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Wed, 4/14 3:37PM • 17:52

00:11

Good afternoon, everyone. And welcome back to this preliminary meeting which is resumed. Before I continue. I just asked my colleague, Mrs. Cassini to clarify one outstanding point from the last agenda item. So, Mrs. Cassini.

00:30

Thank you. It's actually a point that Mr. Collins made. I just want to clarify a point, Mr. Collins, he made about site inspections. And I am sorry, if I caused you any confusion, just to clarify that we make unaccompanied site visits on land that we can publicly access. And on private land where we need landowner access, we make accompanied site inspections. And on these we usually have the applicants and interested parties in attendance. The applicants draft agenda for the accompanied site inspections is low. It's currently on the project website and comments on this and consideration of representatives to attend should be made by deadline won on the 12th of May. I just wanted to make sure that I'd made that point clearly. And I hope that that answers your question. I don't know whether you've got any further points you want to make on that. No, thank you. That's exactly what I wanted to understand. I wasn't quite as clear as perhaps that sorry. I did say I was going to answer you and didn't so I do apologise. And thank you. I didn't know that I was going to say something. But yeah, I my mistake, and I apologise for that. Thank you. And I'll hand back to Ms McKay. Now.

01:50

Thank you, Mrs. Cassini. So on agenda item 11 any procedural decisions taken by the examining authority. The points made at this meeting both today and at the preliminary meeting part one. Together with all written submissions to procedural deadlines A and B have been considered by the examining authority and taken into account in making our procedural decisions. Please note that the decisions that we will give at this stage have now been made, it is not possible to revisit them. And we will not therefore hear further submissions from you on what we ought to decide. What I will now provide is the examining authorities decision on the commencement of the examination, and a brief summary of our reasoning for that decision. My colleagues, Mr. Brock and Mr. Humphrey will then provide updates on our decisions in relation to the initial assessment of principal issues and the statements of common ground.

02:52

The rule eight letter will provide further details of these and other procedural decisions, and will provide the formal record of them

03:02

in relation to the closure of the plenary meeting, and hence the timing of the start of the examination. I will now give a short summary of our decision on this matter. A full statement of reasons will be attached to our rule eight letter.

03:19

Now, the examining authority has given serious and careful consideration to the proposals that the examination should be deferred for the various reasons set out in oral and written submissions to the preliminary meetings, part one and two, and procedural deadlines A and B. Taking all these considerations into account, both individually and cumulatively. The examining authority concludes that on balance, the commencement of the examination should not be deferred or delayed until the later date. In response to those submissions are summary reasons for that decision are as follows.

04:02

On the matter of the COVID-19 implications, virtual events have become an established method of event delivery during the pandemic, that has proved generally proven to be reversed and deliverable. In a fair manner during periods of restrictions. The government requires the planning system to carry on during the pandemic and fully supports this approach, as evidenced by the written ministerial statement on planning, dated the 13th of may 2020. a deferral on the grounds of COVID-19 alone, would not be consistent with that approach.

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Now the draft examination timetable provides for open floor hearings to be held between the 19th to the 21st of may 2021. These can be held as virtual events in this examination in accordance with the government's expectations. set out in the written Miss

05:00

stearoyl statement will provide lawful and reasonable opportunity to be heard for most interested parties.

05:09

Later on in the examination timetable, should it prove possible and prudent to conduct physical or blended events from the 21st of June 2021 onwards, subject to technical and capability advice from the planning Inspectorate, the examining authority will use its best endeavours to do so.

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In addition to the issue, there are later issues specific hearings and compulsory acquisition hearings. There are other dates reserved within the draft examination timetable that could accommodate one or more further open floor hearings that could potentially be held in that way.

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However, that prospect should not be relied upon, given the unpredictable nature of the pandemic, and the caveats surrounding the arrangements for blended events that must be organised in a way that is

fair to all. Where hearings are deemed to be necessary, it is not possible to deduct physical or blended events, virtual events will continue to be held.

06:17

The examining authority has taken very seriously the question of whether some interested parties could possibly be digitally excluded, and will continue to take action to counter this prospect. And in so doing, will have regard to the various equality issues that have been raised. This will include consideration of whether alternative arrangements can be made for particular individuals, such as assisted events.

06:47

The examination that examining authority does not therefore consider the digital exclusion from events or lack of access to digital documents and related matters should provide a reason why an interested party would be excluded from participation in the examination.

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The examining authority is satisfied that there are no issues relating to access or advice. The providers sound reason why the examination should not begin at this time, and that the ability of parties to take part in the examination would not be improperly inhibited by the covid 19 pandemic

07:27

area in relation to the forthcoming local elections. The examining authority does not consider that the intervention of the local election period would unduly compromise the ability of the various councils, their elected representatives, and those they represent, to participate fully and effectively in the examination process taken as a whole. In addition, the examining authority is content that it can continue to operate during that period, in accordance with the civil service code and without the possibility of influencing the outcome of these local elections.

08:09

As regards the applicants change request, the timing of the preliminary meeting reflects the advice set out in advice note 16 applicable to situations where the change request is made. Before the rule six letter inviting people to the preliminary meeting is issued. The examining authority considers that there will be sufficient time during the course of the examination for the merits of proposed changes if accepted to be fully considered during the examination period. It does not consider that further pre examination time is necessary for that purpose. And that does not provide a reasonable and necessary justification for delaying its start.

