

# AUDIO\_SizewellC\_ISH10\_Session1\_2708202

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00:05

Good morning, everybody, and welcome. It's now time for me to open this issues public hearing, which is being held in connection with the application made by nnb generation company SSC limited for an order for development concerned for the construction, operation and maintenance of the sizewell c project. And before I go any further, can I just confirm with my case team, like we heard cameras working and recording and live streaming has commenced? Yes, I can see in here and the recording and live stream have started. Thank you very much. Quick note for those who are watching on live stream. Let me explain it if these proceedings are adjourns any point and we do adjourn several times during the day we will have to stop the live stream in order to give us clear recording files. When the meeting is resumed, you will need to refresh your browser page to view the restarted live stream and I will try to remind you again of this should we need to adjourn. Let me now introduce myself and my colleagues. My name is David Brock and I'm a retired solicitor. I have been appointed by the Secretary of State to be a member of the examining authority for this application. The other members of the examining authority Wendy MCI, Edwin Moore and Helen Cassini and Neil Humphrey will now introduce themselves to you miss MCI.

01:32

Good morning, everyone. I'm Wendy MCI, I'm examining inspector and lead member of the panel on our persons Mr. Moment. Good morning, everyone.

01:46

My name is Edward Normand. I'm a chartered town planner. And I too have been appointed by the Secretary of State to be a member of this panel on our pass on to Glenn Cassini.

02:09

Excuse me. Mrs Ksenia has a problem with her camera. Let's go to Mr. Humphrey.

02:17

Good morning, everyone. My name is Neil Humphrey. I have been put I'm a chartered civil engineer and being appointed by the Secretary state to be a member of this panel. I'll now hand back to Mr. Brock.

02:29

Thank you, Mr. Humphrey. Miss Doane for your little bit quiet. I think maybe famous tucked away. That Mrs. Cassini if you can't get your camera to work, but your microphone is working. Would you like to introduce yourself orally but not visually?

02:45

Thank you, Mr. Brock. I apologise for my camera doesn't seem to want to turn on. My name is Helen Cassini. I'm a chartered town planner and I've also been appointed as a member of the examining authority.

02:58

Thank you very much. Now, we are assisted at this hearing today by the planning Inspectorate case team. And today we have the planning inspector case manager Sean Evans and Georgianna Hannigan is with us as well. And Jake Stevens may be with us on Friday, I haven't checked fully before we started. If you've got questions or queries, however, about the examination or technology which we're using the virtual events, they are your first port of contact please and you can find their contact details on top of any letter which you have received from us on the project page indeed of the national infrastructure planning website. Now then, before we get on to the main part of the hearing, there are some housekeeping and background matters to be done. Today, Mrs. Ksenija British to do that orally but not visually.

03:58

Thank you, Mr. Brock. As explained in the examining authority rule eight letter annex D the issue specific hearings will be live streamed and recorded. Recordings will be published on the project page of national infrastructure planning website as soon as possible after each hearing closes. To assist viewers and listeners, anyone speaking should introduce themselves each time they speak. As recordings are retained and published, they form a public record that can contain personal information to ensure general data protection regulation applies. The relate that includes a link to the planning inspectorates privacy notice, which provides further information on this topic. If there is a need to refer to information that participants would otherwise wish to be kept private and confidential. It should be in written form which can be redacted before being published. If you prefer not to have your image recorded, you can switch your camera off. I repeat the 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 During a physical hearing, we'd normally have breaks to avoid fatigue. We'll do the same in this virtual hearing. Our intention is to take a 15 minute break at about 90 minute intervals and longer break over the lunch time period. On the other hand over to my colleague, Mr. Monty will explain the purpose and conduct of the issue specific hearing today.

05:23

Hello again, everyone. Issue specific hearing provides an opportunity for the issues raised by interested parties and in particular the differences between them to be explored further by the examining authority. The purpose of an issue specific hearing is set out in Section 91 of the Planning Act 2008. It is held if the examining authority decides it is necessary for the examination to hear oral representations to enable adequate examination of the issue, or to ensure that an interested party has a fair chance to put their case. As indicated in the agenda questioning at the hearing will be led by a member of the panel supported by other panel members. It is the examining authority to determine how hearings are to be conducted, including the amount of time to be allowed at the hearing for the making of a person's representations. Our aim is to use our powers of control over the conduct of hearings to ensure that they are carried out as efficiently as possible. Whilst remaining fair to all parties and thorough in our examination of evidence. We've identified the matters to be considered at this issue specific hearing,

and those on which we require further information. And these are set out in the agenda published in advance of this hearing. participants should note that written summaries of your oral submissions to this hearing should be provided to the planning Inspectorate by deadline seven, which is Friday, the third of September 2021. Finally, I would like to reassure you that all members of the panel are present and listening carefully to what you have to say at all times during the hearing. However, we're not all remaining on screen throughout, as we wish to minimise the demand on the IT systems to ensure the best quality of audio and video for participants on our hand back to my colleague, Mr. Brock, who will continue the introductory matters.

07:29

Thank you very much, Mr. Morgan. I am not going to ask the applicant followed by interested parties who were named on a detailed agenda, if they would introduce themselves, please. So here purpose today on behalf of the African.

07:44

Good morning, sir. My name is Harry would fill pot QC instructed by Herbert Smith freehills on behalf of the applicant. And so as at issue specific hearing seven, I'm going to be appearing alongside Stephen tremens QC. Now that the division of labour is as follows. I will deal with items two, four, and six, and Mr. tremens. We'll deal with items three, and five. We will in the usual way be introducing various speakers as we go through the agenda and we'll do that as we go along. Thank you very much. who appears for East Suffolk councils Davis.

08:28

Good morning, sir. I do. My name is Isabella to four and I am going to be calling on the council's ecologist James May during the course of the day.

08:39

Thank you very much Mr. Mr. For who appears to Suffolk County Council please.

08:48

Thank you sir. My name is Michael Bedford Queen's counsel. I'm instructed by sharp Pritchard on behalf to county council. And today unlikely to call on Mr. Tim de Qasr, the head of natural environment. And Andrew Murray wood senior ecologist, both of whom I think you've heard from before on earlier occasions.

09:09

Many thanks mr. Bedford. I can say at this point that as I hope is known, but if not, I mean to say so both natural England and reimagined organisation have decided that they will not be coming to today's hearing, for manpower reasons, largely. They have submitted a note in lieu of attendance and that those notes, I want to reach them were published when they arrived yesterday. I hope that the applicants and other interested parties have been able to look at those. Yes, we have just to confirm we've seen those. Thank you. Thank you, Mr. Cooper. Next person on my list is the Environment Agency who appears on their behalf please.

