008 Interaction with Environment Agency flood defences</p>	<p>In the document, '7.11 Applicant's Response to Environment Agency Relevant Representations' [REP1-010], as submitted at Deadline 1, in conjunction with the '2.2 Land Plans' document [AS-004], the Applicant has provided more detail about the Environment Agency assets they will interacting with and the standard of protection these assets provided. However, the Environment Agency requires additional evidence that planned alterations will not compromise these assets and more detailed drawings, including cross-sections, of the proposed alterations to Environment Agency assets.</p>
<p>EAFR-009 Climate change allowances sensitivity test</p>	<p>Within the most recent Hydraulic Modelling Technical Note (as submitted to us for review outside the Examination process), the Applicant has provided evidence that the necessary sensitivity testing has been undertaken to accurately assess the impact of climate change to the scheme.</p> <p>In particular, the Hydraulic Modelling Technical Note satisfactorily demonstrates the impacts of a credible maximum scenario on the development. No further action is required by the Applicant with regards to testing a credible maximum scenario.</p> <p>To fully resolve this issue the Applicant should include the Hydraulic Modelling Technical Note as an appendix of an updated FRA to be submitted as part of the DCO application.</p>
<p>EAREQ-005 Requirement 14 – Flood compensatory storage</p>	<p>We have reviewed the Deadline 1 submission of the updated Draft Development Consent Order [REP1-001 / REP1-002] and while the Applicant has not adopted our suggested wording, we are satisfied that correct climate change percentage (39%) has been included in (2) of Requirement 14. However, we would advise that either the</p>



	word "event" is reinstated, or "scenario" is used instead at the end of that sentence, otherwise it appears to not make sense.
EAREQ-006 Requirement 15 – Flood risk assessment	<p>We are satisfied with the wording of Requirement 15, but clarification is required as to whether the 10mm is on top of what is presented in the FRA or compared to baseline levels.</p> <p>We consider that it would be sensible for the Lead Local Flood Authority (LLFA) to be consulted on the FRA, especially in context to surface water as they will have a greater understanding than the Environment Agency. However, whether or not the LLFA is included as consultee is ultimately a matter them.</p>

Please contact us if you have any queries or require anything further.

Yours faithfully,

**Mr Alex Hazel**  
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Appendix 1 – Environment Agency issues / work package tracker

## Appendix 1 – Environment Agency issues / work package tracker

### Issue status key:

	Agreed / resolved
	Working on a solution / under discussion
	Not agreed

Subject	Topics		Assessment / plan / DCO	Impact	Solution / Mitigation	Requirement agreed / assessment updated to resolve issue	Requirement number(s) in DCO / Protective provision in DCO	Notes
<b>Biodiversity</b>	Biodiversity net gain (BNG) strategy	BNG – improvements to river units (EAFBG-004)	Agreed	Agreed	Agreed	Agreed	3	Draft DCO Deadline 1 (22/10/2024) submission - DCO Requirement 3 Second Iteration EMP has been updated to include the EA as a consultee.
	Environmental Management Plan (EMP)	Invasive species – Himalayan Balsam (EAFBG-005)	Agreed	Agreed	Agreed	Agreed	3	Draft DCO Deadline 1 (22/10/2024) submission - DCO Requirement 3 Second Iteration EMP has been updated to include the EA as a consultee.
<b>Contaminated land</b>	Contaminated land assessment	British Sugar authorised (active) landfill site (EAGWCL-001)	Agreed	Agreed	Agreed	Working on a solution	N/A	Once the Applicant has satisfactorily updated the Environmental Constraints Plan and submitted it into the Examination at Deadline 2 (12/11/2024), this issue will be resolved/Agreed.
		Contamination hotspot at WS46 (EAGWCL-005)	Working on a solution	Working on a solution	Working on a solution	Working on a solution	N/A	Pending submission of a Detailed Quantitative Risk Assessment (DQRA) – Applicant intends to submit at Deadline 4 (13/12/2024). We are hoping to review the DQRA/have further engagement with the Applicant before Deadline 4.
<b>Fisheries</b>	Use of borrow pits for fry refuge (EAFBG-001)		Agreed	Agreed	Agreed	N/A (Agreed)	N/A	

