

TEXT_PRELIM_Part2_SizeC_Session1_1404 2021

Wed, 4/14 11:50AM • 1:22:42

00:02

And welcome to the resumption of this Preliminary Meeting, which is being held in connection with an application made by NNB Generation company (SZC) Limited for an order for development consent for the construction, operation and maintenance of the Sizewell C project. Before I go further. Can I confirm with the case team, that they can hear me clearly? And that my camera is working?

00:32

Yes, we can hear you clearly and see you Ms McKay.

00:35

Thank you. Could I also confirm with the case team that the recording and live streaming of this event has begun?

00:45

Yes, that's also correct.

00:48

For anyone watching on Livestream today, I should advise that if we appoint at any point adjourn proceedings this morning, we will have to stop the live stream in order to give us clear recording files. So at the point at which we resume and restart the live stream, you may find that you need to refresh your browser page to view the restart restarted live stream. Now remind you again if this should we need to adjourn.

01:16

Now let me reintroduce myself and the panel. My name is Wendy McKay. I've been appointed as lead member of the panel of examining inspectors that together comprise the examining authority for this application. The other members of the panel, Mr. Maund, Mr. Brock, Mr. Humphrey and Mrs. Cassini will now introduce themselves to you.

01:41

Mr. Maund.

01:46

Good morning, everybody. My name is Edwin Maund. I'm a chartered town planner, and I am a member of the panel on our pass over to Mr. Brock.

02:01

Good morning, everybody. My name is David Brock. I am a retired solicitor. And I also have been appointed as a member of the examining authority. And I will now pass it over to Mr. Humphrey.

02:20

Good morning, everyone. My name is Neil Humphrey, and I'm a chartered civil engineer and I've been appointed as a member of this panel. I'll now pass to Mrs. Cassini.

02:34

Good morning, everybody. My name is Helen Cassini. I'm a chartered town planner and I've been appointed as a member of the panel. I'll now hand back to Ms McKay.

02:45

Thank you. Now, let me also introduce again our colleagues from the planning Inspectorate who will be assisting us today. Today, we have the planning Inspectorate case manager, Michelle Gregory and her deputy Sian Evans, the other colleagues from the Planning Inspectorate who will assist us today are Georgianna Hannigan, Jake Stevens, and Lily Robbins. Now, as explained at part one of the preliminary meeting. If you have any questions or queries about the examination, or the technology, we are using the virtual events, they should be your first point of contact. their contact details can be found at the top of any letter you've received from us on the project page of the national infrastructure planning website.

03:33

Now, I won't repeat all the preliminary meeting Part One opening remarks, but I will remind everyone that the recording of that meeting is now available on the Sizewell C project page of the national infrastructure planning website. Now before I get onto the main agenda items for this meeting, I will ask my colleague, Mrs. Cassini, to highlight a few housekeeping and background matters to note for today, Mrs. Cassini.

04:05

Thank you.

04:07

As far as I'm aware, no requests have been made for any special measures arrangements to enable participation in his preliminary meeting part two, can I just check that this is correct.

04:22

don't see any hands up and I'll therefore take that as a no and move on.

04:29

As explained in the Rule six letter dated the 23rd of February and at the preliminary meeting part one, a digital recording of this meeting will be made. The meeting is also being live streamed. To assist viewers and listeners, anyone speaking should introduce themselves every time they speak.

04:48

As recordings are retained and published, they form public record that can contain personal information to which the general data protection regulation applies the

05:00

implications of this are explained further in the real six letter annex B, and the planning inspectorate's customer privacy notice as annex h of the same letter.

05:11

As annex B of the rule six letter explains, if there is a need to refer to information that participants would otherwise wish to be kept private and confidential. It should be in a written form. If you prefer not to have your image recorded, you can switch your camera off.

05:28

law also repeat requests made in the arrangements conference, that in order to minimise background noise, please ensure your microphone or telephone is muted, and that you stay muted unless you're speaking, given the fairly large number of active participants today is particularly important that you did this throughout the meeting.

05:49

We've already been provided with confirmation of your attendance. And we've also read your procedural deadline base submissions will use this information to ensure that you are asked to speak at the points most relevant for your contributions.

06:04

At certain points, we may ask you to use the hand up. But please do not use that until we ask as also remind people that the chat function on Microsoft Teams will not work. So please do not try to use this to ask any questions or post comments.

06:20

During a physical meeting, we'd normally have breaks to avoid fatigue and we will do the same in this virtual meeting. Our intention is to take a 15 minute break every 90 minutes or so depending on the progress of the meeting. A longer lunch break will be taken at approximately 1pm. There will also be a break between agenda items 10 and 11 to allow us time to deliberate before item 11 which is any procedural decisions made by the ESA.

06:50

Full details of those decisions will be provided with our rule eight letter which will be sent as soon as possible after the close of all parts of the preliminary meeting. It will also set out our remaining procedural decisions, including the examination timetable. The procedural decision on the applicants change request will be sent by separate letter after this meeting as soon as we are able to do so.

07:15

Whilst we are mindful that tomorrow is also deadline nine for the East Anglia projects. There is a day reserved for this meeting to continue in case any technical issues or experience today or an event we have not concluded by the end of the day. But we don't at this stage anticipate that that will be necessary.

07:34

Are there any queries on any of the housekeeping matters covered so far? I

07:42

don't see any

07:45

hands up. Sorry, Counsellor Fellows, I do see your hand is up. Do you have something you wish to ask?

07:58

Good morning ladies and gentlemen, Ms McKay Miss Cassini and examining authority counsellor Marianne Fellowes speaking in representing Aldeburgh town council, sorry, bit nervous first thing this morning to get going again. So Good morning, and thank you. Um, I just wanted to foreshadow some possible issues and challenges later on with the agenda. we very much look forward to hearing the examination authority item to talk through their considerations of the written materials have been sent in for deadline be. However, I wanted to understand how you were going to facilitate that item. Because if you look on page a two of Annex A for the rules, six letter agenda for today, there is no item three. So item two is the examining authority, talking through their considerations. That's what I perceive that to be. But there's no item then for us to respond or for the indeed the applicant to respond to those. And I would hope that today we have that opportunity. And also, I would like to ask on a practical basis. Are you going to just tell us your response to one sub part of that, and then we can respond? Or shall we listen to all of your comments and take copious notes, and then feed back to you at the end of that. So I'm just foreshadowing so that we can make effective use of today and for people to feel included and listened to, to say how are you going to actually run that item plate? Thank you. Thank you. Perhaps I could help Councillor fellows, perhaps a few.

