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00:05

Good afternoon everyone. And this issue specific hearing is now resumed. So if I can just come back to the applicant, then I've got one further question. And, and it comes down to the information you've set out in the dissemination impact assessment, which rep 9026 wonder if you could provide more detailed explanation of why it's considered. There's no need for further detailed assessment for minsmere despite the annual PC and CL for ammonia being over the 1% threshold, and the annual PC, CL for NOx being over the 1% threshold. Now, in this document para 3.4 point three gives an explanation as to why effectively you don't rely on this to the decimal place, which I think Mr. Lowe was trying to explain earlier. But in the original document, ap 214, Appendix 12 C, page five under the heading ecological receptor significance criteria, that sets out what I understand to be the threshold set by environmental agency in natural England, where 1% level is the level at which you would normally be looking at further assessments. And in respect of ammonia is 1.6%. And in mind reckoning, you would that you would that would be rounded to 2%, not down to one, because that's the nearest whole number. So the explanation in para 3.4 point three doesn't make a great deal of sense to me. So perhaps, hopefully that questions clear.

02:07

CSR, I'm going to ask Dr. Lowe to respond to that. If there are matters that go beyond his expertise, we may need to take that away and deal with it in writing. I don't have anyone who is specifically looking at the ecological aspect of that beyond the air quality assessment, but we can deal with that in writing if he comes to the edge of his expertise.

02:35

That's fine, because there's a couple of other questions, which I won't. I don't think we've really got time today. But we'll we'll add it to the rule 17 letter that Mr. Brown referred to earlier. It'll tie them all together, hopefully.

02:51

Thank you, sir. Richard Lowe, representing the applicants. So yes, I understand the question you're raising. So you're absolutely right, that the guidance and the the best practice that we follow is that we should use the 1% threshold as the determination of insignificance. And I think the important distinction here is that that's an insignificant threshold, that does not mean by extension that anything exceeding 1% becomes significant. And that's, I'm sure you appreciate that. So but I think there are people who don't appreciate that distinction. So when we use that threshold, that's a threshold to say that that can be basically anything at 1% or lower can therefore be taken no further consideration as part of that, because it recognises the insignificance. Now, the guidance, the Institute of air quality management guidance, makes it clear that when considering habitats effects that the 1% threshold shouldn't be used

rigidly, and the numerical precision doesn't necessarily replicate what actually happens in reality. So the 1% threshold is used as a guide to insignificance anything over that, therefore needs a little bit more thought. The reason why we did you're absolutely right go out slightly over the 1.5%. With the with the latest iteration of that report. So is 1.6%. What we really need to do is to provide the clarity as to why that is still not considered to be a significant effect. And there are a number of points that we will summarise in writing, but essentially, because these diesel generators, because as I've already outlined, this is an indicative assessment that we would normally do at this stage in the process. So this is what you would consider to be a final assessment where all of the assumptions have been defined to precision that we would normally do at the permitting stage when this would be undertaken. So consequently, we have been conservative in some of the assessment data, as we've already alluded to, we've assumed that the plant would be running 24 hours a day, seven days a week, which in practice, it would be the case Already, that may be one of the distinctions that we draw out in revision to this document to further lower the effects from those presented in this rather conservative assessment. The other point, then is that the point that we did we referenced and I believe one of the interested parties made the point around, are alluding to that being in place temporarily, is those effects on habitats looking at annual averages are considering long term exposure to those annual average concentrations, whereas these diesel generators would be there for a maximum of three years. And therefore, I think that does need taking into context, we're looking at the overall effect of the habitat site, this is something that we're seeking to leave in perpetuity, this is something that will be there for a defined period. So I think, as Mr. Philpott has mentioned, I think for ecologist to put those results into perspective. And and we did a submission at the as part of environmental impact assessment in the HRA for the main application, where we set out the context of the predicted levels of air quality effects of the habitat site, looking at the speciation, looking at the delineation of the site, looking at the the locations impacted and the sensitivities at those locations, I think that probably to provide that clarity, we perhaps just provide a little bit more details as to reassure that there are no significant effects. And that's the rationale behind it. Thank you.

06:35

Thank you, sir. Thank you. So that's, that's as far as we can take that point today. But we obviously provide something more in writing.

06:44

Thank you very much. Now do to pass on to my colleague, Mr. Brock now, was passing that your hand has gone up? Is this.

06:54

Yes, sorry. Just one last point, if they could clarify, because it didn't come up yet. And we referenced the fact that in the greenhouse gas assessment, they used the shorter period, not the three years, but the 244 days? And will they be changing their assessment on the greenhouse gas to use the three years? Thank you, and sorry to come back in on that. Okay,

07:25

so would you, I can pass on to Mr. JOHN Rhodes, to deal briefly with that point.

07:33

Thank you,

07:39

roads for the applicant. as best I think you've got a good point that and I came across the same thing myself, I think the air quality assessment takes what I would think is a very much worst case assumption of three years. And based on the discussion we had earlier today, we expect to be able to commit to something in the construction method statement, which is more consistent with my understanding, which is that the electricity connection should be available in about a year for the desalination plant. And we're going to see if we can make that commitment and clear. So far as the carbon assessment is concerned, you're right, we've looked at a five year period to 2028. That's an illustration of carbon impact. But I think it's probably fair to say that, if you call it today, you think the desalination plant may be in place longer than that. So what we really ought to do is look at that again, for for deadline 10. I don't think it would make a significant amount of difference because if you look at the carbon assessment, first of all, the impact is small. And secondly, it doesn't seem to be particularly dependent on the power source. The main carbon impact is the disposal of the waste the salt cake, and takes up about 90% of the carbon impact. But nevertheless, there is on the face of it inconsistency between the two assessments and we ought to regularise that and look at the wording in the construction methods statement as well just to make the sequence clear and make the expectations consistent across across everything.

