

**Planning Act 2008 (as amended) and the Infrastructure Planning
(Examination Procedure) Rules 2010 (as amended)**

**TR030002: Application by York Potash Limited for an Order Granting
Development Consent for the York Potash Harbour Facilities**

Examining Authority’s Second Round of Questions 16 October 2015

Contents

Note.....	1
Compulsory Acquisition.....	2
Development Consent Order.....	3
Project Need, Project Description, Alternatives and Route Selection.....	9
Ecology.....	10
Traffic and Transport.....	17
Noise and Vibration.....	18
Landscape and Visual Amenity.....	18
General.....	19

Note

Apart from the questions on Compulsory Acquisition, the draft Development Consent Order and Habitat Regulations Assessment, the questions below have been organised under their most relevant chapter heading in the Environmental Statement. Chapter headings have been omitted where there are no relevant questions.

References used within this document match references given to documents as listed in the Document Library published on the project web page.

Compulsory Acquisition (CA)

CA 2.1

The need for amended land Plans amendments to Schedule 3 and Book of Reference

To: **The Applicant**

- a) Please provide amended land plans to show the subdivision of Plot 8 to relate to the two alternative alignments for the conveyor, and any other subdivisions that may be required to give effect to the alternatives; it would be preferable for the plans to distinguish those plots that would only be required on one of the alternative routings.
 - b) Please provide consequential amendments to Schedule 3 and an updated Book of Reference to relate to the intended treatment of these alternatives.
-

CA 2.2

The land proposed to be subject to compulsory acquisition on the northern conveyor route option

To: **The Applicant**

Please confirm the observation made at the site visit that the conveyor would not interfere with the conveyor installation on the Redcar Bulk Terminal site (RBT). Please also confirm that, as the northern part of the strip would only be required for maintenance as opposed to operational access (which would be via the southern pipeline corridor where there are already access roads) there would be no restriction on the ability of loaders or other vehicles operated on behalf of RBT or related interests from gaining access around the south side of the RBT conveyor system; and, as only rights to construct the overhead conveyor and thereafter maintain it are sought, that it is accepted by the Applicant that following construction the land could remain wholly within the RBT/Tata/SSI security fence with access only required by the Applicant on occasion, after due notice, for maintenance purposes.

CA 2.3

Compulsory acquisition of rights over the hot metal rail route and Tata/SSI access road and in relation to the northern conveyor route option

To: **RBT/Tata Steel UK/The liquidators of SSI UK**

In view of the cessation of steel-making and coking at the Redcar site, please indicate whether the concerns over the issue of constructing the Potash Conveyor over the hot metal rail route while in use are now allayed, even if the points of concern over the conveyor's presence over potentially resumed hot metal movements at some future date remain.

In the light of the clarification provided on site and in respect of which confirmation is sought under question **CA 1.2**, is objection to the possible use of the northern conveyor corridor still maintained in relation to the operation of RBT and related coal stacking areas?

CA 2.4

s127 and s138, including Protective Provisions

To: **The Applicant**

Please provide a further update of negotiations with all statutory undertakers and provide additional or amended protective provisions for inclusion in the DCO and of any related agreements, particularly the provisions necessary to address the objections of Northumbrian Water, but also any further changes that may be required beyond the 2 October 2015 version of the DCO.

Although you have stated that s138 of the 2008PA, as amended, will not be applicable please confirm explicitly, that s138 would not be applicable in relation to the proposed modifications to the A1085 roundabout to provide temporary construction access.

CA 2.5

Company structures

To: **The Applicant**

[Please note that Cleveland Mining Company Ltd is not an American company, as suggested by the Applicant during the hearings and stated in paragraph 2.24 of the Applicant's written post hearing submissions, but an Australian one. The ExA nevertheless accepts that it has no connection with Cleveland Potash.]

Development Consent Order (DCO)

DCO 2.1

Article 2: Definition of "maintain" and "commencement".