09:50

If you weren't just to wait until we've run through all the introductions, and then we're going to also mention some of the topics we're going to be considering.

10:00

Under item two, and of course, we'll hear people's comments on those topics. But if you want to ask your question, if we haven't resolved it, by the end of our introductions, then please to come back to us. But hopefully that'll be that'll be highlighted a little more clearly.

10:25

Thank you, Ms McKay.

10:28

Are there any I don't see any other hands up regarding any of the housekeeping issues. So I will now hand back to Ms McKay.

10:43

Thank you, Mrs. Cassini. Now, I've been provided by the case team with a list of those interested persons who have requested to be heard today. I would normally now ask those of you who are participating in today's meeting, to introduce yourselves to the examining authority, and the people who are watching the live stream of this event. However, in the light of the numbers involved today, I shall not invite introductions from everyone at this stage, but we'll ask you to introduce yourself and if you are representing someone else, the name of the person or organisation you are representing, at the point you first speak, or would ask for your assistance in this because it is important to introduce yourself, each time you speak to a those viewing the live stream or subsequently on the recording.

11:35

Now ask my colleague, Mr. Maund just to say a few words about the purpose of today's meeting. Mr. Maund.

11:46

Hello, good morning. Again, everyone. The purpose of the preliminary meeting is to assist the examining authority in determining the process that will be followed in conducting the examination.

11:59

In the light of written submissions to procedural deadlines, and a and b. I would reiterate that we will not be hearing comments on the merits of the application today, as these will be dealt with during the examination itself, which does not begin until after the preliminary meeting has finally closed.

12:18

As explained in the agenda for the meeting. The purpose of the adjournment from part one was to enable all interested parties who did not participate in that virtual event to use either the live stream or the recording of the virtual events, which are available on the project page of the national infrastructure planning website to listen to all matters raised in the preliminary meeting part one,

12:45

then able to submit any comments in writing a request to be heard orally at this meeting today.

12:52

As long as those submissions were received by deadline be the seventh of April.

12:58

Any such request to be heard had to demonstrate the matter to be addressed was new, or is the subject of an outstanding disagreement on which the examining authority must have adjudicate this path to have any procedure or decision relating to the way in which the examination will proceed.

13:17

We have read the procedural deadline be written submissions on examination procedure and the timetable request to be heard already at this meeting. We will be hearing from participants shortly.

13:31

However, I would stress that the written submissions received at procedural deadlines A and B carry equal weight to any oral submissions made in part one. And today in part two of this procedure, a preliminary meeting.

13:49

The initial examination proposal was sent out in our rule six letter on the 23rd of February this year, inviting you to these meetings. Our aim is to keep this virtual preliminary meeting as efficient and focused as possible. In that respect, we anticipate you will have read the real six letter and the annexes prior to this meeting, including the inspectors cost planning inspectorates, customer privacy notice and advice note eight six virtual examination events to which links were provided at the end of annex eight that letter.

14:27

Further information on the content of agenda items has been provided in the detail agenda for this meeting.

14:35

The detailed agenda explains that no decisions on the acceptance of the applicant's change request or the examination timetable will be made at this meeting.

14:47

As we have already explained those decisions will be made at a later date.

14:52

However, procedural decision will be made at this meeting in relation to the commencement of the examination and

15:00

updates will be provided in relation to the initial assessment of principal issues and statements of common ground are now returned back to Ms McKay.

15:12

Thank you, Mr. Moreland. Now an agenda item turn the examining authorities consideration of written submissions received procedural deadline B. Those submissions have now been published on the website. We're grateful to all those who have made written submissions that deadline B and also for the feedback on the virtual approval and the meeting part one by way of information, steps have been taken to try and resolve some of the visual and sound issues utilising new equipment. But obviously, let us know if further work still needs to be done to improve those features. I'd also point out that there will only be one panel men to men believing on different topics, and appearing on your screens at times

during the meeting. This does not mean that the other panel members are not present at those times, I can reassure you that all panel members are present and engaged in the meeting throughout. There are a relatively large number of participants today. Therefore, in the same way as participants are asked to do, we're switching our cameras and microphones off we're not speaking to assist in improving and improving quality for all.

16:29

Now we know the comments made in relation to the inaccuracy of the transcripts. Whilst we apologise for any offence caused by this, please be reassured that the formal record of the meeting is the video recording and reliance is not placed upon the transcript for that purpose. Now I also note the concern expressed by interested parties at the applicants representative Mr. Phillpotts reference to important interested parties, as the examining authority is fully aware that the Planning Act 2008 does not make any such distinction between different interested parties in that way. Given the offence. This is halls we would ask Mr. Phillpotts to refrain from using that term. As also disquiet that it my invitation Mr. Philpott responded to a point made in relation to the level of detail with which the proposed development had been defined in the application. In response, he gave a brief overview as to how the Rochdale envelope parameters approach had been employed by the applicant in relation to the application. The attention was drawn by him to the parameters plan and to the requirements in scheduled, two of the draft development consent order, he also invited those who were perhaps unfamiliar with those concepts to have a look at the planning Inspectorate guidance on the use of the Rochdale envelope. Now the examining authority is of course, well aware of the contents of planning Inspectorate advice note nigh Rochdale envelope, including what it says in relation to following a parameters lead assessment to establish the worst case scenario for the environmental statement, that it is essential that flexibility is proportionately used, the means by which parameters can be secured within the developed consent order and the need to properly assess and present in the environmental statement, the likely significant effects from the proposed development with a consistent approach to the description of the development. In that respect the examining authority has already asked in its procedural decisions, which preceded this preliminary meeting a number of questions on the relationship between the environmental statement and the draft development consent order such matters will also have been considered at pre application and acceptance stage.

19:03

Now, the applicants approach of course remains open to criticism by interested parties, if they consider there are grounds to do so. For example, if they believe greater detail should be provided, notwithstanding the overall Rochdale envelope approach, then such submissions can be made. And we note in that respect that the parameters approach in relation to the hard and soft coastal defences has been criticised by the East Suffolk Council, Environment Agency, natural England re management organisation and Alison downs of stop size or see amongst others that procedure deadline be.