09:13

Thank you. That'd be helpful.

09:17

Thank you so I that deals with Miss bassinets point and she can see what comes out of that a deadline.

09:24

Thank you very much. I'll now pass to Mr. Brock. Your any further questions that you might wish to raise on the air quality issues?

09:34

Thank you, Mr. maund. I think everyone knows what I'm about to ask which is to natural England and the Environment Agency and RSPB Are there any submissions that you want to make as to the HRA, assessment of air quality effects of the additional on site diesel generators, and I couple that with the hg v movements aspect Are you satisfied with the HRA assessment on those matters? Mr. Scared, please.

10:07

Thank you, Mr. Brock. I can confirm we would defer to natural England for the purposes of the decio and highlight again, there'll be an HRA for our environmental permitting regime.

10:20

Very good. Thank you very much for the RSPB.

10:26

So thank you, sir. Yes, sorry. breezies have a normal half of RSPB and southwater Trust suit. So yes, not nothing from us on air quality. Thank you.

10:35

Very good. Thank you. In that case, I don't think there's anything for Mr. Phillpotts to reply to. And I'm going to pass to my colleague, Mrs. Cassini, to look at landscape and visual implications. Mr. Moore, your cameras on?

10:58

I can't switch it off.

11:01

I can't help you there.

11:05

Thank you, Mr. Brock. Mr. Moore. And I'll just continue on, and hopefully, your it will resolve itself. So moving on to agenda item three F, which is landscape and visual implications. I've got a series of questions for the applicant, and then I will come to other interested parties. So Mr. Phillpotts, could I start with you, please?

11:34

Yes, it'll be a combination of myself and Mr. kratt. And we'll seek to allocate between ourselves depending on what the question is.

11:44

And they are probably sort of clarification points. So it might be Mr. Kratz. So the first question is the construction methods statements at Rep. 8054. And the covering letter to the D eight submissions at rep 8001. Both state that additional plans in relation to the construction methods statement will be submitted at deadline 10. I just wondered whether you could confirm whether these plans to be submitted at dead deadline 10 will include the elevations and cross sections of the required desalination plant infrastructure.

12:26

I'm going to pass that question over to actually to Mr. Richard Jones, from court who's dealing with the planning aspects of this and he may be able to assist Wilkie

12:38

Good afternoon. So the the figures that were provided to the construction method statement at deadline turn is essentially a collation of the figures that have been included throughout the various ies attendance of conscious that there's been, there's been a number of those incentives now. So rather than the previous approach, which was to cross reference, in the contents page of the CMS to various other documents that are being brought together into one place, so it's not currently envisaged that there would be any additional elevational cross sectional treatments or the desalination plant within the

CMS because they didn't feature as part of the original. Yes. denden. And, of course, in landscaping visual terms is my colleague, Mr. Crabb will come on to it is very much sitting within the the overall, you know, four parameters. So opposition this point is that is that it won't. However, if the governing authority would find it particularly helpful that I'm sure you know, for for indicative purposes that we could accommodate them.

13:43

I think for me, I do appreciate it is indicative at this stage. But I think a number of IPS have raised as you're no doubt aware, the issue of lack of information. And whilst I agree, the first location sits within you know, the main platform area when it when it does move, it becomes a little bit of a different location. So whilst I appreciate it said it would be indicative if there is any additional information you can provide, I think that will be of use to ourselves and other interested parties.

14:13

We'll take that away. Thank you very much.

14:15

I'm staying actually maybe Mr. Jones, it might be you again, so maybe if you want us to step up. The next point, again, relates to the construction methods statement, and it states there'll be up to nine containerized plant modules. Is that the case at the location within the temporary construction area, as well or is more infrastructure, more container rise modules is going to be required in that location.

14:44

That's the that's the maximum number of modules. So it would be up to nine at both the main platform and the temporary construction area.

14:53

So that is what the assessments have been based upon the nine correct yeah Thank you. And again, it might might be here as well. It's probably your lucky day. This. The third question is in respect to the height of the infrastructure. I know throughout the information that you've submitted, the height won't exceed 10 metres. But in respect of lighting, I've reviewed the answer that you've given at x q three, which is Li 3.7. Within that 10 metres is that the height of the task lighting as well with the lighting exceed the 10 metres?

15:35

I'm afraid I don't have the answer to that to hand. So I'm looking to Mr. Kratos, he

15:41

has that. Yes,

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yes, the the advice I'm getting Is that it? It is within the 10 metres likely to be a maximum of around eight metres. But if we can clarify that in our written summary, that would be

16:02

helpful. That's fine as perhaps another point of clarity within the third round of examination questions. Li 3.7. Comments Me too, about the lighting being inside containers. This may well be me not understanding that can you explain that to me? Or if Mr. Crack could explain it to me either today or in writing with the rest of that point? Because I don't understand the point that's being made about lighting in containers. Okay,

16:34

yes, I think we may have to take that one away, and then just just clarify that in the in the in the written summary.

16:41

Thank you. And the following question I have is maybe it's about the AONB. So I don't know whether it's for you, but I will pose the question anyway. At Rep. 7030, which is the fourth addendum to the ies certs in respect of landscape matters that the desalination plants and associated equipment won't alter the baseline recorded or gave rise to any change in landscape of visual effects to those already set out with an irrelevant assessments. The amb partnership and several other IPS have raised concerns about the impact of the desalination plant on the AONB, particularly in respect of the second location within a temporary construction area. Now I know that the response already given an agenda item three a and with regards to the RMB. I just wanted to know whether the applicant has anything else you wish to add in respect of what regard has been given to the potential impact on the air and be particularly respect of tranquillity in the statutory purpose of the air and Bay. That might be one for Mr. Kratz rather than yourself. Mr. Jones?