10:06

Good morning, sir. My name is Cameron Skates. I'm a senior planning advisor at the Environment Agency. I'll be joined today by two colleagues, who are Carol Bolts

10:18

who is a senior solicitor, and Kirk Markham is the fisheries and biodiversity technical specialist. Thank you very much. The RSPB stress strokes up at Wildlife Trust appears on their behalf.

10:40

Thank you, sir. Good morning, Rosie Sutherland on behalf of the RSPB and Suffolk Wildlife Trust in houseless. Two at the RSPB and again I'm joined today by Miss Miller Mr. McFarland and Mr. Rowland's if it's okay for them to come in for their relevant topics.

10:56

That will be perfectly alright message and thank you very much. Thank you so did put the Suffolk coastal and Heath AONB partnership on the list. quicks scour I don't think that they are here but if you are here, I've missed you then please tell me now and see who is representing you? Fine. That is. I think good to be alright likes playing when we get to the triplets crossing issue. southern coastal friends of yours who appears on their behalf today, please.

11:41

Yes, good morning. My Rachel Fulcher. I'm the coordinator for southern coastal friends and theatre. Could I introduce also two of our advisors. That is Dr. David Mould. He's an expert in surface water hydrology. And also Jonathan Graham, who is an expert in aquatic botany. And I'm sure they'll be happy to answer any questions especially to do with the fen meadow. And then I have to apologise. Dominic would feel the bioscan unfortunately, can't be with us today. Nor can Tom Litang, who's a local ecologist, but they'd be happy to send in any comments by the next deadline. Thank you.

12:39

Thank you very much. This Fulcher blight the minsmere levels stakeholders group.

12:49

Morning, Mr. Brock, Paul Collins for mentimeter level stakeholder group and myself as I'm further down the list, as well as seven days which parish Council and stop sighs We'll see. It's nice to see you again. Thank you. Sarah Morgan, here. Okay.

13:17

And I think Mr. Scott's you are here for sage, this filter, you can pop your camera off. It's lovely to see you but others who I need to see as well. Okay, well, in that case, what Scott's not here I will press on. There are also people Sorry, I'm I'm here to present my apologies. Thank you, Mr. Scott. So there are some people here who have requested to speak at this hearing, but who are not honest, do invitees set out in the detailed agenda. I won't ask you to introduce yourselves now. But the first time that you are invited to speak or that you put your hand up and and speak please can you introduce yourself then giving your name and the name or names of the organisation you're representing if you're not represent

simply yourself. I hope everybody has had the chance to read the detailed agenda for this hearing. During the agenda hearing today, I've got a number of questions for the applicant and also for other invited parties. But in general, yes, I am aware that there are a number of interested parties who may wish to speak on some of the agenda items. Now I will ask if interested parties would like to make any submissions relation to that agenda item. Once I have finished my direct questioning before I move on to the next one. May I remind everybody that this is not an open floor hearing on policy on biodiversity and submissions which are made orally really must relate to the agenda items and the particular questions which are raised by those items which are being discussed. I quite understand there may be other issues which are not on the agenda of parties may wish to raise, but submissions on those matters should be made in writing at deadline seven, September 2021, which is a week today. And if submissions have already been made in relation to those, there's no need to repeat what has already been said. I do want to get through all of the agenda items, do we have a very, very full agenda. And I would like to hear from everyone who wants to speak but we all need to be disciplined. This is a hearing, I want to hear what interested parties have to say, Can I stress I want to hear what interested parties include. Now, I got to say, it must be strictly directed to the agenda item. Can I ask you to rupees to be direct? And to be clear, I think that you know, that way, we will find that contributions are automatically six synced. So please, could you give focused and fluent answers by going to remind past participants as well, that the rules of natural justice and the duty of fairness means that I have to give the applicant the right of replying to you, the applicant is entitled to a right reply on each item. This means to say that if I allow an interested party to reply to the applicants reply, I then replied to go back to the applicant and that disrupts the process. So what this means in practice, is that everybody needs to make their complete submissions on the agenda topic when it is your turn. It may help if you remember, this is a hearing. It's not a meeting or discussion. And your cooperation with that approach will be much appreciated. Can I also remind you that under Section 94 planning, the examining authority can determine the amount of time to be allowed at the hearing for the making of a person's representations, and may refuse to hear evidence which is in its view irrelevant or vexatious or frivolous. If it relates to the merits of a policy set out in a national policy statement, or if it repeats, other representations already made, or if it relates to compensation for compulsory acquisition of land, or any interest in or Hoover land. The main documents which we like to refer to today was sent out in the supplement detailed agenda which was issued yesterday afternoon. And so I will now move to the agenda for the hearing. So please just give me a moment last night change documents.

17:59

Okay, so I to monitor welcome introductions, arrangements for hearings, we've had most of that. Just to remind you, we may be referring to a year one year and six, the applicants and interested parties responses to the first examining question examining authorities questions and submissions or deadlines five and six, and other relevant submissions. Mr. Wilson, you got a hand up.

18:33

Thank you, Mr. Brock. Chris Wilson from together again. sighs we'll say it's just a quick point and turning to just in advance agenda item for the triple si crossing, including landscaping visually impacts.

18:47

I was just just to request rarely I see. A OMB partnership and natural England aren't here. I just wonder if that item could be deferred until the September or that aspect of the trip. Yes. On crossing can be deferred to the September ish. Just to request.

19:03

Mr. Ross, I'm grateful to you. And I think I forgot to ask you to introduce yourselves yourself earlier for which I do apologise, though thank you for raising that I will deal with that straight away. In fact, the the landscape issues which I have thought, when we prepare the agenda needed to be explored. I don't think In fact, we had a we had a good look at the triple si crossing at ice age seven. And so I decided more or less to do what you've asked. Not in fact to hold another hearing on it. But if but, but it'll be something to put up with my written submissions, please at the next deadline if they would like too much applies to you. Thank you. Yes, and, of course, as I was saying, in terms of documentation, we also have the natural England and the MMA submissions. You have attendance, which they submitted yesterday. So let me go straight to agenda item to ecology and general policy. And we would like to understand explore compliance or otherwise with no one, which is applied by paragraph 395 of e and six, and in particular, perils 535. I will deal with that first 535 biodiversity and geological conservation, statutory obligations, and the impacts within the planning system and as an ADP and reference for that. So I've got three questions in relation to that. And one other documents, I'm going to put those three questions and ask, starting with, he suffered counsellors to four, if you would deal with that, and I'll go to the applicant last. So in relation to that policy document, which is now quite long in the tooth, which is referred to in E n, one, and I'm talking about here, the odpm Oh, six, two double o five circular biodiversity and geological conservation. Can you just help me that is still the relevant policy document? Is it not? And if it isn't, what is the relevant policy document please? Mister for

21:31

visibility to 440 suffer counsel. Yes, sir. I understand given its reference in the footnote to E and one that that is still the relevant policy document to refer to, notwithstanding the age of the one

21:47

much applies to and then there's document court working with the grain of nature, which is referenced at power 535. Can you help me please on the status of that document?