19:46

Now on another topic, I would mention that we are of course aware of the extension granted to the East Anglia well North and East Anglia to examinations until Tuesday, sixth of July. I know

20:00

The revised timetables for those projects. For East Anglia one north and two timetables have been drafted in the light of the site or sea project draft timetable to ensure that the amended timetable avoids likely events and busy periods in the draft timetable. For this size, we'll see project we will consider this in more depth later on into this agenda item when dealing with the timing of the commencement of the examination is there any new points anyone wishes to make?

20:34

Now we also know that some of the procedural deadline based submissions include points on the substance and merits of the case. Whilst these have not been redacted from the published material, they will not be taken into account for the purposes of this procedural meeting. If people would like them to be considered as part of the examination process, then it would be very helpful to us if those merits points could also be included within your written representations a deadline to after the examination begins.

21:09

Now we have read all the procedural deadlines, these submissions, and the matters on which people have requested to speak include virtual events, the commencement of the examination, the initial assessment of principal issues, the applicants change request and the examination timetable. And we will be taking those particular topics in that order, which reflects the order in which they will be considered at the preliminary meeting part one, we will then check whether there are any other points that have not already been covered, on which people seek to be heard.

21:48

So I'll now ask Mr. Brock to lead on the first topic under this agenda item. Unless counsellor fellows, you're still in the dark as to what we're doing today.

22:08

Do you have cancer fellows?

22:12

Thank you Miss McKay, Marianne Fellowes Aldeburgh town council. Yeah, I'm not in the dark. But I appreciate your explanation. That's really helpful. But in terms of how much information you give us, as interested parties, and then we feed back to you. I think that's the thing I'm querying, how much of the item. So will you will you speak about just

22:39

if we take for example, if you take, for example, the issue specifics, will you talk about a particular one or two that you've used going to include? Or will you talk about all of them? That was just my question, but I'll leave in your caveat. And I, I thank you very much for your for your clear introduction today. I appreciate being involved. Thank you. Thank you. And we're gonna run through these topics. We have got picked out some key points that we think we need information on. But obviously, if you there are viewpoints that you think we haven't covered, and you'd like to speak, then do let us know. So if we move on to the first topic under this item, that is virtual events, Mr. Brock is going to lead on this topic because people have made additional points on this. Thank you, Mr. Brock.

23:41

Thank you, Ms McKay.

23:43

Right. So the arrangements for this virtual preliminary meeting were of course explained in the rules six letter. And at the plenary meeting, part one that included reasons for this event being held virtually attention was drawn to the written ministerial statement made on the 13th of May last year by the Secretary of State for housing, Communities and Local Government and that encourages the planning Inspectorate and give strong planning support to our programme for moving to digital events. We have had feedback on the virtual aspects of part one, and on the use of virtual events, generally, and we received that at deadline be, it's very helpful to know and to hear how things turned out.

24:41

As we explained in part one, the draft timetable does schedule of course, various hearings for later in the year, and we will make decisions about how those events should be held closer to the proposed dates. We are certainly

25:00

Considering the holding of blended events, and by blended event, we mean an event, which is a combination of physical hearings and virtual access. And we are conscious of the need to ensure that this can be done in a way which is fair to everybody.

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We have also noted the submissions of Mr. Jones, who was representing the interests, the bacon family and businesses, I think I can call them that on this subject.

25:32

We will use the comments made at parts one and to have this preliminary meeting and the representations, our procedural deadlines and be to assist us in assessing and pursuing this option. And we shall also of course need to take into account the planning inspectorates approach and guidance for virtual events. We have considered carefully the PDB the deadline be written submissions as to how later events should be held. Now, is there anybody who wishes to make a new point on that topic? If you please put your hand up.

26:14

Then I will know that you want to make the point.

26:25

Alison Downs I see your hand.

26:30

Good morning. Good morning, rock and dance. Stop Sizewell C. I think they're planning spectrum is aware of the number of people who've asked me to speak on their behalf today, but I'm going to read

out the list because I think there are also some that are quite recent. So as well as stop Sizewell C I'm speaking on behalf of Nick Burfield Mike and Judy Wade, David Gordon, Alan Collett in rose, Robert Flinders and family Douglas and Sally bone, Martin and Wendy Cooper, Christine or Bryant Simon and Sally eyelet Christine Redgrave Paul and Julie Kilcock Stewart and Marilyn Checkley, Judith Croton, William john reprice, Gwen as can Hill David and Belinda grant, Emma and Justin Dolly Louise Fincham, Alex Johnston, Mark Youngman and Alison cook, David Rob, William Kendall, Bill and Sara Turnbull, Bill Parker and Fran Crow. And I'm also asked to speak on behalf of the Yoxmere Benefice which comprises the churches of Darshan, Dunwich, Middleton, peas in the hall, septum Theberton, wesselton, and the Yoxford by permission of the Reverend Tim Rogers. And I'm also asked to speak on behalf of Middleton-cum-Fordley parish Council.

27:52

My point is very brief, which is that a number of those individuals asked me to convey to you today that it was technical difficulties that have deterred them from taking part in today's preliminary meeting. I think people have had a lot of problems with teams, which is very clunky, and is taking up a lot of space on people's devices and not opening on request. And I'm actually participating via the web browser today, which I'm finding slight a slight improvement. And but I think that you know, for yourselves, you know, to hear that people don't wish to take part because of those technical obstacles, is clearly, you know, rather well disadvantages to them. And I'm sure disappointing to you.

28:38

Thank you very much. And perhaps I can feed back to you and those who you're representing that we're very grateful to them for focusing their representations through you. I'm sure that'll turn out to be quite a large task for you. So thank you. Okay, now notice what you what you say there. Thank you very much.

29:02

Paul Collins, I see your hand up as well.

29:07

Yes, thank you.

29:10

Collins Minsmere levels, stakeholder group, just one point that I did also make in my deadline v submission, and that is, whatever you decide as far as the way these blended or otherwise meetings should be held throughout the examination, you should continue with the live streaming because there will be a large proportion of people who will not be able to get to the examinations wherever they are held or however they are held. So that was my only point. Thank you. Very good. Thank you very much. I think that's been in our minds for quite a long time. Beer Shabir. Sure, thank you.

29:49

And if you could put your hand down as well, Mr. Collins, that would be lovely.

29:55

I don't see any other hands up. I should just check

30:00

With the applicants, I guess, Mr. Phillpotts, you're here on their behalf. Your hands not up. So I'm assuming Hello.