17:54

Yes, Madam, I think that's for Mr. kratt. Obviously, you referred back to what we said earlier, which is that the assessment in terms of the visual landscape and visual impact necessarily encompasses this and so much more. Because it goes up to even at the lowest parameter and the secondary location 35 metre height as opposed to a 10 metre height. And so there's nothing physical that's being constructed there that isn't within the scope of what was what's already been assessed, and so far as noise is concerned, and therefore impacts on tranquillity as a result of noise. The same essential position arises when you look at the output of the noise assessment that we put in and deadline nine, there's nothing beyond the noise that's already been assessed, that could give rise to any different impacts on the lamb in terms of tranquillity beyond that, which has already been covered. But but against that background. I'll just turn to Mr. Crouch safe has anything anything further that he wishes to add in response to the particular question?

19:09

Mr. Kratz, I can't hear you, unfortunately.

19:17

So I was on lunchtime position my politics tends to get in the way. I was to Kratz on behalf the applicant. I think Mr. Phillipotts provided adequate explanation of the situation in that both for meeting recreation and for landscape and visual as much as they relate to informing and understanding the

impacts on Airbnb and the special quality and natural beauty indicators. The threshold within which we've already assessed cover any additional extents of contribution that the desalination plant makes neither locations. So, yes, we have considered it. But we don't believe that it has any additional effects arising aware that the original submission did not clearly state that we are happy to confirm as a result of a note from this session, that outcome that we don't believe that there are any additional effects arising on the ANP.

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That would be very useful. Thank you. I'd now unless Mr. Philpott has anything else to add. At this point, I'm going to attend to the IRB partnership, Mr. Phil port.

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just confirm that I don't have anything else to add.

20:47

If I could turn to the amb partnership now, please. Hello, I've read your submissions, obviously regarding the desalination plant and understand the issues that you've raised. And I know you commented earlier, but is there anything else you wish to add at this stage in regards of what you've heard from earlier agenda items or in particular regard to what has just been said in regards to the assessment in terms of landscape issues?

21:19

Thank you, Madam Simon Amstutz representing the AONB partnership. I think the the information as it is has come out as he's implementing it our thinking as we understand more. I think that we recognise that the scale of the desalination plant, given the scale of the overall project is of less significance about the impact upon the AONB. However, I think the amb partnership does have concern about the sustainability of the of the desalination plant. And we consider that that is, in particular, through some of the areas that we have been exploring. So the impact upon natural heritage features through the emissions from the diesel generators, and also the impacts upon tranquillity. And we've heard what we've, we've heard what's been said about the additional noise. We haven't heard so much about light. But I think overall, we would see that the desalination plant does not contribute to the purposes of the AONB. I think secondly, again, as we are learning more about this, or we're hearing that there'll be more information at deadline 10 there is concern about the impacts of of any size well water transfer scheme. Now I recognise that that is not part of the decio. But they are obviously linked. Because if the decio gets consent is going to need water. And that is likely to come from the sizewell water transfer scheme. And I go back to a point I made earlier that that will necessitate that we'll need require a pipeline that comes through the A and D. And I accept that that we would that isn't part of the decio. But there is going to be a knock on impact on the i o MP from the pipeline, if the application was to get consent. That's what I wanted to say at this stage. Thank you

23:52

very much. Before I turn, go back to the applicant. Is there any other IPS which wish to comment on this topic? Mr. Wilson, you've got your hand up.

24:10

Thank you Miss Cassini. It just, it's gonna go over the same thing, but it just seems that the applicant is effectively saying impact from construction is so bad that any additions aren't worth considering. The desalination plant will be there from the beginning, possibly permanently at the end of the day. So it seems reasonable there will be an additional impact that needs to be assessed to click to meet the requirements under E and one to minimise impacts on AONBs. Similarly with other aspects that the size will see project in this case, ie applicants inability to sources sustainable water supply, means the AONB once again suffers the consequences incurring further adverse impacts. Applicants documents in further because it's building so anyway that adding another activity will have no noticeable adverse impact. However, this conclusion made by the applicant appears to have been made without assessment of the impact on with reference no reference to the site being in a nationally designated landscape. This large sort of structure 85 by 70 metres. To the Cranes Etc I appreciate doesn't exceed the existing parameters below will add yet another 24 seven noisy polluting process to the end and the surrounding environment and protected sites demonstrating the entire size of the project was really not suitable for this location. edition of a salutation plant will not conserve or enhance the landscape qualities of the rMv nor contribute to the tranquillity sync beauty and relative wildness of the lamb and therefore adds more weight to why tasp believe the excise recommendation should be refused for planning permission to size We'll see. We understand there has to be a balance sometimes the balance just tipped too far. And you've got to say enough is enough. Thank you.

26:03

Thank you Mr. Wilson. Mr. Tate.

26:12

Thank you Madam Andrew TD suffered cancel. First of all, there will be some degree of additional impact from the additional plant not previously proposed. But in context, we consider that that will be of minimal significance in the landscape terms and therefore accept the fourth attendance conclusion that there will be no additional significant landscape effects, and still also referred to the cloud being permanent at our assessment will be different if that was the case. But that is not to be the case it is to be a temporary desalination plant. When we come to item five, we'll be discussing the importance of ensuring that it is removed, at least at the end of the construction period.

27:01

Thank you, Mr. state. Mr. Philpott. If I could come back to you in our case.