22:05

I don't know. It's, I'll have to have to check on that. So I don't know that that's been updated. So I think that that document is still applicable.

22:16

Thank you. And I'm going to ask you, yes. See? How do you How does he suffered counsellor consider that this application halts and reverses declines in Priority habitats and species with wild habitats and wild species and habitats as part of functioning healthy ecosystems, which is part of the test.

22:49

So I'm going to ask, Mr. Mayor to address you on on that particular aspect of the policy if I may.

22:58

Very good. Thank you. Hello, Mr. Mayor, did you get the question do you want me to read to put it again?

23:06

Good morning, sir. Yes. James Murphree soft counsel. Yeah, if you don't mind. Just rephrase to phrase the question again, please.

23:13

One of the policy requirements is that the application should hold and reverse declines in Priority habitats and species, wild species and habitats as part of healthy functioning ecosystems. Would you like to comment on how the applicant the application does or does not achieve that, please?

23:33

Yes, so I can have a go. I think we would have to have to go in writing for a fuller account. But I think our concern is obviously there's there's many species that have been identified as adverse impacts arising from this scheme, and some which mitigation is applied. For some we think mitigation is still outstanding. So I think we'd say that on that point, halting the decline is yet to be fully fully demonstrated within the spheres of the DCI or the limits in terms of an enhancement element. Whilst obviously there's these these impacts that we've we've highlighted on species and habitats, we do recognise that there isn't a statewide management plan to come which reverts some of the existing size will estate to semi natural habitats. So we do see some potential there for Habitat creation, which could go some way to addressing that policy point.

24:33

Okay. Thank you very much. That's enough for now. That would also be a question for natural England and when they watch the recording or read the transcript or both grateful if they could look at that for us. Other other any other interested parties who would like to comment on those three questions the relevance of the biodiversity and geological conservation that circulate the status of working with grain of nature, and whether or not the application halts and reverses declines in Priority habitats and species. Can I turn to Mr. Bill, please?

25:31

So I saw Rosie Sutherland had her hand over. The RSPB separate wildlife trusts, so probably come after her if that's acceptable.

25:39

That's quite acceptable. Thank you, Mr. Phil Hart, Miss Sutherland. Thank you, Mr. Philpott. Thank

25:45

you. So it was just a very briefly support what what is he Suffolk Council has helpfully covered. And also, if it helps, you'll notice that in the circular, it has been updated a few times. So in the footnotes, for example, there are references to two documents from from 2000. And also later, but yeah, we very much are of the view that that is the circular is enforced, as it were, and is very, very relevant. I won't



say anything more, because we have covered this in detail in our written reps. But we will make sure we can point to those specifically in our note of this hearing. Thank you, sir. Thank you, when you say it's in the footnotes, the footnotes to what? I'm so sorry, to the circular. So it was just it was just to point out that, oh, six 2005 and, sorry, the odpm circular and the Defra circular combined. We are we think that they it has been updated. And what we'll do is we'll double check that. But yes, it was it was just to confirm that we also believe that it is still relevant. Thank you. Clear to go to unanimous to fill up on

27:05

that. Thank you, sir dealing with then your points in turn so far as the odpm circular is concerned. We are as far as we're aware, it is still a live, government circular, it doesn't appear to have been archived, it hasn't suffered that fate, we will also check the extent to which it has been updated, because of course, it represents a summary of the law as it stood at that time. And it's therefore a useful checklist. To that extent, what I should also say. So in this respect, your recall that we put in a deadline to an appendix seven B to some of the bio questions, which was set out matters related to legal compliance, there is going to be an updated version of that that goes in at deadline seven, by reference to bio two point 11. And that will be a hopefully a comprehensive account of where you find that the various legal duties dealt with. So that's the first point. Let's

28:23

say this on on that footnoting which Miss Sutherland treat my attention is footnoting which predates dn one n E n six, then that's fine that's in because it's referred to in year one and n six, what would be the position on footnoting, which postdates em one Li n six, you might want to have a think about that. And then

28:51

Oh, so I've I have haven't thought about the wrong thing. But what I can say and which I hope is helpful is that in terms of the role of the circular, and its relationship with the National Policy Statement, if one looks at how this is introduced, which is paragraph 532. And then footnote 97 takes you to the circular, all that 532 is doing is identifying that there is a wide range of legislative provisions at which can impact on decisions. And it points you to a helpful place where they're set out. And therefore it's not in itself. policy. all it's doing is saying clearly, in addition to anything we say in policy, there are legal obligations and duties that are engaged here. So in a sense, all the circular is is performing in in terms of a function is to tell you well Don't forget this one and don't forget that one and so to the extent it's been updated That's helpful. I don't believe it matters. For present purposes, the key thing is to make sure that you are aware of the duties and that they are fulfilled.

30:08

Yeah, don't forget this one. And don't forget that when it's something I have acutely at the front of my mind on this thing,

30:15

indeed. So hopefully the the document I've just referred to, which will get a deadline seven will assist with that we're mindful of the need to make sure that all of those matters are covered. And secondly, so far as the working with grain of nature document is concerned. Similarly, we don't believe that that's



been archived, so it's still live. However, it was published in 2011, and is said to set a programme for the next five years. So we might just want to look and see the extent to which it assists thereafter. And then the next point, sir, is about paragraph 535. Now, before inviting Mr. Alan Lewis, just to comment on the question that the substantive question that you've raised, I would just say this, and what 535 is doing is identifying the aims of the government's biodiversity strategy. It is not a setting a development control test. So clearly, the strategy needs to be taken into account when assessing the merits of an application. So it's not that these things are not relevant, they are relevant. But what is not saying, for example, is that in order for an application to be judged acceptable, it must achieve those aims and all the planning. Those aims are relevant. But in terms of how they're to be applied, one can see if one just goes on to the beginning of 536, in having regard to the aim, etc, etc. What the government then does is provide guidance to the IPC as it then was now to you and to the Secretary of State, in what that should mean in terms of development control decision making in this context, and of course, the the aims are also reflected them and the policy tests that are set in the remaining parts of the section for individual topics. So that that's the status of it. I'm now just going to ask if Mr. Lewis can briefly summarise what we say about the application of those aims here. Thank you.