30:10

Is there anything you wants to say on this on this issue? No, sir. I clearly put my camera on because you mentioned my name. And I thought as a matter of courtesy, I have to say that I'm hearing listening. Now your smart reactions. Thank you very much. Thank you. Okay, so I'm going to hand back now to miss Mackay.

30:34

Brock, will now turn to the next topic for today. That was the timing of the start of the examination, including the covid 19 pandemic, the holding of local elections and the ongoing East Anglia one and East Anglia two examinations in relation to the holding of local elections. Suffolk County Council has provided us with a copy of its interim arrangements for governance during the pre election and post election periods that procedural deadline be and we are grateful for that. We will hear from those who have new points to make in relation to what was said at the preliminary meeting part one on this topic, including Allison Downes, who has a point to make in response to the applicant. I will ask my colleague, Mr. Moon to lead on this matter. But Mr. Brock will deal first with that one point from Alison downs. Mr. Brock

31:30

Thank you. Ms McKay.

31:33

Can you come back to the microphone, please? Miss Downes, and indeed to the camera.

31:40

Thank you, Mr. Brock. Thank you. In part one of the meeting a few weeks ago, you were making a submission to us about the timing of the new examination about the applicants claimed urgency, and what the applicants financial reports say about funding or its availability or the arrangements. We've read your email of the 26th of March and what you have submitted deadline B. And you have asked us to be able to address this further on that today. So we are happy to hear you. And if you're ready, this would be a good time at which to deal with it, please. Thank you very much, Mr. Brock. I don't wish to add anything to that point. But I would just like to be able to complete it. And my purpose in providing a short quote from EDF own financial statements, which was to provide evidence to back up my claim that the applicants request for urgency, you know, had no founding rather than just state my opinion. So in their financial report, they say that the ability to make final investment decision on sides will see and participate in the financing of the project beyond the development phase could depend on the operational control of Hinkley Point, the existence of an appropriate regulatory and financing framework and sufficient availability of investors and funders interested in the project. And the key words are up to date, none of these conditions are met. That's from EDS 2020 report. And they say that they are

expecting not to be able to make a financial final investment decision before next summer. And in our view that demonstrates that the claim for urgency and for the examination to start immediately is not valid. Thank you. Don't go away. What

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let me ask you what turns on in your view, the availability or not today of the financing arrangements,

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where the government has to approve the use of a new funding model the regulated asset base, which they are in discussions with EDF about such a model would require legislation before it can be used for new nuclear that is what we have been told by government representatives. And also, you know, the availability of investors. In recent months. We've established contrary to a statement by the chair of the nuclear industry association, that major infrastructure investors legal in general and de vivre, who were stated as being interested in nuclear are in fact extremely cautious. So, we would consider it to be very ambitious for this new model to be agreed and in place and legislated for by next summer, which is what EDF is stating, and indeed their financial statements do acknowledge that fact in the sense that they say that new agreements would have to be reached about the costs that EDF is incurring in putting forward this development, consent order. And so, you know, for the examination to start tomorrow, in order for a consent order to be granted next April, you know, would still be well in advance of any final investment decision can able to be taken and this is one of the

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reasons that we are urging you to take your time with this unusually large and complex application as Mr. Phillpotts acknowledges, where you know, even the loss of a week, if you don't take the decision about whether to accept EDS new proposals Until next week, in a 26 week examination is going to be significant because of the sheer volume of material involved. Okay, all right. Thank you. Thank you. I'm going to ask us to fill port now. If he's got anything she wants to say in reply to that. Thank you very much. Miss Downes. Mr. football? Yes, I'll deal with this briefly, if I can. It's important, of course, to understand that the final investment decision has to come after and depends upon not only the grant development consent, but also other consents that are needed. And therefore this has to come first before a final investment decision can be made, as has been explained, and EDF is working with government, in order to address the funding issue that's being dealt with through a separate process. It's been a separate consultation process, those discussions are ongoing. But the urgency of getting this project in place is not in a sense, something that we are inventing or claiming without foundation that has set a national policy. And it's been confirmed. More recently that that is not a matter of which there can be any significant doubt we say.

36:41

There is no reason why simply because this is a large, complex and important project, that it shouldn't be dealt with expeditiously, and in accordance with the timescales that are set by the planet. The Planning Act, of course, was set up to allow for an efficient and rapid process of examining and determining applications of Justin spirit sought both this scale and larger. And it is a project where there has been already an unusually long period of time between the submission and acceptance of the application. And the start with the examination. Now, that's not to say that by the way of any criticism,

because there are a range of reasons for that. But of course, it does set the context for the decision, which is to be made as to the start of the examination now. And the timing, as we discussed. Last time, the preliminary meeting has been set by the examining authority, having careful regard to those factors, and including the change application, including the pandemic and matters of that sort. Nothing has changed in the interim, which before

38:05

that timing to come into question. So I don't want to repeat myself. But essentially, the points that have been made do not undermine the urgency of this at all.

38:18

Thank you just do that. They you refer to the agency coming from national policy? Yes, national policy statement is now 10 years slightly more old. Yes, indeed. And I put the whether that statement is up to date or not, is not a matter for consideration. During examination. Courts have made that very clear. This is not the process. There is a separate process for consideration of whether or not policy statements and the statements they contain about the need and the urgency of the need, are to be updated. That process is running separately. In the meantime, the government has restated its views about nuclear, I don't want to go into all the merits of that. But they've made very clear what the views are. the urgency of the need has not been lessened to any degree by the passage of time since the national policy statements were put in place. Indeed, we would say that the need has become ever more urgent, precisely because some of the difficulties that have been experienced in bringing forward as many new nuclear power stations as might have been hyped at the beginning of the last decade.

39:39

Okay, thank you very much. Thank you for that.

39:43

Now, in terms of the hands that are up,

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I was just dealing with Mrs. Downes and with the submission in which she began to make at our part one meeting.

39:59

Miss Downes you're

40:00

And this is still I'm

40:04

did you want to say something? I'm afraid I raised it again in response to Mr. Phillpotts remarks, but I'm happy to respond at another item if that is more appropriate. Okay, if it's so much we wrapped up in that we find Thank you, Mr. Wilson.