27:08

Yes, well, I can deal with these points. Briefly. As Mr. taters said, there's no intention that this should be permanent is intended to be temporary, and suitable controls can be and will be imposed on the DCA to ensure that that is the case. So far as the A and B partnerships points about overall sustainability are concerned, I've addressed those already in terms of the context in which this issue needs to be considered. Having regard in particular, to the wider sustainability benefits associated with the delivery of low carbon generating capacity as soon as possible in line with national policy, and the absence of any other suggested means of delivering the potable water that is needed during the construction period on the same timescale. That is said to be more sustainable, no one is suggesting that there is



any more sustainable alternative to the ones that are proposed. And that I would submit is a powerful indication that the applicant has chosen the right strategy to deal with the circumstances of this case. Whilst recognising that, Mr. Wilson on behalf of task and some others do not accept the government's views and the government's policy on need, and the urgency of the need. Those matters are settled for the purposes of this decision. So starting with those matters settled on then has to assess the question of sustainability in that context. It's not a case of persuading Mr. Wilson or others of his views. That is right. But similarly, we don't have to persuade the secretary of state that there is a need or that the need is urgent and that that forms the backdrop for consideration of this issue. So I don't have anything further to add on those points. Otherwise, I'd simply be repeating myself.

29:30

Thank you, Mr. Philpott. If there are no other hands up, I'm going to move on to agenda item three gene now and I do only have one. It is just a point of clarification for yourselves actually. On page 33 of reps 7277, which is the consultation report for the denden appendices a to owl. It states that there remains a potential for disturbing To buried archaeological remains and a further assessment may be required following a review of any updated or additional coastal and geomorphology assessments. Following on for not when we turn to rep seven, zero 30 on page 230, which is the fourth environmental statement it denden. It stated that the proposed additional activities involved with a desalination plant would not alter the existing assessment or its conclusions in respect of the marine historic environment. So what I'm what I'm trying to say is that that is a change in position than from that detailed in the consultation document. I just want clarification on whether that change in position is due to further assessment work being undertaken between the publication of the two documents.

30:55

I'm going to bring in this stager, a new speaker. This is Mr. Michael grant from royal scanning who's deals with marine historic Environment Matters. And hopefully he will be able to assist you with that question and indeed any other points that arise in relation to this matter. So I'll pass over to him now. Hello, yes.

31:17

Nice. Michael grant speaking on behalf of the applicant. Just want to clarify so within the fourth addendum where we've done the the assessment, we are basically building on the existing for into chapter 23 of the statement, which is apt 334 by basically including the additional desalination design, as Richard Jones spoke earlier today and clarification 2.3 e on the agenda at 2:12pm. This afternoon, the proposed directional drilling will be at depths which will be clarified within the deadline 10 submission, probably around 10 metres or so below the seabed. So what through the basically what we classed as the marriage crack. But in terms of from archaeological perspective, that would be classed as geology. So it's ontologically sterile deposits. So the main trillion that we'll be going through there will therefore be go through deposits that are not impacted. So the only place that the directional drilling drilling goes to any deposits of potential archaeology will be where it enters the locations where the head works are to be placed. And as Tony dolphy mentioned, subsequently, that the the effects certainly from the dredging on these will be the same or if not smaller than those already modelled for the existing infrastructure that we were assessing during the original statement, such as the fish returns to date will be smaller or less. So in, in our sense, in undertaking the assessment for the fourth

addendum, we feel that the impact will be lower, will be similar to what was assessed at the in the original environmental statement, and therefore it doesn't change our rating on the significance as it is. And hopefully, if you look at the responses from historic England in their written representations, that deadline to which is wrapped to dash 138 if you look at really paragraphs 4.4 to 4.14 they're generally in agreement with what we're saying. In particular, it's worth noting in paragraph 4.7. Based on the original environmental statement, where they state that the cooling water intakes outfalls, the central drain and the fish returns will consist of tunnels bored through the soldier, Georgie and minimal in effects to areas which may have identified archaeological potential. And our assessment during the fourth addendum is that that will align with what was responded to on the environmental statement for these two new locations that are being determined for infrastructure offshore. if that

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helps.

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That that is very helpful. Thank you, Mr. Grant. I don't have any further points on that. So before I turn to the applicant, are there any other IPS which wish to comment on this topic?

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I'm not seeing any hands up is to help parties or anything else you wish to add?

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I don't think I could add anything further to that. No, that is I hope comprehensive.

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Thank you. Just Just before we move on, I mean as you're where historic England have been unable to attend today, I'm assuming they will watch this and if they do wish to add anything I would suggest to do so at deadline tag. But thank you for that. That concludes through F and G. So I'm going to hand over to Mr. Brock now to move on to agenda item three ah

35:09

thanks Mrs. Cassini, right three h which to remind us always marine water quality marine water, sediments and marine ecology. And we will also be thinking about the water Framework Directive. Introduction new infrastructure construction activities impacts of use abstraction discharge of chlorinated and hyper Ceylon water on relevant internationally and nationally designated sites. Before I come on to those Mr. Phillipotts has a question which I would like to ask about the assessment which has been done on the outfall and of the intakes and their effects on those matters. I've just listed reward quality sediments and ecology basically, the point is often made in the force agenda that the outfall from the desalination plant is in the same area as the fish return system outfall. And the point which is then made is that the FRR survived assessment and is said to be alright and doesn't have doesn't cause significant effects in its installation or or its operation. And so as the outfall will be there before the FRR there is no issue that arising from the installation of the outfall either and in relation to the operation. I think most of the same effects are there although obviously what is actually discharged from the outfall from the desalination plant is a bit different from what comes out of the FRR. But

listening earlier, earlier today, earlier today to what was being said about the FRR and of course also the combined discharge, the discharge will be operating at the same time as the two headworks for the desalination plant, the two headworks will be constructed together. And yes, they will be operating with the seed CEOs as well. So how appropriate actually is that comparison with just the FRR, which I just described to you.