<b>Flood risk</b>	Flood risk assessment / Flood modelling	Flood risk exception test (part 2) – fluvial flood risk (EAFR-001)	Working on a solution	Working on a solution	Working on a solution	Working on a solution	14, 15	Please see detailed flood risk comments above in Table 1.
		Increase in fluvial flood risk elsewhere (EAFR-002)	Working on a solution	Working on a solution	Working on a solution	Working on a solution	14, 15	Please see detailed flood risk comments above in Table 1.
		Overall reduction in fluvial flood risk (EAFR-003)	Working on a solution	Working on a solution	Working on a solution	Working on a solution	14, 15	Please see detailed flood risk comments above in Table 1.
		Compensatory flood storage (EAFR-004)	Working on a solution	Working on a solution	Working on a solution	Working on a solution	14, 15	Please see detailed flood risk comments above in Table 1.
		Compensatory flood storage – phasing of works (EAFR-005)	Working on a solution	Working on a solution	Working on a solution	Working on a solution	14, 15	Please see detailed flood risk comments above in Table 1.
		Compensatory flood storage – maintenance (EAFR-006)	Working on a solution	Working on a solution	Working on a solution	Working on a solution	14, 15	Please see detailed flood risk comments above in Table 1.
		Slough Dyke (main river) realignment (EAFR-007)	Agreed	Working on a solution	Working on a solution	Working on a solution	15	Please see detailed flood risk comments above in Table 1.
		Interaction with Environment Agency flood defences (EAFR-008)	Working on a solution	Working on a solution	Working on a solution	Working on a solution	15	Please see detailed flood risk comments above in Table 1.
		Climate change allowances sensitivity test (EAFR-009)	Agreed	Agreed	Agreed	Working on a solution	15	Please see detailed flood risk comments above in Table 1. We are satisfied that this issue has been adequately addressed in the Applicant's Hydraulic Modelling Technical Note (provided to us outside of the Examination process). Once the FRA has been updated to include the technical note as an appendix, we will be able to consider this issue as resolved.

<b>Geomorphology</b>	Water Framework Directive (WFD) – water body mitigation (EAFBG-002)		Agreed	Agreed	Agreed	N/A (Agreed)	N/A	
	Biodiversity net gain (BNG) – missed opportunity for watercourse improvements (EAFBG-003)		Agreed	Agreed	Agreed	Agreed	3	Draft DCO Deadline 1 (22/10/2024) submission - DCO Requirement 3 Second Iteration EMP has been updated to include the EA as a consultee.
<b>Groundwater protection</b>	Environmental Management Plan (EMP)	Dewatering Management Plan (EAGWCL-002)	Agreed	Agreed	Agreed	Working on a solution	3	Draft DCO Deadline 1 (22/10/2024) submission - DCO Requirement 3 Second Iteration EMP has been updated to include the EA as a consultee.  Pending the submission of updated First Iteration EMP at Deadline 2 (22/10/2024).
		Piling method statements and risk assessments (EAGWCL-003, EAREQ-007)	Agreed	Agreed	Agreed	Working on a solution	3, additional requirement for piling	Draft DCO Deadline 1 (22/10/2024) submission - DCO Requirement 3 Second Iteration EMP has been updated to include the EA as a consultee.  We are satisfied that there is no longer a need for a specific piling risk assessment DCO Requirement, the resolution of this issue is pending the submission of updated First Iteration EMP at Deadline 2 (12/11/2024), which will update item GS4 in the REAC table.
		Surface water and groundwater monitoring (EAGWCL-004)	Agreed	Agreed	Agreed	Working on a solution	N/A	Resolution pending the submission of updated First Iteration EMP at Deadline 2 (12/11/2024), which will update item RDWE7 in the REAC table. We have already had the opportunity to review the proposed update to item RDWE7, and we are satisfied with it.