08:56

Now turning to the extension, which has been granted to the East Anglia, one North and East Anglia two examinations until the sixth of July. The examining authority recognises that this means that there will be a period of overlap with the size we'll see project until then.

09:16

Now I've listened very carefully to the new points that have been made so well on that topic today. The examining authority will endeavour to avoid any burdens and clashes between events and to take on

board certain suggestions in relation to timetabling when the draft examination timetable is finalised. In those circumstances, the period during which all these examinations will coincide, should not place an unreasonable burden upon participants or prevent the making effective contributions.

09:52

Now there are factors relevant to the consideration of whether the start of the examination should be delayed, the examination

10:00

Authority, the examining authority believes that timeliness is an important consideration for NSIP applications. In addition, the application includes proposals for the compulsory acquisition and temporary possession of parts of the order land. The examining authority considers that it's important that delay and uncertainty around such proposals is kept to a minimum.

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Now, those things summary of the reasons that have led us to our conclusion on the commencement of the examination. Now I'll now hand over to my colleague Mr. Brock to briefly outlined the position in relation to statements of common ground. Mr. Brock

10:47

Thank you, Ms McKay, in relation to statements of common ground, our procedural decision which has set out at Annex E of the Rule six letter of the 23rd of February stands.

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That is examination library document PD-011.

11:08

In addition, having heard submissions out the part one preliminary meeting, and in this part two, we have decided to ask for three further statements of common ground.

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The first is between the applicant and the B1122. Action Group.

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We understand from the applicants deadline be submissions that is already in progress.

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In relation to the second, Suffolk coastal Friends of the Earth, indicates the desire to enter into a statement of common ground. They later said they would fall in behind the RSPB Suffolk Wildlife Trust statement of common ground. But we now understand,

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excuse me, following the airing of this point out the part one meeting, that the applicant has in fact initiated a statement of common ground with them. And we are happy for differences to be resolved.

We're glad that Friends of the Earth and the applicants are working on a statement of common ground and look forward to seeing it at the relevant deadline. Accordingly, we directly there should be a statement of common ground between the applicant and Suffolk coastal Friends of the Earth.

12:22

And lastly, as I mentioned earlier, we had decided that there should be a statement to common ground with the Department of Transport one for transport I'm sorry, in relation to certain harbours act matters. I will now hand over to Mr. Humphrey.

12:42

Thank you, Mr. Brock. As I explained in part one of this meeting, the initial assessment of principle issues that are set out in annex C of the rule six letter are broadly defined following our initial assessment of the application documents and the relevant representations. That list was not intended to be exhaustive, or set in stone for the duration of the examination. We thank you for the suggestions made in that respect, are part one and two of this meeting and procedural deadlines A and B. However, we would point out that the initial assessment of principal issues list is not routinely updated. As it is only the initial assessment. It is not comprehensive, or exclusive list of all relevant matters. There is no requirement to update this list because the examining authority will examine all issues raised throughout the examination. At this point, I would like to stress we will have regard to all important and relevant matters during examination. And when we write our recommendation report to the Secretary of State. For those reasons, we will not be publishing a revised list. However, we can confirm that we will consider the developments impact on coastal geomorphology as an issue in its own right, covering potential impacts of coastal processes from the proposed Hard and Soft coastal sea defences. Together with the permanent beach Landing Facility, the coastal monitoring and mitigation plan and potentially the temporary beach Landing Facility. We also consider there is a significant degree of overlap between topic areas where there is the potential for community impacts. A new effect on a local community from the proposed development should also be considered a principal issue. In addition with respect to with respect to the effects on the area of outstanding natural beauty, the overlapping effects will be considered across irrelevant topic areas in the examination. We will also consider whether issue specific hearings for these matters will be needed later in the examination. I will now pass back to Ms McKay.

14:50

Thank you Mr. Humphrey. So we now move on to agenda item 12. That's any other matters. So does anyone else

15:00

Have any final points to make under this agenda item that we can deal with before the meeting is closed? If you'd like to put your hands up.

15:19

Mr. Barlow, thank you.

15:22

Sorry, I was I was presumptions there and open.

15:27

Automatic with the taking myself off of your head and know that you were going to raise something onto this. Yeah. Thank you for that one day. No, no, it was it is just I just want to just absolutely confirmed understand that you are going to be telling or announcing whether or not you are accepting the changes application and announcing that with your

15:55

suit submission of the examination, timetable to the deadlines will be first of April, is that correct? It won't be later than that. It will be by that date, it will be provided in a separate letter, not the rule eight letter. Okay.

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So sort of on or before that date. Okay, that's helpful to understand. Thank you very much.

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Anyone else with anyone? Any points to raise under any other business?

16:34

No, I don't see any more just check with the case team that just in case my hands up function isn't working. Can you see anyone else with points to raise?

16:47

No, I don't have any hands up. Okay. All right. Thank you. So if there are no further questions, that brings us to the end of the preliminary meeting, many thanks to all those who have taken part those today in our part one, and two those who've made written submissions that procedural deadlines A and B can now confirm that the rule eight letter including the examination timetable, details of the publication of the examining authorities written questions, and other important information about the examination will be issued on Wednesday 21st of April 2021. The examining authority's decision as I've just mentioned, on the change request will be sent by a separate letter by that date. Now close this preliminary meeting and look forward to working with you all during the examination.