38:02

And so I get to do this in two stages. I'm going to first of all invite Mr. Jones, just to clarify the factual position as described in your question. And then on the back of that, I'll go to Dr. Brepols, to deal with the assessment. Okay, thank you.

38:20

Good afternoon, sir. So, if I can just explain the the deadline eight construction methods statement confirms that use of the desalination plant will cease prior to commissioning works being undertaken. And there's essentially two different types of commissioning works. And so far as the marine infrastructure is concerned, there's what's known as hot functional testing, which is where the cooling water system is effectively turned on. And then you will by that point have the FRR turned on as well as part of that cooling water system. So those two will never be an operation at the same time. But prior to the hot functional testing, you have what's known as cold flush testing, which is essentially a washing out process, if you like of the various pipe works and the fish return system isn't required to be operational for that. So that would not be operational, but the combined drainage outfall would be operational because it is thrown that out for the cold flush discharge which would travel and so as we say at the deadline eight CMS that element of commissioning is excluded. But just to be clear on that at the deadline 10 version of the construction method statement. We are going to add a specific require specific control that says that cold flush testing and commissioning works must not commence until operation of temporary desalination plant has ceased. So those two elements would would never occur in tandem. Prior to that, the combined drainage up for is used during the construction period for treated treated water, groundwater and like surface water.

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That's what that's what I thought. Thank you, although I hadn't appreciate the difference between cold session. Hot flush testing. I thought you were just dealing with with with Tet with commissioning testing document.

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I don't know whether that has answered your question in itself and therefore the you don't need Dr. Brittles.

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I need Dr. Pericles. In that case, I'll

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pass on to Dr. Brepols, who can hopefully assist you further.

40:53

Good afternoon, sir. Yeah, I think Mr. Jones is stated that the cold functional testing and the operation of the desalination plant means that some of the concerns that were raised previously in relation to the hydrogen discharges are no longer no longer a consideration. However, the CTO is in line with the with the outfall of the desalination plant, and we have looked into the overlap between some of the some of the discharges. This was assessed originally in appendix three a of rep seven DASH zero 33. And primarily in relation to the trace metal distal the heavy metal discharges from the CDO and the heavy metal discharges from the desalination plant. And in both cases, they both CDO and the desalination plant will release trace heavy metals above the gas concentrations over very limited spatial scales, the 300 metres between the two between the two outfalls excuse me, mean that they aren't they will be no overlap but ecologically relevant concentrations. It's it's orders of magnitude below the detection limits that we'll be able to pick up. We the other point that we have had a look at. And we can we can add this in a deadline 10 submissions is we've had a look in relation to the drilling surfactants this was a comment was was raised in discussions with the

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with the Environment Agency in catch what you said which factors

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the surfactants from from drilling in drilling. So for the directional drilling, which could be released from from the CDO, and in both cases, the two sort of case studies of factors that we look at resolve and CLB. Five, they're both 100 to 1000 times below their EQ s concentrations.

43:01

Thank you. What about dredging,

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dredging, whether you

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as part of the construction as part of the construction?

43:09

Well, the the intake and the outflows obviously, the desalination plant would be installed in the first instance prior to the tfrs. The CDO, again will be early in the construction phase so that the dredging would not overlap between the FRR and the desalination plant. However, the dredging for the FRR would occur whilst the desalination plant was in operation, if that makes sense to you. Yeah. So we have we have gotten an assessment of all of these items, but I don't think there's any temporal crossover between the two of them.

43:48

What about dredging and the CDO? Do they for the DSR national CDO? Do they do they coincide? They're

43:55

both early in the construction phase. Perhaps I can take some advice on whether there's any potential for them to overlap in terms of the current timeline. So supporting that question, when we can respond in writing, if

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that would help you if you could respond in writing. I'm assuming from the fact that you've accepted my question that it's Yeah, if they were, they'd be better if they were separated.

44:19

Yeah, absolutely.

44:21

Very good. Okay. Thank you very much indeed for doing that. I'll now get on back to what I normally look at. stuff which is pre programmed as it were. migratory fish this is a question for the applicant migratory fish had been screened out of the SIRs HRA agenda. You're ready references and absence of potential effect pathways. But but the paragraphs also include a reference to the seawater intake for the D tarnation plant, which consists of a passive wedge wire, cylinder, p w, or PwC screen, with a mesh size of approximately two millimetres, are afraid this leads to a legal question about the Sweetman judgement or people over wind, which tells us that measures to avoid or reduce effects are not permitted to be taken into account at the screening stage. So I the focus, this question is on the passive wedge wire cylinder. And the question is whether or not the applicant considers the passive which worsen the screen to be a measure, which avoids or reduces impacts on migratory fish. And after you've had a go, I would ask any but they're not here. So they have to do with afterwards.

45:56

things. I'm going to have a go myself, although I have as I indicated here, have Miss Hutton to assist me if I go wrong. But this is this is something we should regard is very much part and parcel of the design of the proposal is not a mitigation measure, which sits beyond the proposed development itself. It's part and parcel of the design and therefore it is not something which is excluded by the Sweetman or authority are something that can be taken into account.

46:39

Okay. To give you full marks

46:43

on that one, I'm getting a thumbs up so which I treat as the equivalent of full marks.