40:21

Hello, Mr. Brock. Yes. Chris Wilson from together. sighs well say just a point for an Mr. Phillpotts sort of statement in terms of the urgency and I thought it was it was I thought it was a relevant point, because since preliminary meeting, one had a virtual meeting with the Office for nuclear regulation. And they've advised at the earliest date, they could expect to have completed their review of the size. We'll see licence to June 2022. Now, we'll see. And we would expect the primary regulator to feed into the dcl process, that because of see the application was made sort of late by the applicant for the licence, and it would sort of obviate any urgency, as Mrs. Downes has already said, and for the DTR examination to go ahead, as planned, surely more time, would enable the rNr to have carried out more work, which will then feed into the DCO process, and are just sorry, I didn't say so it was a relevant point in terms of the timing.

41:31

Thank you.

41:34

And Councillor fellows, you've got your your hand keeps going up and down. I may say, did you want to say something?

41:45

Thank you, Mr. Brock. Mariam fellows speaking on behalf of over town council. Yes, I've got other comments to make, in general about delaying the start of the examination phase. But I just wanted to feedback in terms of what the applicant has said the and what Mr. Jones has, has helpfully explained in terms of why finance is a factor in this discussion. So the applicant has always stated over many years that I've been involved in the project, that that they had to make the finances work, deliver a second EPR to the Hinkley Point C location. So when the whole issue of EP RS and the generic design etc, was put forward, they said they would to make it work, they're going to have to do too. So I'm afraid the urgency and the need to push forward. He is driven by finances by the applicant, because they are quite fearful of the changes that are taking place currently. And something has changed over the last 18 months in terms of the feeling within the community surrounding power stations in this area, with the increase in renewables investment, with the decrease of the need of electricity during lockdown size will be in fact as been having to run on reduced output. So I do think it is a changing world. We do have reviews coming up in terms of energy and how our needs in this country are going to be delivered. And the driver for the applicant is finances. And we would ask you to put that to one side today and to look at the other considerations that we will put forward to you later and have already been put forward to your deadline be. Thank you, sir. Thank you, counsel. As I haven't noted that, thank you.

43:47

Very good again to pass now to my colleague, Mr. Moreland, who's going to deal with the remaining points on this timing of the start of the examination. Mr. Moreland.

44:03

Thank you, Mr. Brock.

44:06

As we've understood and was made plain during part one of the preliminary meeting, several arguments have been presented to us as to why the examination should not commence.

44:20

In addition to the question of urgency has just referenced and the timing of the county council elections. We've also heard arguments presented in respect of

44:30

as Mr. Wilson has just referenced, the timing of the decisions from the Office for nuclear regulation, and also the Environment Agency on relevant site licenses.

44:42

In addition, there were concerns expressed about restrictions on parish and town councils and their ability to hold in person meetings

44:51

or to utilise buildings during the COVID restrictions that are currently in place.

44:58

Those COVID restrictions are

45:00

Obviously, it also been preventing people in meeting in person or open, giving opportunities to gather together and discuss important topics, and attend meetings.

45:12

We've obviously also heard about the information that is still to be provided, and the detail expected for the hard and soft coastal sea defence features, and the need for relevant parties to be able to respond to those.

45:31

As well as

45:32

the concern that's also been expressed about our decision, the examining authority on the proposed changes from the applicant.

45:42

As Mr. Mkhize also referred to this morning, we also aware that since the first meeting, has been the extension of the timetable to hear the examination into the East Anglia, wind farm projects and the overlap with this examination, then, if that would be the case, and the issues that that would cause for people. So

46:08

I do have a number of people who had identified issues now just ask, Mr. Wilson,

46:16

do you have any further comment that you wish to make? Beyond that, that you've just made regard to the timing of the office binuclear? regulations? responses?

46:31

Yes, thank you. Thank you very much, Chris Watson for that task. Really, it was just sort of an expansion of the

46:39

the recording, I think I made a request, in my written submission, sort of three or four months of delay in the source of the examination, you've covered sort of most of the main points there. But just, I'd like to draw these eminent Socrates attention to the

46:58

paragraph within the national policy statement in one, paragraph four, point two, which deals with the health and well being.

47:10

And it's all plays into the Scottish power renewable situation. It says as described in the relevant sections of this MTS. And in the tender technology, technology specific MPs is where the proposed project has an effect on human beings. The environmental statement should assess these effects for each element of the project and identifying any adverse health impacts, and identify measures to avoid reduce and compensate for these impacts as appropriate. impacts of more than one development may affect people simultaneously. So the applicant and the planning Inspectorate should consider the cumulative impact on health. I'd like to think this statement sort of covers mental as well as physical health, I would equally apply to the examination phase as well as the actual development. Therefore, I think that there's great mental pressure on people in the Suffolk dealing with to,

48:06

to DCO applications, we've already had six months of overlap between the

48:13

ScottishPower renewables one and obviously the pre application stage and the primary meetings for this the CEO. And I'll just like that ought to be taken into account that basically, there's a lot of pressure on people, and basically, a deferral of the start of the examination for the size of C project would make perfect sense.

48:38

Okay, thank you.

48:41

counsellors, Stephen Brett.

48:45

From Theberton and Eastbridge, parish Council. Was there anything further you wish to add on your procedural deadline be response about parish council's abilities to meet and so on?

48:58

Good morning, I'm having trouble

49:01

engaging my Oh, there's my camera. I'm Stephen Brett, chairman of femininely speech parish Council. I would like to endorse everything that Mr. Wilson says. And the only new real point is the fact that Scottish powers has extended their consultation by three months. And again, the overlap.

49:22

Of course, people all the troubles that Mr. Wilson said, he said everything that I was going to say very well, I think. Okay, thank you very much. Thank you.

49:32

Think. Do anyone wish to add anything further? I think I got 1000 dams hand up. Was it gone down again? Was there anything you'd wish to

49:45

add?

49:48

Thank you very much. Um, I was pleased to see amongst the deadline date responses a number of town and parish councils had made this point and obviously the reason for extending ScottishPower renewables

50:00

DCO was acknowledging the range scale and pace of to some simultaneous exams, leading to a strain on delivery by participants. And just to reiterate, you know, a comparison of the combined resources of everybody who is concerned about as high as well, seeing with the applicant, you know, the resources we have at our disposal is a tiny fraction of the resources the applicant has. And even if it's possible to timetable things with SPR, and size we'll see so that dates don't clash. The sheer volume of material that people have to review and consider if they want to make meaningful contributions is already overwhelming. And I think Chris Wilson's quoting from the policy statement, there is

50:47

aptly sums up the mental and physical strain that this will push on people. So I urge you to delay. Thank you

50:59

counsellor fellows.