<b>Permitting &amp; consents</b>	Required Environment Agency permits and licences (EAGCC-001)		Working on a solution	Working on a solution	Working on a solution	Working on a solution	N/A	Awaiting updated Consents and Agreements Position Statement.
	Disapplication of EPR for flood risk activities		Agreed	Agreed	Agreed	Working on a solution	Protective provision not required therefore not included in the DCO.	The Applicant has indicated verbally (SOCG meeting 18/10/2024), that they are no longer seeking to disapply EPR in respect of flood risk activities. We note there is no article in the DCO in respect of disapplying the Environmental Permitting Regulations 2016, and that there is no protective provision included for our benefit. Awaiting the submission of the updated Consents and Agreements Position Statement.
<b>Waste</b>	Waste management	Disposal of waste – British Sugar landfill (EAWA-001)	Agreed	Agreed	Agreed	Agreed	3	<p>Draft DCO Deadline 1 (22/10/2024) submission - DCO Requirement 3 Second Iteration EMP has been updated to include the EA as a consultee.</p> <p>The Applicant has not approached British Sugar on this matter and is not seeking to dispose of waste at the British Sugar landfill. Should the Applicant's position change, the Environment Agency will be consulted to discuss the use of the landfill.</p>
<b>Water quality</b>	Water Framework Directive (WFD)	Water quality – surface water run-off (EAWQ-001)	Agreed	Agreed	Agreed	N/A (Agreed)	N/A	
		Water quality – surface water sensitivity (EAWQ-002)	Agreed	Agreed	Agreed	N/A (Agreed)	N/A	
		WFD – detailed assessment (EAWQ-003)	Agreed	Agreed	Agreed	N/A (Agreed)	N/A	

		WFD – detailed assessment (EAWQ-004)	Agreed	Agreed	Agreed	N/A (Agreed)	N/A		
	Environmental Management Plan (EMP)	Surface water quality monitoring – frequency (EAWQ-006)	Agreed	Agreed	Agreed	Working on a solution	N/A	Pending the submission of updated First Iteration EMP at Deadline 2 (12/11/2024), which will update item RDWE7 in the REAC table. We have already reviewed the proposed update to item RDWE7, and we are satisfied with it.	
		Surface water quality monitoring – ecological monitoring (EAWQ-007)	Agreed	Agreed	Agreed	N/A (Agreed)	N/A		
		Surface water quality monitoring – baseline (EAWQ-008)	Agreed	Agreed	Agreed	N/A (Agreed)	N/A		
		DCO Requirement 3 – Second Iteration EMP (EAWQ-009)					Agreed	3	Draft DCO Deadline 1 (22/10/2024) submission - DCO Requirement 3 Second Iteration EMP has been updated to include the EA as a consultee.
		Highways England Water Risk Assessment Tool (HEWRAT)	HEWRAT – baseline (EAWQ-005)	Agreed	Agreed	Agreed	N/A (Agreed)	N/A	
<b>Water resources</b>		Water usage – abstraction licencing (EAWR-001)	Agreed	Agreed	Agreed	N/A (Agreed)	N/A		
<b>Development Consent Order (DCO)</b>		Requirement 3 – Second Iteration Environmental Management Plan (EAREQ-001)					Agreed	3	Draft DCO Deadline 1 (22/10/2024) submission - DCO Requirement 3 Second Iteration EMP has been updated to include the EA as a consultee.
		Requirement 4 – Third Iteration Environmental Management Plan (EAREQ-002)					Agreed	4	Draft DCO Deadline 1 (22/10/2024) submission - DCO Requirement 4 Third Iteration EMP has been updated to include the EA as a consultee.
		Requirement 6 – Landscaping (EAREQ-003)					N/A (Agreed)	6	On further consideration we have determined that we do not

					need to be a named consultee in this DCO Requirement.
	Requirement 8 - Contaminated land and groundwater (EAREQ-004)		Agreed	8	Draft DCO Deadline 1 (22/10/2024) submission - DCO Requirement 8 Contaminated land and groundwater has been updated to include our suggested wording.
	Requirement 14 – Flood compensatory storage (EAREQ-005)		Working on a solution	14	Please see detailed flood risk comments above in Table 1.
	Requirement 15 – Flood risk assessment (EAREQ-006)		Working on a solution	15	Please see detailed flood risk comments above in Table 1.
	Additional requirement – piling		Working on a solution	Additional requirement	Additional piling assessment requirement no longer necessary.  Pending the submission of updated First Iteration EMP at Deadline 2 (12/11/2024), which will update item GS4 in the REAC table.

END