To: **The Applicant and MMO**

The ExA notes that the MMO still considers that the definition of "maintain" is too wide. Please consider whether the words used to amplify its meaning might be further restricted. In addition, is the definition of "commencement" now included appropriate for the works included within the Deemed Marine Licence (DML) or should there be an exclusion of DML works or a separate definition included for works within the DML?

DCO 2.2

Jurisdiction of Harbour Authority

To: **The Applicant**

Please provide the amendment to the Explanatory Memorandum promised to explain the import of the latest changes made to the DCO that relate to the jurisdiction of the Harbour Authority.

DCO 2.3

Wording of Article 14(6)

To: **The Applicant**

Please define the meaning of "as may be practicable" or otherwise qualify the meaning of this provision?

DCO 2.4

Article 34 and Schedules 7-11 Protection of interests

To: **The Applicant**

To: **All interested parties seeking protective provisions in relation to pipelines of other transport links, in particular CATS Management, DEA, SABIC, Huntsman and RBT/Tata Steel UK/The liquidators of SSI UK**

Please provide an update of progress on securing agreed protective provisions, together with amended schedules for the DCO.

DCO 2.5

Article 34 and Schedules 7-11 Protection of interests

To: **All affected Statutory Undertakers**

To: **The Applicant**

Please provide an update of progress on securing agreed protective provisions, together with amended schedules for the DCO. *[See also Question CA 2.4]*

DCO 2.5

Article 38 Certification of Plans

To: **The Applicant**

An explanation as to why certain plans may not need to be certified has been given. Revised plans have been provided of the two proposed permanent compounds to show the location of screen fences. Do these plans need to be certified?

DCO 2.6

Design approval (Requirement 3)

To: **The Applicant**

Please can the Applicant define in Article 2 of the draft DCO the term 'further environmental report' as referred to in requirements 3(3) and 3(4)?

To: **Redcar and Cleveland Borough Council (RCBC), Natural England (NE) and the Marine Management Organisation (MMO)**

Are RCBC, NE and the MMO satisfied that the new Requirements 3(3) and 3(4) are adequate to address the concerns raised previously raised regarding the potential need for surveys to establish the baseline prior to commencement of Phase 2 of the development?

DCO 2.7

Requirement 6 in the draft DCO – Construction Environmental Management Plan (CEMP)

To: **The Applicant**

Please can the Applicant define in Article 2 of the draft DCO, the term 'ecological mitigation works', to provide a definition of the scope of works covered by this description.

Requirement 6(2) provides that the CEMP may be altered by approval in writing from the Local Planning Authority (LPA). The draft DCO provided at DL3 [REP3-003 and REP3-004] includes an amendment to Requirement 6(2) which stipulates that '*The CEMP may be subject to alteration in writing of the local planning authority provided that such alternative does not prevent the mitigation during construction referred to in the environmental*'. It is presumed that this amendment should say 'environmental statement'. If so, please amend Requirement 6(2) to include the word 'statement' at the end of the sentence.

To: All IPs, in particular RCBC

Are IPs, in particular RCBC, satisfied that the amended wording of Requirement 6(2) adequately ensures that any alteration to the CEMP would not prevent the delivery of the construction mitigation identified in the governance tracker (Document 6.8A) and identified and assessed in the environmental statement?

DCO 2.8

Requirement 9 – Ecological Management Plan (EMP)

To: The Applicant

Following the amendment to Requirement 9 to include reference to the 'marine management mitigation plan', please can the Applicant clarify if this is the same as the Marine Mammal Mitigation Plan (MMMP)? If not, please can the Applicant explain the difference between these plans and revise the Hierarchy Diagram [REP1-031] to include the marine management mitigation plan? If this is simply a typographical error, please correct the wording in the latest draft DCO, otherwise please define in Article 2 of the draft DCO the term 'marine management mitigation plan'?