51:08

Thank you very much Miss mound, ladies and gentlemen, Marianne fellows representing over town council.

51:16

The reason the inset process was changed under the Planning Act 2008. And a new regime was created and established to assess and consent large infrastructure projects, I understand was to reduce significant long inspecting, you know, processes and no public hearings that went on for years. I understand that. But the deal if you like, all the requirement to allow a short examination phase of six months, is that the application is fit for examination, that it is complete, and that it is front loaded, you will know as planning and spectris, that inserts are supposed to be heavily front loaded. So hopefully what you're examining is the final product. I know a few things may change based on things like changes within the supply chain on particular materials. So So minor amendments, but in terms of being ready to examine this application, we would certainly say that this is not the case. And as Mr. Jones has said, in your colleagues extension of the decio for scottishpower, renewables East Anglia, one North and East Anglia two, our concern is not just the overlap, but it is a recognition that they have made of the complexity. And the fact that six months was not enough to examine East Anglia, one North and East Anglia. Two. And although they were significant and complex in their own right, they are insects. This application is far greater. The total number of documents, you know, over over, I think it was 600. In the application phase, there's been a further nearly 300 by 360. I think in the preliminary meeting phase.

53:19

I came, I'm going to get a bit personal here. Forgive me, but but I think it's right to say this. I came into local politics and to represent communities because I wanted to make a difference. And I think you all did, too. You're doing these jobs because you want to make a positive difference. And to be honest, transparent and inclusive.

53:43

Why would you not delay, you have the ability within the legal framework to take as long as you need within the primary meeting stage, to get everything as complete and as front loaders as it needed to be. You've heard from people that verbally at the first part of the programme meetings, and I'm sure you've read all the documents that have been sent in for a deadline be and especially the environmental agencies plead to you to actually make sure that the hard c defence and soft t defence supplants artists stage where they can be examined. None of this is going to happen if you start the examination phase tomorrow. So we would ask and Overtown counsel would press you that we don't finish today, with a decision that the examination phase starts tomorrow. In the last month, I personally and other counsellors, and a no loads of other people across the whole of Suffolk have been torn between dedicating their spare time to ScottishPower renewables matters and then to the DCO for Sizewell C. To

55:00

Get a range of democracy and for the whole community to be represented. You shouldn't just have democrats who, who are, you know, retired with all the time in the world. I work part time. I've had to actually take time from my paid job today to be here. We're not paid as town councilors. We are volunteers. We care passionately. And we want to represent our community. And I would ask that you do that, too. You represent this community. There's no way in the planning Inspectorate Bible that says you should allow two major applications to go through at the same time, please, we've got to ask for this to have a review and a pause. And for the examiner, Shin phase not to start tomorrow. Thank you. Thank you.

55:53

The next person whose hand is a bit, sir john, so they're all

56:05

I was sort of Oh, good. Good morning, Mr. mod.

56:11

I will not repeat what I've said in my written submission. I would say I'm a resident of the Oxford. I am a member of the Oxford parish Council and churchwarden of the church.

56:24

Since I put in my personal submission, and Allison tells me References In fact, the Oxford parish council putting a formal submission to you on the seventh of April,

56:36

highlighting a lot of the points that were made, and in particular business about in linkwood, ScottishPower.

56:46

I would first of all, I endorse absolutely 100%. everything that's been said by Allison downs accounts, the fellows, Chris Wilson, and Stephen Brett.

56:58

I would particularly endorse the comments by counsel Othello's just now. What she is talking about here is

57:08

the potential democratic deficit. We are relying on you pins to make the right decisions on this. And

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I would just challenge

57:23

what Mr. Thorpe said, I'm sure you're representing his client and the rest of it. When he said nothing has changed. An awful lot of things have changed in the last 12 months. And in fact, I think I'll be right

in saying that one of the things that changed for when the original timetable was set out was the second wave of COVID, which actually killed more people than the first wave did. And there are also changes in political context.

57:53

And so

57:56

all I would I would endorse what other people have said much more eloquently than I am I would challenge Mr. Thorpe Park on his question saying nothing has changed.

58:07

And thank you very much. That's all. Thank you.

58:13

Alison downs, your hand is raised is that

58:17

you wish? I do apologise? I didn't know right? Okay, now that's fine. Mr. Beach, I think yours the next person, I have the sideral if you're able to thank you switch your camera off. That would be great. Sorry.

58:35

Mister, thank you. Thank you, Mr. Tim beech, chairman of snipe parish Council. Not for the first time I have to say I do want to endorse exactly what Marian Fellowes has just told you and been through

58:50

EDF first mentioned consultation fatigue in 2006 in one of the documents that they circulated, and it really does feel

59:03

if we do proceed, that with the parallel SPR and EDF that does put huge amounts of pressure.

59:17

Sorry, I've missed a beat last year.

59:23

Sorry, I don't know what point you lost me there. But I just want to reinforce the points made by Marian fellows and Chris Wilson and Alison downs.

59:33

Not for the sake of taking time but just to give you an idea of the weight of feeling and the real pressure that we as parish councilors enter on that I'm in exactly the same position as Marion fellows is in terms of looking at the detail of this stuff, and being able to report back if they do if you decide to conduct the inquiry in parallel with SPR, it does make it almost impossible for me as an individual

1:00:00

As a parish, to give it the focus, it really does need.

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And I'm conscious, I'm repeating others, but it is important that you get some sense of that. Thank you is appreciated.

1:00:16

Mr. Collins?

1:00:19

Yes. Hello, Paul Collins. Just I do endorse what the previous speakers have said. But there's one thing that I thought I would add to the point about the financing situation, which was mentioned both by Alison Downs and Maryam Fellows, and that is that one of the things that was expected after the Hinkley Point agreement with EDF was that there was a clear path to actually the financing of the second

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project which is Sizewell C.

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But that has disappeared without trace. And there is no real clear path to actually finance this. And therefore, to be actually looking at

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the DCR application at this point, when there is no clear path towards actually putting the project in place is really not what was expected in an NCO evaluation.

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That's all I have to say. Thank you. Thank you.

1:01:24

Councillor Sanders, you've raised your hand.