32:46

Hello, sir. Can you hear me? Yes, I can hear you. Hello, Mr. Rock, I'm just in relation to halts and reverses decline, I think the most. The easiest way to understand this, I mean, clearly, you could go through each habitat and species and site individually and look at this particular question. And clearly, the environmental statement and the HRA do that. Um, but just in terms of an overview, the best way to appreciate this is probably through the biodiversity net gain assessment work that we've undertaken for the four sites of the main development site to village bypass sizewell link road and Oxford, where we demonstrate that we can deliver a 19% biodiversity net gain across the project under the Defra metric bng. metric number two. Now, there is obviously one qualification in relation to that. And that is that we must fully compensate for the loss of habitat from sizewell marshes triple si and I'm sure we'll explore some of those a little bit later. And those three strands are wetland components where we lose six hectares from the Triple S side, sorry, three Hectors from the triple si. But we are creating six hectares, we have already created a six hectares old Hurst farm so you can see just using that one example as a net gain of quantum in relation to wetland, you're obviously familiar with the fen Meadow strategy where on site before sex, and we were aiming to deliver 4.14 to a chord with natural England's request in relation to the multiply there and I'm sure we'll probably return to that again later and the third strand which we know is on the agenda is in relation to woodland habitats and natural England have given us a multiplier of one there. And clearly, that is simply because it is relatively straightforward habitat to create so so in summary in relation to the triple OSI, we think that we can be confident there's no loss, there will be some gains, as I've just pointed out in relation to the wetland, quantum. And clearly we can explore other species and habitats, as you see, see fit. But but but in summary, I think the biodiverse net gain summary result of 19% is powerful evidence of this particular point. Thank you very helpful, sir.

35:22

Yeah, that's very helpful. Thank you. Thank you. Okay, can I now turn you can switch your camera off now, Mr.

35:31

Mr. Mr. tuffeau, you may want to come back and I'd like to come back online. The second part of my question relates to county wildlife sites. This paragraph are five 313 relates to sites of regional and local biodiversity and geological interest, which includes regionally important geological science, local nature reserves and local sites. And what I like to understand that is, does that include the county wildlife sites? And if it doesn't, then what is the policy in the N series on county wildlife sites?

36:19

Isabella to fall for a staffer Council. And our view is that that does include county wildlife sites.

36:25

Thank you very much. there any comments from other interested parties before I go to Mr. Phil bot? Mr. Bedford?

36:48

Thank you. So Michael Bedford, Suffolk County Council just to confirm that we agree with the Suffolk Council on that particular point, if that helps you.

36:56

I also suppose that as the county wildlife sites I ought to ask you for Australia?

37:01

Not at all. Not at all. But I just thought it might be helpful given that they are county wildlife, that that we just confirmed that we agreed. Thank you very much. Mr. Philip, are you okay with that as well?

37:18

So yes, county wildlife sites would come under five 313. That's our beauty.

37:27

And then, Mr. For that's good 253 14 in relation to deterioration, especially in relation to FoxPro wood. This says that consent is not to be granted for loss of ancient woodlands, you was moved to four. Hi, thank you. So this tells us that consent is not to be gone for loss of ancient woodland, nor for its deterioration and less benefits outweigh deterioration or loss. As I read your written position, thus far, your counsel is concerned about the effect of ground water drawdown. And I would like to know if that's still your position, especially following the discussion that we had ice age seven because I noticed something which concerns Miss Morgan. So you know, whether anything happens to alleviate your your concerns, or is there still a concern? And indeed, is there a deterioration

38:35

Isabella to 440 suffer counsel at something has happened to alleviate our concern. And that is the submission of additional information by the applicant at deadline six, which indicate to our satisfaction that changes to groundwater will not have an adverse impact on FoxPro.

38:57

Okay, thank you very much indeed. Other any other interested parties who would like to contribute on this point?

39:12

Yeah, I'm seeing no hands. Just quickly, Mr. Philip, what do you want to say anything else?

39:21

So only to confirm that? That was our understanding as well. And we're glad that the information has alleviated the concerns. Thank you.

39:40

Before that's all I need to ask you on that question, Mr. Phil, pop. Could you just come back Please, sir,

39:45

sir. Would you mind if I just started something if you weren't going to ask me anything more on that particular point? Just briefly, thank you. So the council does have some concerns about loss of veteran trees associated with the two villages. bypass and we understand that Tim does proposing to submit further prospective mitigation or compensation for the loss of those trees. We hope that deadline seven but it may be deadline eight. How many trees we talked about? There are three along the footpath aren't there was between farm Hall and the farm. I think Mr. Mayor is the man to help you with this. Okay.

40:34

Thanks. So James Murphree suffered. Yes, you're correct. There's there's the ones on the track between farnum Hall and on farm, I think it's called the fox forward end. But there's also two on the knowledge farm to find the street, farm shop, foots off, and we saw on the company site visits.

40:53

Yeah, I remember that. Thank you. That's actually quite neat and leads back to what I was going to ask Mr. Phil part. Actually, initially, it was just me piece of information, I was gonna ask you where you set out the reasons why deterioration or losses are unavoidable. just reminding you five 314 says consent is not to be granted the loss of ancient wisdom nor for deterioration unless benefits outweigh deterioration, stroke loss. So I'm taking it as far as ESC are concerned, they accept there is no deterioration on FoxPro word. So you're not going to have to set out reasons why deterioration is unavoidable. You haven't gotten in losses of ancient woodland, so you wouldn't have to deal with that, either. So when would you just deal with the point that Mr. Four has made? They are concerned still about some five bedroom trees? And maybe it's the question of you reminding me what the applicants position is on those on those trees?

42:20

Yes, I'm going to hand over to Mr. JOHN Rhodes from quad who can provide an answer to that question, sir. Thank you.

42:32

JOHN Rhodes on behalf of the applicant. So we submitted information in response to your requested deadline for in relation to the impact on veteran trees from the two village bypass and there are three veteran trees which we think would be lost, as has just been said to in between monitor firemen Friday Street and one on the the route from farnum Hall to Foxborough wood. District Council is concerned about that. But having said that the District Council supports the route of the to village bypass. And we've supported and explained our selection of the route of the to village bypass in various representations, particularly rep to 108, which set out a detailed explanation of our route selection. And in relation to woodland, generally in the cheevers bypass, there is a loss of nohr point three eight hectares of woodland, we think from the we calculate from the juveniles bypass. But we have substantial mitigation proposals set out in the landscape plans and the lamp to create 1.59 actors. And the lamp identifies intention to plant specimen trees of a variety which are locally sourced and replicate the trees that would be lost, particularly the veteran trees that would be lost. So we're doing what we can to mitigate that impact. And also, we've set out our justification for the loss. So I think it's also fair to say that we have identified the loss of two veteran trees in relation to the size of our link road, and that was set out in response to your question, he 1.24. But sir, it's probably fair to say that we haven't set out the same detailed justification for that. And with your agreement, we'd like to do that in response to this agenda item. And explain why we say that loss is unavoidable. we've explained as you know, at some things, the reason for the route selection, but I think we didn't make specific reference to this policy requirement in doing that, and we'd like to do that.