To: IPs (in particular the MMO and NE)

If the 'marine management mitigation plan' is not the same as the MMMP, should Requirement 9 also include reference to the MMMP and should the minimum information to be provided within the MMMP also be secured via this or a separate requirement, to provide clarity on the mitigation required (via the Governance Tracker)?

DCO 2.9

Schedule 2 Requirements and Schedule 5 DML - provision for appeals against non-approval and consistency

To: **The Applicant, RCBC and MMO**

There does not appear to be provision included for appeals against refusal of approval under requirements or conditions as would typically be found within a DCO. Should such provisions be inserted? Most, but not all, approvals are referred to as being in writing. Should not this always be the case? Most requirements, provisions and conditions are phrased in terms of 'must' or 'shall' but some are phrased in lesser terms. Should not "shall" be avoided in favour of "will" or "must", and terms necessitating strict adherence be used throughout?

DCO 2.10

Provisions of Schedule 5 DML

To: **The Applicant and MMO**

Would replacement of 'unnecessarily' by 'unreasonably' be more appropriate in paragraph 17? There does not appear to be a provision precluding the presence of two piling boats at any one time as sought in representations?

DCO 2.11

Incorporation of Schedule 6 within schedule 5

To: **The Applicant**

Although it has been raised before, to be operative a Schedule has to relate to provisions in an article in the body of the DCO. This does not appear to be the case in respect of Schedule 6. Further it is not considered that one schedule can have another appended to it. Consequently, should not Schedule 6 be incorporated within paragraph 3 of Schedule 5?

DCO 2.12

Schedule 11

To: **The Applicant, Tees Port Authority and MMO**

Paragraph 3 controls the location of the quay with reference to the parameters in Article 4, but is there a need to refer to the provisions of the DML?

DCO 2.13

Hierarchy of Plans

To: **all IPs (in particular the MMO, NE and RCBC)**

The Applicant provided at DL1 a diagram showing the hierarchy of plans identified in the draft DCO and DML to deliver the mitigation identified in the Environmental Statement (ES) and the Habitat Regulations Assessment(HRA) Report [**REP1-031**].

Please consider whether all plans identified in the DCO/DML have been identified on the diagram – if not, what is missing? Please also consider whether the wording in the requirements/articles/conditions, referred to as being the mechanism to deliver the plans identified in the diagram, is sufficient and does actually require the delivery of these plans?

To: **The Applicant:**

Please provide by Deadline 5, a revised hierarchy plan to identify how each plan would be secured through the DCO/DML where this is not currently stated on the diagram i.e. the diagram does not state how the Lagoon Monitoring Plan would be secured.

DCO 2.14

To: **The Applicant, Environment Agency(EA), RCBC and MMO**

Clarity with regard to enforcement

Are the local planning authority and MMO satisfied that there is sufficient clarity as to the responsible body with regard to enforcement of the various requirement, provisions and conditions? For example is there a need to define 'land' generally in relation to the DCO and not just in Article 16? The points raised in question Ec 2.1 may also be relevant.

DCO 2.15

Existing environmental permit (Bran Sands Lagoon landfill site)

To: **The Applicant**

Please provide an update on when you propose to apply for the transfer of the environmental permit for the Bran Sands Lagoon landfill site?

DCO 2.16

Works below Mean High Water Springs (MHWS)

To: **The MMO in consultation with the Applicant**

The MMO confirmed at DL3 [REP3-001] that all activities relating to works below MHWS should be included in the DML, which would include the lagoon. Please can the MMO clarify whether they are seeking amendments to the DML to include works/activities in the lagoon and whether work no. 3 (lagoon habitat enhancement) in Schedule 1 of the DCO should be amended [REP3-003 and REP3-004]?

DCO 2.17

Works beyond Mean Low Water (MLW)

To: **RCBC, MMO and the Applicant**

Is there a need for insertion of an article to bring any physical works undertaken below MLW that will project above sea level within the jurisdiction of Redcar and Cleveland Borough Council as local planning authority under the principle of accretion?