46:51

Thank you. So natural, England, I would appreciate it when you watch the highlights, if you would give us your view on that as well. I'm going to terms to fill up fill pot away from you for a few moments and address naturalism in the MMO Environment Agency and RSPB to ask them if there are any submissions they want to make about these matters, including including chlorination please, on habitat, birds, fish and re mammals, fish qualifying features of internationally and nationally designated sites.

Do you see any damage to qualifying features of internationally designated sites from the water abstraction, which will take place as part of the desalination plants process? So, Mr. Scared I suspect you're against a Ferrari on this one.

47:57

Yes, that's the case. Okay.

48:00

Thank you very much,

48:00

Mike. My colleague, Simon Barlow. Just coming in wanting to come in.

48:08

Okay. Thank you fine. Yeah.

48:12

I'm Mr. Brock. I thought I would give my colleague Mr. Scared a bit of a break. He's been at it all day. Ya know, the one thing I wanted to say here is and it won't come as any surprise to you. Of course, we've rehearsed this, this conversation a few times today already is that clearly was there was submissions presented within the decio which at a high level, are looking to address most of the issues. From the very first principles of assessment need, there is a whole plethora of significant extra assessment needs that we will face at some point in the future, when environmental permit application for this process is applied for we discussed this in some intensity already in the air quality part of the agenda, the same rules apply for the water discharge activity. And just the same way as the cooling water system needs a permit to discharge the marine environment. So was it so what this desalination project also desalination process, and we will be assessing the impact of those discharges in a very similar manner to those that we have been doing for the cooling water system. Your questions very recently about overlap of discharges to the applicant that you were just making have quite considerable relevance to that permit determination process because where there is overlap, then the in combination cumulative impacts of those process working in combination can lead to extra impacts or need to look at that and assess that, if that is to occur. And clearly when we come to our permit determination, we will be looking in a great deal of intensity at habitats regulations, assessment impacts and automotive can bodily impacts associated with the discharge process itself, what's coming out of that pipe, in combination with any other processes that are ongoing at the same time. One of the things I did want to mention is that the reason why I just wanted to step in here is and I think you'll recall I said this to you before in the last, more supply, issue specific hearing is that there has been, again, today mentioned quite a lot of mentioned made of whether this determination process would need to continue beyond what beyond the construction period, all of our comments so far have been based upon the expectation, and it's just been confirmed that this process is due to end even before the commissioning phase of the project. If it were to extend into the commissioning phase that would add complexity to our permit determination, because it would bring into play additional discharges that we need to assess running in parallel to and in combination with the desalination discharge. If it were to go beyond that operation. Once more, we added a plethora of additional impacts still would need to be considered in

combination with that good sanitation process. So I think it's important to recognise that with with extension of determination beyond construction, the environmental permits, assessment becomes considerably more challenging. And and we can't possibly at this point in time even to even give you because of the fact that it would be tantamount to predetermination and opinion on whether we grant the permit for even the construction phase at this point in time. We know that the applicant expects us to have in pre application conversations with him about what he will do on his terms. And when we do that will obviously look to unpick all of these challenging assessments in thorough detail.

51:50

Okay, thank you. I think you're right. So you haven't yet had any of the permit applications?

51:57

No, not yet. Not Not Not in the slightest. We would expect to enter in some pre application conversations with them in the near future, but no application submitted to date, or or in draft? Nope, not even in draft now.

52:09

Okay. Can I just clarify something else that you were saying? I like you have this an interest with interest. So what was just said about not using the desalination plant after the commencement of cold flush testing? Did Are you saying to me that your your input to the environmental assessment process and that your comments are on the basis of it ceasing before coal slash testing or ceasing before operation of the plant or the power station to produce power?

52:57

They are on the basis of its ceasing before any commissioning stages commence

53:03

before any commissioning. Okay, which is I think we've just all call such testing as part of commissioning.

53:09

That is, indeed Yes. Yes, there were some conversations being taken with us about possibility of extending into some of the commissioning phases, but the applicant has chosen to cease their proposal ahead of that and as we understand it, as it's submitted at the moment, do sublimation ends before commissioning commences so that those in combination assessment that you quite rightly began to identify there was like construction discharge forth and the dissemination outfalls operating potentially in the same marine environment at the same time, theoretically would not overlap.

53:46

Okay. You can stay there, because I got a question for you. In fact, you raise it on pasal about the water Framework Directive. And that you would need to look at it in the context of the permit applications which are to come forward but in the in the context of habitats regulations assessment, particularly are the water Framework Directive issues, which you think have not been addressed in the

HRA in the shallow HRA. And is there anything you want to say about what has been said about the waterfire moderator?

54:34

I think I might just need to bring my colleague Cameron in at this point because he's far close to that technical detail. So sorry, Cameron. gave me some time off but I just need to pull you back in.

54:44

Not Thank you Mr. Darling. I think we it's probably worth highlighting we will consider to be FDA through through those permits that we've we've been discussing. So the detailed sort of in combination I suppose what we can say is, from the assessment that's been done to date. There's nothing to say that we wouldn't grant those permits for two BFD matters. But we couldn't guarantee that we would. That's that's a way of phrasing it. So. So hopefully, that clarifies that that those could be FDA considerations will be taken, not permitting space.

55:29

Okay. And you've made all the points you want to

55:33

include is going to be

55:35

the actual right.

55:38

I was just going to enhance bisquettes comment there to refer to the fact that of course, our predominant area of interest relates entirely to what's coming out of the pipe. Because that's what our permit is for. So impoundment or anything that might be impinged or impounded, would fall into the decio, determination, territory for assessment purposes. Of course, there's a screen proposed, which has market impact on what might or might not be able to be engaged. But yeah, our permitting process looks clearly at what is happening as a result of plumes coming out of the pipe.