44:40

I think you had best do that. Yeah. But you're not who get it right. You were talking about some loss of woodland, you're not taking any of the ancient was the 90s

44:57

there was no loss of ancient woodland anywhere across the planet. Drugs.

45:02

Not very good as you're putting in something new, that not just yourself. Just that was just general with other IPS, they want to comment on what you've said. Thank you. That was fine. Thank you very much. The case so the next point on that agenda item is para 535 and beneficial diversity and five 318 on opportunities for enhancement of habitats where practicable. So, Mr. Philpott I asked you and your team on this piece, how does the development build in beneficial diversity, biodiversity? and power five 315 directs the IPC or the XA in new money to where to consider where these things are maximised where those opportunities are maximised.

46:12

So yes, I'm going to ask Mr. Lewis to provide you with a summary of the position on that.

46:17

Thank you. Hello, again, sir. Relation to building in beneficial biodiversity. Obviously, on the accompanied site inspections, the panel and others were able to see the extensive, and I would argue a landscape scale switch from what were intensive arable fields, to one which now supports an extensive area of grasslands and some incipient areas of heathland, which has been carefully planned

and executed over the past seven or more years. And in my experience, signs we'll see is almost unique in the context of n sips. In that we're, you're actually able to see these habitats, newly established on the accompanying site inspections rather than bit them being future promises. And that's rather unique, I think, when you hear about all farm office farms, and also the area of grassland and heathland that we saw in the reptile receptor area, which which we call studio field, compactness, and also the marsh Harrier area up in the northeast, which is east of a property and lower Abby farms in the northeast of the estate. When you total that up, it's about 160 hectares of newly established habitats that we've already created on on what we're intensively arable farms of farm fields. And obviously the final piece in the jigsaw though those remaining arable fields will be when we take the temporary construction area away at the end of construction, and replace that with additional areas of grassland heathland in the same manner as we've done at Studio fields. But also additional woodland and scrub planting. And those woodlands and scrub plantings will provide much greater connectivity north south for things like bats than is currently the position in the baseline at the moment. So in the context of the policy test in para five, we do believe the opportunities have been maximised within the EDF energy estate, and provided the some of the authorities comfortable with the security mechanisms. And we've talked briefly earlier on about the statewide management plan. And things like the Oh lamp, then we think the test is met by those securing mechanisms.

48:37

ran through a useful list of what is going to go back on to the temporary construction area afterwards. Just from my note, remind me what you said.

48:46

Yeah, so it's a mosaic of grassland and heathland and also, woodland and scrub planting and additional hedgerow planting. Those areas are fully defined in the document, the old lamp that you may be familiar with that that covers the older limits. And obviously the replacement habitats that we put back at the end of construction, and I will provide a reference to the old old lamp in the speaking notes.

49:12

Okay, so that covers building and benefits divert diversity, I was going to ask you a question, which was where are opportunities taken to enhance existing habitats and create new? Is there anything else you want to say, oh, who would you cover that already?

49:28

In relation to enhance some I can think of a few examples off the top of my head things like creating additional blades and rides through existing retained areas of woodlands, which we're going to be doing for bats. And you may hear about that in the protected species item a little bit later on, looking for a mechanism to secure that. So increasing the value of existing habitats for for species. I can probably provide additional examples if that's helpful in speaking notes in your summary Yeah. Yes, that would be. I will do that, sir.

50:05

Thank you very much. So, you suffered counsellor? Do you want to make any comments on what Mr. Lewis has just said,

50:21

his ability for what you suffer counsel. So notwithstanding our concerns about some ecological impacts, we do recognise that the eventual habitat restoration proposals will result in benefits, beneficial biodiversity impacts, and there will be enhancement of existing habitats, we do recognise that we're, we're looking forward to receiving this statewide management plan, which hasn't yet been submitted to the examination, which we understand will provide further detail on the proposals outside of the order limits, and to understanding how the applicant proposes to secure the delivery of those measures through this process. Yeah, Mr. Lewis, I got your message on that one. Thank you,

51:13

sir. If it if it helps us to directly deal with that point, the statewide management plan in in draft, and also a requirement draft requirement in relation to securing that my understanding is that both of those will go in at deadline seven. So there'll be an opportunity then for East Africa and indeed others to look and comment. Those two things.

51:37

Thank you, Mr. Football. Do any other interested parties want to comment on this? And I see Mr. Got my ESP useless. I could have the list now. So I've got Mr. Collins, Mr. Bedford, and Mr. Scott would like to contribute on this. And solid and I'm going to take you in. So let me start Mr. Bedford, please.

52:12

Thank you, sir. Michael Bedford, Suffolk County Council. So I've noted in relation to 5.3 point eight team, which has obviously sets out a series of bullet points on mitigation, that you have only drawn attention to and only want to be addressed at this stage, on the final bullet point in relation to the opportunities to enhance and I'm taking it from that, that you're leaving the other points in that list, which deal with minimising detrimental effects, etc, to where they arise on the other aspects of the agenda. Because obviously, there are still some outstanding issues on that.

52:57

Yes, I mean, I think I've taken the view that I mean, in general, the environmental assessment, and environmental statement has looked long, hard up and down, and then identify where things might have got worse. And if they hadn't have dealt with them. But the beneficial side is less focused on buying if I put it that way. But if when we get to the end of the agenda today, there are things which you say, Arise, related to what we've been looking at. And you want to put in submissions about those, then, by all means, put them into your into your paste, my sh written document, please.

53:41

I'm grateful. Thank you. So then, so just staying with, as you say, the beneficial elements and enhancement if I could just bring in Mr. decays. The natural environment manager just in case, there's anything he wanted to address in the light of what Mr. Lewis has been saying about that,

53:59

please. Thank you, sir. Good morning, Tim. dekeyser for Suffolk County Council. Yes, just just in response to some of the points raised by the applicant, I think we certainly recognise as well as our colleagues at Suffolk Council, the commitments that have been summarised for you in relation to enhancement. And again, we look forward to that sort of statewide management plan detail to see how those are going to be secured in the longer term. I would just make the point though, that a number of the things that were mentioned by the applicant in terms of how they were responding to that test that was set out in 535 were things that won't actually be in existence for some time. So we need to not just look at the question from a sort of perspective of Quantum of habitat, or potential amount of species that may eventually be secured by the project, there is a long period of time 12 years in the estimate of the applicant, when those things won't actually exist on the ground. And therefore there will be detrimental effects on certain species. And some of those habitats that will be lost will not be recreated quickly. And indeed, there are remaining questions about the ability to recreate some of those habitats at all. So I think just to temper, that picture that that was painted, albeit we do acknowledge and accept that there are some good commitments from the applicant in a number of areas that we recognise is in in response to that test that you were interested in. So thank you very much. Rosie Sutherland.