Project Need, Project Description, Alternatives and Route Selection

(PAR)

ES Chapter 3

PAR 2.1

Crossing of A1085 and Hot Metal rail route/access road

To: **RBT/Tata Steel UK/The liquidators of SSI UK**

To: **RCBC**

To: The Applicant and IPs seeking to protect pipeline and other underground assets

Please indicate whether you are able to provide any further evidence beyond the alternative options referred to in the Tata/SSI submission of 9 October 2015 to counter that put forward by the Applicant and accepted by pipeline operators as to why the conveyor cannot cross these corridors underground. The Applicant and any other concerned IP should comment on the 3 options shown in the 9 October 2015 submission from Tata/SSI.

Ecology (Ec) and Habitat Regulations Assessment (HRA)

ES Chapter 11 and Habitat Regulations Assessment

Ec 2.1

Ecological Management Plan and related plans

To: The Applicant

To: The MMO & NE

As discussed at the hearing on 25 September 2015, please rationalise the content of the various ecological Management and related plans covering the Bran Sands Lagoon enhancement and protection of marine mammals so that the primary responsibilities of NE and the MMO above and below high water are clearly distinguished and related documents are referred to in the appropriate place within the requirements in Schedule 2 or the deemed marine licence in Schedule 5 and elsewhere in the DCO.

Ec 2.2

Marine Ecology and related matters

To: The Applicant

Please respond to the outstanding points in the schedule provided by the MMO on 2 October 2015 that are not already covered in the latest 2 October draft of the DCO, with updated DCO text provided as appropriate.

HRA 2.1

To: NE

To: The Applicant

Qualifying interests of the Teesmouth and Cleveland Coast Ramsar

Within Section 5.1 of NE's Written Representations, NE identify the Sandwich Tern (non-breeding) as a qualifying interest of the Teesmouth and Cleveland Coast Ramsar and this is referred to in the accompanying 2000 citation [REP1-017]. However, the Sandwich Tern is not included in the 2008 Ramsar Information Sheet. Could Natural England please clarify and, if the Sandwich Tern is a current qualifying interest, please indicate to the Applicant by Deadline 4 what, if any, further information should be provided by the Applicant. The Applicant should provide any such information by Deadline 5.

Teesmouth and Cleveland Coast Special Protection Area (SPA)

Natural England has drawn attention to prospective extension to the Teesmouth and Cleveland Coast SPA to include the intertidal areas as well as the Bran Sands Lagoon and Dabholm Gut near as a result of Common Tern foraging. NE has advised that the ExA may wish to consider whether the Applicant's HRA should include consideration of the potential addition of the intertidal area to the SPA extension at this stage, to future proof the proposal.

Please can Natural England clarify whether they expect the Applicant to provide further information to the ExA to allow for an assessment of Common Tern in respect of the potential extension to the SPA to include the intertidal foraging area? If so, please can NE indicate what further information, if any, should be provided by the Applicant by Deadline 4.

The applicant should provide any such information by Deadline 5.

HRA 2.2

North York Moors Special Area of Conservation (SAC), SPA and Arnecliff and Park Hole Woods SAC

To: **NE**

NE has only identified Teesmouth and Cleveland Coast SPA and the Teesmouth and Cleveland Coast Ramsar sites in their Relevant Representation [RR-007], Written Representation [REP1-015] and Statement of Common Ground (SoCG) with the Applicant [REP1-051], as being the relevant designated sites of concern in relation to the Harbour Facility application. However, for the avoidance of doubt, please can NE confirm that they agree with the Applicant's conclusion of no likely significant effects on the following European sites from the project alone and in combination with other plans and projects, including the other elements of the overall York Potash Project?