56:12

Okay, thank you very much. Thank you. That's, that's helpful. I think that's all I wanted to ask you. I'm going to move on now. Oh, sorry. Mr. Phil, port. Did you want to respond to anything on those marine issues?

56:32

I don't believe there was anything said there that cuts across what we have said we've put in a wF D assessment addendum. We've heard what's been said about it. So far as it goes, that was helpful. Positive recognise that the EAA can only go so far, it doesn't wish to commit itself. But what it has said in the decio context is helpful. And I don't need to repeat the points I made in the context of air quality about the way that that issue then plays into the decio decision. quite quite clear that there's it's not



being said that there's any reason to believe at this stage, that those impacts will be unacceptable, and therefore the deployment wouldn't be issued. So I don't need to go any further than that.

57:26

Very much. I'm going to move on to terrestrial ecology and or on ethology. Now. So there is an element of catch all about this agenda item. But I will begin with natural England and the other so in practical terms of who's in the room, its Environment Agency in the RSPB in terms of those who are not in the room, but listening then naturally, and the MMO in relation to terrestrial ecology and ornithology arising out of change 19. Are there any submissions you want to make? Over and above what we have already covered? Which should get the opportunity first of all?

58:18

Thanks, Cameron, Scott, emergency? No, there are no further submissions and we defer to natural England.

58:25

I'm grateful. Thank you. And Rosie Sutherland.

58:32

Thank you. So I hate to go backwards. But we did have a few points on the on the marine environment. Is that right to cover both?

58:39

Oh, I'm very sorry. I Yes, of course.

58:41

That's very helpful. And I'm going to quickly defer to my colleague Miss Miller. That's okay. Thank you, sir.

58:49

Hello, again, Jackie, Mila RSPB and Saba Wildlife Trust. And just Firstly, I wanted to echo the comments of Mr. Barlow, that whilst we understand that at present, the desalination plant is not planned to go into the commissioning or operational phases, we would have significant concerns should that be proposed, especially given the further potential for impacts of the desalination discharges, combined with other operational effects on fish which appraise species for birds of the outer Thames Estuary, old or estuary or minsmere Walberswick sbas. I'd also like to raise a point from our submissions on change 19 around the total project effects with the inclusion of the desalination plant during the construction phase. The say line plume and the plumes for lead, zinc and chromium arising from the desalination discharge are not discussed in the change documentation in the context of indirect impact on birds. Whilst we understand that the individual extent of each of those plumes is limited, we consider that the desalination plumes add further to the total marine impacts from the construction of the application affecting the greater sizewell Bay. We therefore query how the likely effects Then of the bay subject to some degree of degradation in habitat quality, and including its ability to provide prey is valued

assessed and mitigated and the effect that such changes may have on birds such as little terns of the outer Thames Estuary and minsmere Walberswick sbas that forage within that area. Thank you.

1:00:21

Thank you. Right. Fine floats to Henderson. So my next question is to was not there are other interested parties who want to make submissions, but this is just in relation to the HRA and ecology issues, which I have been raising since we began item three of natural England, the MMO Environment Agency, and RSPB is racing over and above what has already been covered. So, Mr. Henderson, I see your hand is up. Face your microphone is off Mr. Henderson.

1:01:32

I am sorry, Dr. Peter Henderson. On behalf of task, I have some questions relating to the operation of the word to our screen and the and the actual discharge of the brine, which I think are very pertinent. Now, the wedge wire screen is a two millimetre width screen. This is an excellent screen for protecting from impingement and treatment, but only if it doesn't become blocked. If it becomes blocked by biofouling. It will rapidly develop velocity hotspots, and the water was sucked through and killed animals at those points. Now, there are two procedures to stop the biofouling. The first one is the Airbus system. Airbus will only remove dead seaweed leaves litter and such like from the surface of the screen by blowing it off. I would like to know how this is to be actuated and how often it will actually occur and whether the noise from it has been assessed within the noise assessment. My next question is given the fact that air burst will be used? Does anybody believe it will actually remove fouling organisms like barnacles and mussels and other other creatures which actually attach firmly to the screen? My operational experience with wedge wire screens which I've worked on for more than 40 years is that they will not now to remove biofouling of that type unique chlorination and I note it is proposed to use chlorination now, in a normal intake, you use continuous low level chlorination to stop biofouling. In this case, it is proposed to use shock chlorination. I believe this probably means the use of a very high chlorine dose sufficient to quickly kill any organism. What amount of chlorine will actually be used to cause this rapid death? And what will happen to this chlorinated water afterwards? Will it be discharged the sea? If so, has anybody assessed its impacts. That's the chlorination side. Now going into the brine side, we have an assessment on the core mix model about the brine in it, we're told that the discharge will be at ambient temperature. Now, I would like to know whether the core mix model has taken the ambient temperature to be the temperature of the sea or the temperature of the air. This is very important because if you have even quite a small temperature differential between the discharge brine and the receiving water, you'll find it very hard to mix the two together. And therefore the core mix model must constantly consider both the temperature differential and the solidity differential to be operated. So that I think summarises my questions and concerns relation to this intake and outfall. Thank you.

1:04:49

Thank you Dr. Henderson. Thank you very much. Mr. Ian Galloway, please

1:04:57

Good afternoon Mr. Broke Can you hear me okay?

1:05:00

Hey, you can't yet see you but press on.

1:05:04

I'm afraid that cameras a bit dodgy. So I'll press on. If I can refer you to rep 7030 table 3.1 terrestrial ecology and ornithology? Yeah, I should I'll talk you through it. And then you might decide whether it's worthy of looking up, but I wait if you'd like to.