56:01

Thank you, sir. And thanks to Mr. De Kaiser, who has helpfully covered my first point. So just to support what he said about about long periods involved, and remaining questions about the re create ability of some of the habitat to be lost. I just wanted to make one additional point. And also, thanks to Mr. Becker for clarifying that we are dealing with that that last bullet point. So opportunities to enhance existing, again, in the in the applicants list. I think I'm right in noting that he did, he did include bats, which is, you know, a European protected species. And he also included Marsh area, which is an SBA species. I just wanted to point out that obviously, plans to mitigate and compensate for those two species, in our view should not be included in additional opportunities for enhancement. I think you've got the point. So anyway, yeah. Yeah. Thank you. Oh, well, it was just that. Yes, we see those as legal requirements and regulations, ei regulations, etc, etc. And therefore, would slightly question them being called enhancement measures. Thank you, sir.

57:23

Thank you. Thank you. Mr. Scott, your hand actually was the first enforcement to go up. So I'll come to you next. Alright. Thank you, Rob. I

57:36

wanted to follow through useful Mr. dekeyser. And I'm, I just wanted to in a sensitive read into the proceedings, a document from base of March 21, which is the habitat regulation as assessment of energy NPS review methodology, read, and I understand that this is not law. This is simply part of the of the review process. But what is of particular interest, I think, is that they cite three benchmark court cases in that document.

58:15

One is that well known people over the wind, which I'm familiar with, but there's then a case Hola, Hana. And the interesting one is Dutch nitrogen, the third and they give a summary of it. And it's one to 14, so I can read it out. So this HRA intended, will therefore only consider the existence of conservation



and or preventative measures, if the expected benefits of those measures are certain out the time of the assessment. And that's clearly a benchmark case. It's European Court of Justice and still applicable and I thought, you know, that that might help. Thank you. That's Dutch nitrogen, as I familiar with the other two cases. Sorry. That's Dutch. Nitrogen.

59:03

Yeah. When you when you put your diet stage submission in place, you make sure that you reference that case in its traditional manner, whatever. However, you're gonna Yes, of course. You CJ? Yes, reference. Thank you. Okay, Mr. Collins, please.

59:26

Thank you, Mr. Brock. But I want to sort of go I want to talk about the in terms of overall compliance to what has been said in particular for this point for, it's not actually possible to reference the locations to which the claims and assessments are related in that bite. By diversity, net gain documents, there's no maps of the various sites are cross referenced into the tables for prior and post development assessments. So taking this one stage further, we've not been present entered into the calculations either so we cannot see these claims translate into the various assessments, we find this reluctance to provide complete assessments in this area are unfathomable, particularly when you consider the amount of detail presented elsewhere on other subjects. So we request that the XA require the applicant to make all the pertinent information, location details via maps, etc. Along with the actual spreadsheets available for full examination by the examining authority and interested parties. It also has to be said and I've said, the various calculations that the applicant has made don't always add up to their 19% or 18%. In terms of the main site, it is not clear from where they get some of these numbers from and there appears to be arithmetical errors, if you look at it in the round, and I think I'm thankful to Mr. dekeyser, bringing this app as well, as well as, as well as Rosie Sutherland. If you consider the construction and the operational phase, it's clear that by the diversity net gain is minimal at less than three and a half percent. And that for the important ecological connectivity across the corridor between sizewell coast and heats lamb between sysvol Marsh and minsmere triple si the permanent loss in biodiversity net gain is in the region of 20 25% by EDF own figures, and it's not an increase in connectivity as Mr. Lewis claims, but examining this assessment is still difficult because of the lack of information provided by the applicant. It's also the case that much of the already created habitat is of low quality, and evidence of appropriate management is not there. Some of the things that are being done, particularly on old Hearst farm, are not really being done to to create the sort of lowland haze type habitat that they're, they're wanting or acid grassland, it's just turning into low quality, grassland and nothing else. And in fact, recent topping of the entire area, because it was full of ragwort won't have done anything good. In fact, it probably will have destroyed some of the head, the brushings and other other plant life that actually was being put on there. So at this point in time, now, compliance to this and their actions are not really feeding into a positive result. And I would ask you that you get all of this information out. And at a later date when we talk about metric three assessments, that that is provided in full as well, if it is indeed done. Thank you.

1:02:41

Thank you, Mr. Collins, you made a submission on BMG, at the end of rsH seven and you're supposed to be developing that now. Just ask you please, that when you do put your personalization submission

in that you give me a good and accurate account of what you just been saying. I have my notes, but your written version would be helpful as well.

1:03:09

Yeah, yeah. So I think most of that was in there. But I'll make sure that anything missing is, is included.

1:03:14

Thank God. Well, thank you for so there's no need to repeat stuff. And you just refer back to the fact that it was it was some in your in your earliest submission. If there's new stuff, then put it in. Thank you. Absolutely. Thank you. Thank you. No other hands raised. When they go back to Mr. Phillpotts, do you want to respond to any of those points?

1:03:44

So yes, briefly, there are two points that are respond to and then there are two points that are asked Mr. Lewis to respond to first of all, so far as Suffolk County Council's caveat, is concerned in terms of timing and when habitats will be available, and the fact that there'll be construction, and it. So it may be an obvious point, but nevertheless, is not one that should be forgotten when one looks at the policy, five 315 and five 318. What they're concerned with are opportunities that arise with development proposals. So necessarily, none of these things will happen. Unless we build a nuclear power station. None of these enhancements will happen. Unless consent is granted and we do need to build it we will need for example, the temporary construction area at the moment. Much of the temporary construction area is arable fields. It's not providing these benefits. So it's not as though in those instances there is some particularly valuable wildlife habitat that has been taken out of commission and then restored What we have is at the end of the temporary construction period, a benefit, there is an opportunity there to achieve a benefit. And that opportunity is going to be taken. So that's the first point that I deal with the second point, Mr. Scott made reference to some habitats regulation cases. Now we've got habitats coming up later. And in so far as there are questions about the measures that are proposed, and relied on in the habitats, regulation assessment, then those can be addressed there. But what we're dealing with at the moment, is the NPS and what it says about policy for biodiversity. Now, in that context, the strict requirements of the habitats regulations don't apply. It's only when you're undertaking your habitat regulations assessment, that the authorities that deal with the approach to habitat regulation assessment kick in it's not, it's not there for on this particular point. So those can be dealt with in due course as necessary under the habitats race matters. Then there are two points I want to ask Mr. Lewis come back on briefly. They both relate to the view that

1:06:21

I'm not going to be dealing with people over wind Holohan and Dutch nitrogen when we get to the HRA section. Mr. Scott's going to give me his written submissions in in relation to that you might want to anticipate those and put something in a D seven or 15 if not, then wait to wait off D eight. But I know people over wins I can go back to my other notes in my other persona and look at Holohan. Dutch nitrogen is not a case which is ringing bells with me.