1:01:29

Hello, good morning, Mr. Mondale, Sanders for Woodbridge town council are raised up part one the issue with regard to current legislation in impacts on local authority meetings. That situation has not changed. In fact, the government has said that it is not going to extend the regulations, allowing virtual meetings of district councils, county councils or kind of parish councils. Therefore, as of the sixth of May,

1:02:03

we will not be able to meet legally, virtually. That means that we as a town Councilman, I presume quite a few others are arranging for going to emergency powers until lockdown limitations allow us to meet in person.

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That may be some time

1:02:27

and will depend on what happens with regard to the COVID cases and the development of ladders over the next month or two. But it doesn't mean properly not before during the 21st which is the date which would allow us to meet in person again with any potential without the updating of those regulations. And whilst I know harsher can catch on a few others are actually taking a legal review of that position.

1:02:55

at the current time, as councils we have to move into emergency powers on the sixth of May to be legally operating, that limits how we can input and how we can feed into this examination process. And other than that I do endorsement, much of what's been said by the other speakers this morning. Thank you. Thank you.

1:03:20

Next speaker Edwina Galloway.

1:03:27

Edwina Galloway Kelsale-cum-Carlton parish Council, I simply want to add the endorsement of our parish with all the comments of the previous speakers, Marian Fellowes, Alison downs, and all the other parish and town councils that have spoken

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with her Thank you very much. Thank you.

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Christopher Wilson, again.

1:03:52

Thank you very much. Yes, Chris Wilson from task. It's just a quick follow up from the point that Marian fellows said in terms of people doing this work in their own time, and just wanted to draw attention to the fact that obviously, people from the Environment Agency, the MMO, and many others have expressed difficulty in dealing with the volume of data, particularly with the COVID restrictions. And that leads to people being paid to do those jobs. We're all doing this for nothing and basically struggling really, really difficultly with it now just wanted that to be taken into account, even if the paid staff are struggling with it just did just have a thought for us poor people on the sharp end do have to deal with it in our own time and struggling with what has been homeschooling, home working and all the pressures of daily life. Thank you.

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Thank you

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think

1:04:51

Murray Rob. The next person is indicated as I speak. Hi, thank you. My name is Anne Marie, Rob, and residents

1:05:00

bridge. I think one of the big challenges that we have incompatible with the applicant is that the applicant has been able to meet other business related purposes throughout this COVID lockdown. In the first examination meetings, we could see that the applicant was clearly positioned in a room with other members of the team to withdraw the Africans QC, was clearly positioned in a room with other members of the team and able to work quite fluidly in that situation. That is not an option that is available to local communities and has not been available legally to us for some time. I just want to reiterate that point. Thank you very much.

1:05:34

Thank you.

1:05:37

I think that's all the people who have indications desire to speak. So now come to the Sorry, sorry, Mr. But I've just had a Mr. Galloway placed his hand up. So if I can come to you at the end, Mr. For partner, hopefully we you be able to deal with all the points in one go. Mr. Galloway.

1:06:05

Mr. Gao, is there anything further you wish to say?

1:06:14

Can you hear me? I can now Yes, thank you.

1:06:18

In Galloway, private resident of Cal cell comm calm. The point I'd like to make as an experience to programme projects director for 30 years is that was not wishing to teach my grandmother to suck eggs, I would have thought the simplest way to overcome this issue about urgency is to do a critical path analysis of the steps necessary regulatory steps and look at the actual lowest common denominator of achievable and then position the decision on whether or not the start of the examination can begin later, based on fact, rather than the comments that I've heard flying around this morning, and particularly the rhetoric from

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my colleagues, the QC, who represent EDF, thank you.

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Thank you, Mr. Galloway,

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Consular Fellows, that you wanted to say one further final thing.

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Yes, thank you so much, Mr. mode, it was just one point that I had forgotten to mention.

1:07:29

If you do begin the exam, sorry, Moran fellows representing over town council.

1:07:36

So if you do begin the examination phase tomorrow, and I fear that you have already come to the conclusion, you know, the examining authority in the room up to today.

1:07:47

I hope that's not quite the case. And I hope you came to this meeting today with an open mind. But if you do begin the examination phase tomorrow, you're going to most likely be in the situation as your colleagues at SBR examination were, in six months time you'll be having to write or four months time, you'll be having to write to the Secretary of State to ask him or her for an extension to the examination phase. If your colleagues, your esteemed colleagues, I'm sure peers have told you they can't examine in six months what they were faced with? How can you examine something even bigger in the same six month period, you are legally bound once you start the examination, to finish it in six months and be in a position to then take only three months to formulate your recommendation.

1:08:45

With so many matters outstanding, with so many statutory organisations, let alone amateur interested parties like parish and town councils and individuals. You must listen to the statutory consultees only perhaps, but everyone is saying we're not ready for this. There's too much still going on. To actually properly examine. And I go back to what I started with at the beginning, is that it's supposed to be front loaded. It's supposed to be complete. And we're not there yet. So rather than go through the embarrassment of having to ask the Secretary of State to extend your examination phase, please don't start it tomorrow. Thank you.

1:09:27

Thank you.

1:09:30

Now if I may come to the applicant, Mr. Bill passes through anything you would wish to say in response to those various points. So yes, if I may, just start if I can just start briefly would be L&R licensing matter that that of course is a separate process. And my understanding is that the L&R will only grant a nuclear site licence once the applicant has demonstrated ownership of the land, which

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necessarily follows not only the grantor, an investor a development consent order, but also the acquisition of land pursuant to the compulsory acquisition powers within it. So that is something which has to come after the DCA process in terms of decision making. But that subset is a separate process. So I do want to say something about the Eastern, one north and SMB two examinations, because we dealt with that only briefly in our

1:10:34

procedural

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stage be representations in writing. And I'm also then going to ask whether you might be assisted by anything more on the coastal defence features and the modelling points which have been raised. And I've got Mr. Rhodes, available in a separate location, sir, not in the same room as me a separate part of the country to deal with that if necessary.

1:11:05

But if I can deal with the East Anglia, one examinations first, that, of course, is an exceptional just decision, extend an examination, which is already in place. And it's not a decision to defer the start of an examination is not a decision that that examination is unable to continue effectively with the existing restrictions in place. But it is also very specific in its reasoning, to particular facts. And those facts do not read across to the situation here. And there are three general points I'd like to make about that before dealing briefly with the interested party submissions. But the first point is that the lesser of the first of April from that examining authority was a decision to extend the examination because of particular difficulties that had been experienced as a result of specific events that have occurred during the examination. Thus far. It's not, as I said, a decision that affects their ability to carry on. Now.