- North York Moors SAC

- North York Moors SPA, and
 - Arnecliffe and Park Hole Woods SAC
-

HRA 2.3

Clarification of HRA conclusion

To: **NE**

It is noted that in NE's SoCG with the Applicant, NE agrees that there would not be an adverse effect on the Teesmouth and Cleveland coast SPA, or any other European designated site due to the Harbour Facility application (paragraph 6.22, York Potash and Natural England SoCG [REP1-051]). Can it be assumed that this statement includes the Teesmouth and Cleveland Coast Ramsar site and applies to consideration of the Harbour Facility alone and in-combination with other plans and projects, including the other elements of the overall York Potash Project? Please can NE confirm that this assumption is correct?

HRA 2.4

Mitigation and Monitoring Strategy (MMS)

To: **The Applicant**

Within paragraph 6.2.8 of their Written Representation [REP1-015] NE expressed concern that the ongoing monitoring and management of the Bran Sands Lagoon habitat creation has not been clearly described in the original MMS provided in the HRA Report [APP-127 and APP-128]. The MMO also expressed a similar concern in their Written Representation and response to the ExA's first written questions [REP1-012]. The Applicant provided a MMS at DL2 [REP2-006].

1. Please can the Applicant clarify whether the MMS provided at DL2 [REP2-006] includes any amendments from the previous version provided with the DCO application (Appendix 3.1, HRA Report [APP-128])? If yes, please can the Applicant explain what these amendments are and why they have been made?
2. Please can the Applicant clarify how the lagoon enhancement works would be maintained throughout the operation of the proposed development and how this has been provided for in the MMS?

To: **all IPs (in particular NE, EA, the MMO):**

3. Are the IPs satisfied that the MMS [REP2-006] submitted by the Applicant for Deadline 2 adequately secures the relevant mitigation relied on to reach the

Applicant's HRA conclusion of no adverse effect on the Teesmouth and Cleveland Coast SPA and Ramsar sites and addresses their previous concerns raised in relation to the operational monitoring and management of Bran Sands Lagoon? If not, can they explain why not?

4. Are all IPs content that the MMS is adequately secured in the revised DCO submitted at DL3 [REP3-002 and REP3-004] under Paragraph 7 of Part 2 and Condition 48 in Part 4 of the draft DML in Schedule 5 and as a certified Plan under Article 38(h) of the draft DCO? If not, can they explain why not?
5. Section 6.3 of the MMS provides some indication of the adjustments that could be made to the created habitats within the lagoon as intervention measures. The Applicant explains that it is not possible to definitely state what the intervention measures might be because the measures that may be required depend on analysis of the reasons the habitat enhancement proposals are deemed to be not meeting their objectives. Are the IPs satisfied that the proposed mechanisms in the MMS to adapt the strategy where the indicators of success are not being met, are sufficient? If not, what additional mechanisms are required?

HRA 2.5

Construction lighting design

To: **NE**

Paragraph 10.3.75 of the HRA Report [APP-127 and APP-128] describes the mitigation measures which would need to feature in the construction lighting design strategy to mitigate effects on SPA birds. The Applicant has subsequently incorporated these measures into item 31 of the Updated Governance Tracker [REP1-043] and amended the wording of Requirement 6(1)(g) of the draft DCO to secure this design detail [REP3-003 and REP3-004].

Is NE satisfied with these measures?

HRA 2.6

Temporary visual fencing

To: **The Applicant**

Paragraph 10.3.76 of the HRA Report [APP-127 and APP-128] confirms that barriers would be used to create an acoustic and visual screen between the proposed construction works and the lagoon and Dabholm Gut [APP-127 and APP-128]. Work No 5(10) of the draft DCO [REP3-003 and REP3-004] comprises 'temporary acoustic fencing' but there is no reference to temporary visual

fencing. The Updated Governance Tracker [REP1-043] does not clarify how the detailed design of the temporary visual fencing would be secured in the DCO.

1. Can the Applicant clarify whether the temporary fencing used for acoustic screening would also provide and would be suitable for visual screening? Are the same locations appropriate for both purposes?
2. Should the wording of the DCO and Updated Governance Tracker be amended to refer to temporary acoustic and visual fencing?