1:06:57

In due course, you will have the significant benefit of Mr. Tremens Queen's counsel, who is probably the leading authority on these matters. Who could tell you all about it, no doubt if you want to do but I anticipate we can deal with it in writing, if we haven't done so already. And we will have in writing. Thank you. So we don't we don't want to take time unnecessarily on on that. So so far as the points that I want to ask Mr. Lewis to deal with. They both relate to b and g. First, there were some points made on behalf of the RSPB and sub Wildlife Trust about bats and Marsh Harrier measures and the role they should or shouldn't play. And then secondly, Mr. Collins was expressing concerns about the absence of calculations and tables. I just wanted to give Mr. Davis a chance to deal with those.

1:07:47

But I just see that Mr. BUTCHER has got a hand up. So I'm going to interrupt this this portrait, could you come on to the screen?

1:08:02

Yes, thank you very much. I'm just to say,

1:08:06

before you start, I just want to remind you of what I said in the opening remarks, which is it's really, really important that people make their points out the time by ask for them. Otherwise, it disrupts the way in which we are running. And I will have to go back and ask Mr. Phil bot to present and he wants to respond on on what you say. And before I went to Mr. Phil port, I checked my list of of hands and there were no hands up. I'm going to let you make your points now. I'm sorry that it's you who I've had to say this too. But I'm saying it for the benefit of everybody else who was in this this hearing. But please continue now.

1:08:51

Yes, it's a very quick point about the arable fields, which have been raised a number of occasions. It's our view that the value of the arable fields are greatly underestimated by the applicant. In fact, the suffered arable fields do contain rare arable weeds. And also the hedges, particularly around 512 are important for invertebrates. And we think that's because of an overspill from the triple bond. That's all I want to say. So can they please be not so undervalued? Thank you.

1:09:29

Thank you. Just let me say so they say you can switch your camera off misfortune but please do stay in stay in the meeting. The fact that a comment is going to be short, doesn't really make any difference. They are short or short or quick. The fact is that it it disrupts the flow and we and we have to go back. Mr. Phillpotts, or maybe Mr. Lewis would like to pick up Miss Miss Butcher's point there.

1:09:55

I'll pass on to Mr. Lewis who can deal with the points house and if he wants to add it in In response to Mr. Fulcher, I'm sure he'll do so. I'm grateful.

1:10:05

Thank you, sir. I'm in relation to enhancements and the RSPB talked about bats and Marsh areas and suggested that these shouldn't be included as enhancements because we are required to provide that mitigation in any event will biodiversity net gain assessment methodologies and the metric and the guidance are really clear on this. Whilst triple their size and their compensator II habitats are entirely excluded, we've done that for the main development sites in relation to the wetlands we've entirely excluded those and the triple si loss from our calculations. But it but the guidance is very clear that in relation to the other habitats, they can and should be included. It's simply that that exclusion in relation to triple si and compensator II habitat that that's really germane here. It's also worth pointing out, of course, that in relation to bats and Marsh areas, whilst we do have to provide those habitats for various reasons, that doesn't negate the benefits that those habitats provide for other species, of course, so even though you might say that you could discount the enhancement in relation to bats, because that's required in any event, there are clearly going to be a large number of benefits for other species and things in relation to bats. Those glades are going to be colonised by things like important white Admiral, Admiral butterflies and things like that. So there's obviously a positive game there, in relation to the points that Mr. Collins made in relation to biodiversity net gain. I think, again, there are some misunderstandings, I'm not sure if Mr. Collins was was looking at the first version of the biodiversity net gain assessments, but in the versions that we submitted, I think in a deadline one this year, and I can provide the references in my notes, the maps were included the assessments, in fact, I think the maps were included in the original ones actually. But they do include a baseline map, which is based on a phase one habitat map. And they do and do also include the landscape and ecology master plan for the full site. So you do have the tools at your disposal to if you want to, to calculate those areas. All of the assumptions that we've made in relation to the target habitats, the target condition, the time to condition, those are all really clearly set out in the report. So whilst we've not put the spreadsheets in the public domain, all of those all of the the assumptions and or the mapping is there if anybody wants to undertake a peer review of the work and in fact, although our cadis were our sub consultants, the work was peer reviewed by the team, the biodiversity net game team at a calm as well to provide reassurance to that. Mr. Collins made another point about the habitats on site being of low quality Well, we clearly dispute that. On the accompany site inspections, we stood by an area of well established Heather on the studio, Phil complex. There is Heather now well established on the northern fields at old Hearst farm that's coming through from the brushings. It's taken quite a while for that to become established, It normally takes five to six years for that to become apparent. And we'll also be doing more of that work later this year at the southern end of studio fields. So I've no doubt that in a year or two there will be greatly expanded areas of heathland on those particular areas. Just in relation to Rachel fortus point on arable fields. Yes, we acknowledge that there are some valuable arable fields across Suffolk which are good for arable ways, particularly found in the breckland area. In West Suffolk and southwest Norfolk, we have recorded one or two reasonably scarce species on Earth of arable weed on the site. But those are not particularly rare species. They're reasonably widespread. Although they may be locally scarce. The fields themselves are very intensively set to agriculture. And they the tenant farmers are growing a variety of crops on those including onions I think potatoes and some of those fields this year as well as cereals. They're very intensively farmed. So that I think concludes the points I wanted to come back on sir Thank you. Thank you. Just about as you mentioned your sub consultants don't hit your from a calm Is that right? That's my host company and that's where I'm where I'm from, sir.