1:12:26

The second point, is it the event that they relied upon as justifying that that extension with this specific restrictions, and the two national lockdowns that had occurred during the period of the examination, and what we're now experiencing is the stage loosening of those restrictions, which is currently anticipated to continue through the period of this examination. Now, of course, no one can predict with great confidence what will happen, but won't can't simply read back to what's happened over the previous months, and assume that that will continue into the months that follow. And that, of course, has implications on practical matters, such as the ability for the examining authority to undertake site visits, the possibility of holding live as well as virtual events. And the third point, of course, is it in that case, the examining authority variable usually was dealing with two simultaneous examinations. And that is a very unusual set of circumstances. It's not the case here. This is a single examination. And although undoubtedly, this is a large and complex scheme, this is precisely what the Planning Act 2008, and its regime was set up to do. And all of the timescales that are set both by the act, and the regulations are designed with projects such as this in mind.

1:14:01

Now, so far as the interested party submissions are concerned that the general theme that is reigns concerns, as I understand the practical implications of participating in both examinations at the same time, and the examining authority for the East Anglia schemes was careful in its decision to address that very concern.

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And the letter made reference to this project and indeed, to this second preliminary meeting, and they may very clear that they were aware that parties, many parties will be participating in both examinations. And what they said is that with this in mind, we have sought to ensure the amended timetable in the annex avoids likely events and busy periods and the draft timetable for that examination as far as possible. And that of course, is reflected in the amended timetable. They've now

1:15:00

Without examination, now having considered the two timetables, and we know that neither of the two councils have said they'd be unable to meet the deadlines in this examination that they're currently working towards. And indeed, it's notable that no interested party has identified specific timetable and clashes that arise, notwithstanding the care that was taken by the other examining authority to plan its own extended timetable with the objective of avoiding such problems. And so the planning system has demonstrated, I would suggest, through pins and through the participants in various processes, that it's capable of continuing to function effectively, despite the COVID restrictions, with examinations into n sips, and major public inquiries being successfully conducted, even during lockdown. And that's important, obviously, not only for the economic health of the country, but also confidence in the planning system. And thus, for the public interest in ensuring that applications, the development proposals continue to be scrutinised and determined expeditiously in the way that parliament has considered appropriate by Planning Act 2008.

1:16:25

Now, service, as was explained, by the examiner for that last preliminary meeting, and the pins led to the 22nd of January, the decision to move the preliminary meeting back to late March and early April, expressly took account of the impact of the pandemic. And we say that nothing has changed in the interim, which will justify different decisions now, but when the examination should commence. So that's what I wanted to say about the East Anglia unless you've got any particular questions on it, as I indicated it, although we've put in what I hope is a clear explanation of the position on both the hard coastal defence feature in the Sophos coastal defence feature in the modelling. I also had Mr. Rhodes, who could provide me a brief sort of further set of all submissions on that if you think that that might be helpful, because the matter has been raised by various parties, a procedural deadline be I think it will be helpful, but I would ask for that to be dealt with later. We've got that specifically.

1:17:33

Sort of one of my colleagues will pick that up with Mr. Rose a little bit later on. You know, he's happy to deal with it in that way. I just thought I'd take the opportunity that had been raised by marketers. No, that's, that's helpful. Thank you. Is there anything else you wanted to add at this point? Or? No, sir, unless you have any questions, that was all I wanted to say? No, that's fine. I'm just conscious that Mr.

Collins has raised his hand, so I might need to come back to you depending on exactly what he says.
Mr. Collins.

1:18:06

Thank you, sir.

1:18:08

is just a point that Mr. Philpott made about land ownership, the and the rNr consideration of their licence, the nuclear licence, the r&r, considering whether EDF or NNB or Sizewell C whatever they call themselves at the point of which the site becomes operational, are fit to actually have the land and own the land and have a construction which is fit for purpose and can actually be operated safely and that they have the underlying administration etc., etc, to actually run the station, it has very little to do with all of the compulsory purchase acquisitions that are within the D dcl. To construct this, because in reality, EDF already own the land upon which this development is going to take place and where the final nuclear power station was set. So it's not an issue for that, that can go on completely separately. And whether they get permission to build this thing or not, doesn't really impinge upon that part of their consideration by the INR. And the other idea that that actually,

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the hearings issue and scheduling hearing so they don't overlap isn't the point that anybody is making about this. It is the time that we need to consider all of these documents. And these documents are complex and abstruse because there is information scattered around the place and not easy to actually follow exactly where you need to find this information. It is not easy for people like ourselves to actually do that. We do

1:20:00

operate independently. We do operate as single people on our own in many, many cases and are prohibited from doing what I'm sure EDF do very well. And perhaps the planning inspectors as well have a better team of people behind there where you can do it. But I'm pretty sure you're also finding those sorts of difficulties that we are. So thank you. That's all I have to say. Thank you.

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Having heard what Mr. Collins said, Mr. Phil Porter, anything further you would wish to add? So now I've checked whether what I said before was correct. It is correct. I've heard that confirms I don't need to repeat it.

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Okay, thank you very much.

1:20:46

Rachel Folger, you've just raised your hand. Is there anything in additional that you wish to wait make on this topic? I was just reminded that the applicant? Yes, thank you very much. Rachel Fulcher, Suffolk coastal Friends of the Earth. To pick up on what Chris Wilson was saying. He was emphasising the Oh, INR that our members are deeply concerned that the Environment Agency, along with the other

agencies have actually said that there won't be sufficient time to advise the examiner properly due to the lack of information from EDF, as requested many times, though, and the lateness of submission and the proposed changes and the lack of

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this is really worrying if the statutory agency cannot advise you properly, then whether we found Thank you.

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Thank you,

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minded that we've been going for nearly an hour and a half. But just before I do, pause for a break.

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just important that I give the applicant the opportunity for the final word on on this is

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anything further. Now that you've heard Mitch Fulcher?

1:22:09

So I don't think so I can check over the break to see if there's anything that people want me to add, but at the moment, I don't think there's anything I can say which will move matters on. Okay, thank you very much. Well, if we can pause now for 15 minutes. So that will be if we come back at where are we at 2212.

1:22:33

Thank you