HRA 2.7

Temporary acoustic fencing

To: NE

The Updated Governance Tracker [REP1-043] confirms that the need to provide and agree the detailed design of the temporary acoustic fencing would be secured through the CEMP (DCO Requirement 6(b)). The wording of Requirement 6 has been amended to refer to temporary acoustic fencing and in addition this is also reflected within the Outline CEMP [REP1-041] tied into Requirement 6.

Is NE satisfied with this revision?

HRA 2.8

Operational acoustic fencing

To: The Applicant

There is no mention in the HRA Report [APP-127 and APP-128] to the use of operational acoustic fencing.

- Please can the Applicant clarify whether operational acoustic fencing is required to form part of the mitigation relied upon in the Applicant's HRA to conclude no adverse effect on the Teesmouth and Cleveland Coast SPA and Ramsar sites?
- If operational acoustic fencing is required, please can the Applicant explain where this has been identified in the Updated Governance Tracker [REP1-043] and how it would be secured and delivered through the DCO?

HRA 2.9

Ecological Management Plan

To: **The Applicant and NE**

Paragraph 10.3.86 of the HRA Report [APP-127 and APP-128] confirms that during the operation of the development parking and storage areas immediately adjacent to Bran Sands Lagoon would be screened (for example by fencing) and that the operational lighting design would follow the principles described for the construction phase lighting design (paragraph 10.3.75, HRA Report).

1. Item 36 of the Updated Governance Tracker [REP1-043] confirms that the operational visual screening and the operational lighting design would be secured through the Ecological Management Plan (EMP) which is secured in Requirement 9 of the draft DCO [REP3-003 and REP3-004]. Requirement 9 of the draft DCO specifies that the EMP must be in accordance with the principles set out in the outline EMP [REP1-042] and incorporate the mitigation measures identified in the Updated Governance Tracker [REP1-043].
2. The Outline EMP submitted by the Applicant for Deadline 1 [REP1-042] does not refer to operational visual screening and the operational lighting design. Should the EMP be updated to reflect these mitigation measures, noting they are secured by reference in Requirement 9 to the Updated Governance Tracker [REP1-043]?

Is NE satisfied with the means of securing these mitigation measures?

HRA 2.10

Decommissioning

To: **The Applicant**

Footnote 'f' in the Applicant's screening and integrity matrices submitted for Deadline 1 [REP1-036] states that decommissioning has been screened out of the HRA (project alone and in-combination) because the decommissioning of the Harbour facilities would only involve the removal of the overland conveyor. Therefore there is no potential for an effect on coastal processes, habitats or water and sediment quality; in addition the decommissioning works would take place in 100 years' time and in combination effects cannot be reasonably foreseen.

Please can the Applicant clarify how the scope of the decommissioning works relied on to screen decommissioning out of the HRA has been secured in the DCO? Requirement 11 (Decommissioning Plan) of the draft DCO does not appear to limit this to the extent described in the HRA.

HRA 2.11

Clarifications

To: **The Applicant**

To: **NE**

NE has advised the Applicant on how to secure the mitigation within the DCO requirements (see section 6.2.4 – 6.2.11 of NE’s written representation).

The Applicant has advised at DL2 that in light of the approach taken in the HRA (as set out in the Applicant’s response to Q1 HRA 1.21) with respect to the proposed changes to the Teesmouth and Cleveland Coast SPA designation, and the provision of revised screening and integrity matrices in response to question HRA 1.20 (which include consideration of Common Tern), the Applicant’s view is that the HRA already addresses the point made in section 6.2.3 of NE’s Written Representation (the Applicant has assumed that NE’s reference to section 6.2.3 is incorrect and should be section 6.3.3).

As Section 6.3 in NE’s Written Representation (WR) [REP1-015] relates to impacts on the landscape and does not include a paragraph 6.3.3, please can the Applicant clarify which representation from NE they are referring to in relation to paragraph 6.3.3 in their comments on NE’s response to question HRA 1.21?