1:14:54

Thank you very much. Okay. misfortune, I think you Got your legacy hand up? If you wouldn't mind switching that off, that'd be helpful. Right, let me move on to Part B and C of agenda item two. Part B was to understand explore compliance or otherwise even six part to annex a paragraph c 5960, c 859, CH three ch 67, which you'll find on page 207 and following and whether the applicants proposals have sufficiently taking into account the issues identified in the appraisal of sustainability. And I should have added there that the same goes for the issues raised by the N six habitats regulations assessment, which was actually also mentioned in that paragraph. So, look, Parsi a 59 says the IPC should also refer to the appraisal sustainability and the habitats regular assessment for size well, and consider whether or not the applicants behaviours are sufficiently taking into account the issues identified, where they are still relevant. And I note particularly and I will run this this slowly. So, you can take a note, I know particularly on the appraisal sustainability, the following paragraphs by point 11 by point 14, five point 15 my point 16, five point 17 and five point 18. If I turn now to the een six HRA, I know that there are many many conclusions which go along the lines of a precautionary approach requires that as as a at a strategic level potential adverse effects the assumed for such and such and in relation to this SBA or that sec. Now, I'm not conscious that in the application document, I have seen a systematic list of the issues identified in the iOS and in the H. A, and where they have been addressed in other parts of the application documentation, or a summary of the conclusions. Yes, I have seen a pp 171 which is on EIA methodology, and it's got a policy section. But my request please is this. Could we have a the a systematic list of the issues which were identified in the eo s and in the HRA carried out at the end six, pointing us to where they have already been addressed in the application documentation and giving a brief summary of the conclusions. That may be a simple task or maybe a large task. I'm sorry to inflict more on you at this stage. But it's it's important to have that and could that be produced bees and made available in sufficient time for the government statutory advisor, so natural England Environment Agency MMO. Others if necessary, host authorities and other IPS to comment. So preferably deadlines seven, but I'm conscious, that's just next Friday, but please no later than deadline eight.

1:18:42

So So the answer to that is yes, we will, of course do that. I think it will be deadline eight, just because of the need to undertake the cross referencing we have, as you might expect, in looking at this agenda item just satisfied ourselves that we have done that and we are satisfied that we have done it. What we haven't done though, as you picked up is provided you with a systematic account of where and we're conscious that that would be very helpful in your purposes and the Secretary state's purposes will

1:19:14

not have time combing through a lot of documents if I have got to do it.

1:19:18

And we are happy to do that for you in in we will set that and

1:19:24

train much obliged you Thank you. And then you can stay on the line. The item seems to be so that we are clear where the matters in in A and B have been addressed and brought together and discussed in the application documentation. So I think we've had a good run through those which has been helpful

for us. You can if you need to elaborate on it then please do so in your post hearing submission and obviously summarise what you what you've said already. I will just comment about this. About ap 171 that's your EIA methodology document, it seems to me that it's designed from its title, at least only to deal with policy as relevant to the EIA. We have seen from what we've been looking at this morning that it doesn't address some of the points in items A and B. And yes, I've obviously read out but 590, which is your planning statement as well. The update plan statement, I think is relevant to to this. So a quick question now is, is there another policy document which pulls in relevant policies, just as a policy point, not as a How does policy relate to EIA? So,

1:20:42

yes, there, there are perhaps three points to make here. The first is that the answer to your question is that there is an NPS tracker, which goes through the relevant parts of the NPS and identify as a response to them. But the second point is that having looked at the most recent version, because that's something we update, and we've updated during the examination, we recognise that some of the reference, some of the references that we've got on the agenda are not dealt with. Some are, some aren't. And therefore, we're going to update that Anyway, we'll make sure that it is comprehensive. So the the third point is, is this we had in mind, in any event, that where the planning statement deals with these policy matters, and strikes upon the balance, of course, what it is dealing with is the state of play, at the point in time that the application was submitted. And although there is a planning statement update, which we were discussing yesterday, that's for very different purposes. And so we have in mind, in any event, that it would probably be helpful to you and two interested parties to see what we say, at the end of the examination, as it were taking into account the additional mitigation controls and so on that have been developed in discussion with interested parties. And indeed, in response to examining authority questions, try and pull that together. So that that is updated. So we're conscious that we need to update the tracker, make sure it's comprehensive. But we're also conscious that there is a wider updating that needs to be done, and we'll seek to do both of those. Thank you. Thank you when you want to put those in? I think that would have to be deadline eight. Certainly for the tracker. I'll have to take instructions about the deadline for the updated planning statements, because that's a that's a rather more I'm being told that that's also deadline eight. So I'm setting tasks for others. But I think deadline eight clearly has an attraction to us. And I'm told we can do that.

1:23:06

Thank you. That's fine. I've got three hands up at the moment, which is fair, because I went to you first, Mr. Phillpotts. So misfortune. I think that's a legacy hand from you. Can I just check that you if it is a legacy, and all you need to do is to put it down? Not coming on screen? I can take you there it is. Rudy Sutherland.

1:23:44

Thank you, sir. I just wanted to make a very, very well, I wanted to ask a quick question. On number c, I sorry, on point C, is that all right to do that correctly now? Yeah, fine. Yeah. Thank you, sir. So earlier, Mr. Philpott mentioned appendix seven B, that the compliance compliance document unhelpfully mentioned that they will be updating that document. I think he said at deadline seven, I just wanted to check whether that document or one of the documents he's he's literally just referred to, and we'll be

including compliance with section 28 g of the wildlife and countryside act and also regulation 10 of the habitat regulations that we discussed at issue specific carrying seven. Good Okay, well,

1:24:38

I want to go back to him. He can answer that. Mr. Scott, your hand. Thank you, Miss Lola.

1:24:47

Thank you. It's a brilliant time timetable question. I note that the Reese will be published on Wednesday the 15th perhaps will be my birthday. I'm looking forward to reading it then.

1:25:01

And the information you requested will be after that.

1:25:06

And it says to me, the reason is a very special document with a particular status and or to incorporate all of these issues. Thank you.

1:25:14

Thank you. There's always a bit of a log jam of traffic jam towards the end. The soloists Mr. Scott misfortunate, if you wouldn't mind putting your hands down, please. But anybody else wants to comment on that before I go back to Mr. Phil port. forward to receiving your reply.

1:25:38

So just very briefly, I understand the seven B already covers section 28 G, but we'll check that as part of the process so far as the habitat issue is concerned. Again, I just want to check what the position is there because of course there are separate documents that deal with the habitats regulations issues, so we can let Miss we can let the RSPB Suffolk Wildlife Trust, know directly. Once we've checked those matters.

1:26:10

I was gonna suggest that That's lovely. Thank you very much.

1:26:13

Mr. Lewis,

1:26:14

you've come on my screen. Did you want to say something? And you are muted at the moment.

1:26:20

As you said there's a piece of paper resting on the on the touchpad here. I will switch myself off again. Many apologies.

1:26:27



That's all right. Very good. Mr. Scott's Your hand is still up. Can I just ask you to put it down please. It's very much okay. It's now 25 minutes past 11 we've almost been going for 90 minutes. I am going to take a 15 minutes German and we will then have to move to marine ecology and carry much we are now adjourned till 2212