At DL2, in the Applicant’s comments on the WRs provided at DL1, in response to NE’s WR and the mitigation referred to in section 6.2.3, the Applicant has stated that with the following measures in place, the Applicant believes that the mitigation referred to by NE is appropriately secured:

- Revised MMS (Document 6.12)
- Amended Schedule 2 (in particular requirement 9)
- Production of Outline Environmental Management Plan (Doc 6.11); and
- Amendments to the DML (in particular paragraph 7).

Please can NE confirm whether the mechanisms identified by the Applicant in their response to NE’s WR (above) are appropriate to secure the mitigation required by NE within the DCO to conclude no adverse effect on site integrity of the Teesmouth and Cleveland Coast SPA and Ramsar sites, including the wording of these mechanisms?

HRA 2.12

Artificial Nest Platforms for Shags

To: **The Applicant**

To: **NE**

Paragraph 5.4 of the HRA Report [APP-127 and APP-128] indicated that artificial nesting platforms could be provided beneath the suspended deck of the quay (if the open quay structure is proposed). In response to Question HRA 1.13 of the ExA's First Written Questions [REP1-028], the Applicant explained that the measure was an enhancement measure and is not a mitigation measure required to ensure no adverse effect on site integrity, it is not proposed as part of the MMS for the lagoon. Conversely, NE responded to confirm that this measure should be included in the MMS although agreeing it was not a mitigation measure for which the HRA had to rely on [REP1-015].

At DL2, the Applicant has stated that the provision of nesting platforms is already referred to in Bran Sands Lagoon MMS [REP2-006]. At paragraph 5.4 in the MMS it states that the Applicant would be happy to implement artificial nesting platforms, if the quay design allows it. Whilst this indicates the Applicant's willingness to provide nesting platforms, it is not a commitment to do so and does not state that number that would be required.

- Is the wording in the wording in the Bran Sands Lagoon MMS sufficient to cover provision of artificial nesting platforms if the open quay structure design is used for the development?

Should the Bran Sands Lagoon MMS stipulate the number of artificial nesting platforms which would be provided and whether the final design of these should be agreed with NE prior to installation?

Traffic and Transport (TT)

ES Chapter 12

TT 2.1

Potential interference with Royal Mail operations - the effect of lorry movements on national and local roads

To: **RCBC**

To: **Highways England**

To: **The Applicant**

You will have seen the late representation from Royal Mail dated 2 October 2015. Please provide comments and indicate whether you consider that Requirement 7 in Schedule 2 should sufficiently safeguard the interests of Royal Mail.

TT 2.2

Duration of works to A1085 Roundabout

To: **The Applicant**

To: **RCBC**

In the light of concerns expressed by pipeline operators, is any further limitation necessary on the duration and timing of the works to create and remove the temporary construction access?

Noise and Vibration (NV)

ES Chapter 14

NV 2.1

Noise, vibration and air quality - proposed mitigation measures

To: **RCBC**

Please confirm the comment made at the hearing on 25 September 2015, that you are satisfied that no further requirements or other provisions are necessary in the DCO beyond those contained in the latest draft of the DCO.

Landscape and Visual Amenity (LVA)

ES Chapter 20

LVA 1.1

Landscape enhancement

To: **RCBC**

To: **Sembcorp Utilities UK**

Please clarify the ownership of the open land between the housing in Dormanstown and the Sembcorp boundary and that of the adjoining land to the south of the housing which is maintained to a higher standard and contains some recent tree planting.

Please indicate whether there would be any reason why, in principle, landscape enhancement works could not be undertaken on these areas, whether within or

outside the Sempcorp boundary, to mitigate any adverse visual impact of the conveyor in accordance with the provisions of the proposed s106 agreement (Community Environmental Fund and/or Gateway contribution).

A copy of the signed/sealed undertaking is required before the Examination closes.

General

GEN 1.1

Planning Permission for the Potash Mine and MTS within NYMPA and the related s106 agreement

To: **The Applicant**

Please provide a copy of these documents as soon as executed.