1:05:30

So it's 240 pages long if you go to page number,

1:05:33

I'm afraid I haven't. And I apologise.

1:05:36

Don't worry, don't worry, table 1.1. See if there's a link of yo cast. I got to 1.1 Go ahead. 3.1. Sorry. Oh, 3.1 3.1 3.10. It's been a different chapter. Okay, carry carry on.

1:05:56

Basically, the the basis of my question is that the applicant states, it's assumed that connecting pipework between the proposed location of desalination plants within the temporary construction area and the marine infrastructure would run across the sssi crossing above the soffit level of the bridge. My question is very much Given the importance of the sssi. Can the applicant explain why Firstly, they only advise it is assumed that the connecting pipe work will exist across the crossing. But secondly, what safeguards are there within the pipe work design and the proposed SSI SSI crossing to specifically safeguard against seepage from the pipe work, be it by accident, through poor maintenance, or through vehicle collision, etc.

1:06:53

Right. Anything else he wants to know? Thank you very much, indeed. Thank you. There was a third hand up, but it's gone away.

1:07:04

Right. On the end, any other interested parties who want to raise matters on this item? Hello, Miss Fulcher. Hey, Rachel Fulcher, I see your hand up.

1:07:23

Yes, thank you very much. Rachel Fulcher profit percentage here. I'd just like to pick up on a point that Cesar Henderson made about temperature. I have read that where there is increased temperature and in the sea. It worsens the impacts the ecological impacts of the brine discharge. So what we're interested in is an assessment of the impacts of the close proximity of the Flies will be out for from the cooling system. how might that impact with the brine discharge? bearing in mind how ecologically damaging This is in any case without the raised temperature and a large body of research? covering? Okay,

1:08:25

thank you. Thank you. Can I return to the you can put your hand down as well. misfortune. Thank you. Mr. Phillips returned to you. What would you like to say in reply to those points, please?

1:08:45

Thank you. So there'll be some matters we'll deal with now. Other matters will take away and respond in writing. Again, I'm going to deal with Mr. Galloway's point first, and then I'm going to go to Dr. Beckles. To pick up those of the points about discharge and impact of the discharge as you can I suspect that in terms of the frequency of the chlorination, my understanding will have to come back to you in writing on that we didn't have the relevant person in the room to provide that information

1:09:24

on that, on that point, Can I just add a question of my own in that case, reading your material I have read about the use of air, Dr. Hennessy airburst, to keep the the wire screen clear that Dr. Henderson talked about it being good enough to blow off seaweed and things. I had assumed for I was being told that when you have got you know, the very very small or Organisms which are just too big to go through the two millimetre mesh that it's going to be adequate to blow those off and deal with that. So when you put your written representation written material in at D 10, could you make sure that you tell me how that how that works as well, please?

1:10:22

Indeed, indeed. So we we will. So far as Mr. Galloway's points are concerned he made reference to, I believe it was rep seven, zero 30 which is the EAS addendum, and references to what is assumed. And this comes back to the point that I made earlier, which is, of course, the EAS has to make assumptions. And then the question is well, how are they? How are they dealt with the particular point seem to be then developing into, well, what's the protection against leaks? How is that dealt with? I'm going to ask Mr. Rich Jones just to come in and help on that matter. Before I then go back to Dr. Beckles. For the water quality questions.

1:11:16

He'll deal with Rachel Mrs. Miss talk she has questions about the mean cooling water

1:11:22

indeed. Okay.

1:11:26

So just quickly then, so, the deadline a version of the construction method statement confirmed that the the intake and outfall pipe would be over the soffit level to maintain that previous degree clearance but we recognise as well that there does need to be some extra degrees of protection for the pipe work over that crossing as well. So the deadline 10 version will confirm that the intake and outfall pipes over the triple si crossing must be protected and they must be without joints for the full length of the triple si crossing to add that extra level of protection.

1:12:00

Thank you. So obviously on top of that, you've got the general system of controls through the carrier construction practice and so on which deal with the normal protection of the environment from construction activities from leaks and spills and matters of that sort but that's over and above that. So I'll now turn to Dr. breathless if I may.

1:12:27

Good afternoon again sir Dr. grackles from CFS Capcom. If I may 1, just pick up on Dr. Henderson's point unfortunately our our core MCs model is has left the building so I can't ask the very technical questions there but I can confirm that the the temperature was was modelled in comics based on ambient so we can look into any potential but he

1:12:51

wants to know which ambient are you talking about? The ambient in the water and

1:12:56

in seawater, so is based on seawater temperatures in seawater temperatures out so we can determine whether there will be any increases in temperature and what effect that might have. But I would add that one of the key points here was in relation to the effects that temperature increases could have on on our mixing whether there is a diffuser head specifically on the end of the outfall pipe and any temperature increases would be relatively minor, but we will certainly consider that point.

1:13:27

Thank you.

1:13:28

I'm picking up on Mr. Walsh's question in relation to the effects of thermal increases on toxicity. We were looking into this very much in relation to dissolved oxygen. I think the RSPB may have had a concern about the potential for the sealine plume to increase to reduce the the oxygen levels in the water. And we were looking into this in relation to temperature as well because of course temperature has stayed the same, the same impact. And looking at the size Well, the size we'll be using the 98th percentile temperatures, were able to show that the reduction in in dissolved oxygen due to thermal inputs and so on inputs would be approximately one milligramme but that still remains within wF the high status. The wF D high status is about 5.7 milligrammes the lowest recorded levels we've observed in in our monitoring is seven milligrammes per millilitre. So even even at the point of, of discharge, the dissolved oxygen would remain would remain in the wF D Hi. Hi, classification. So that's answering a slightly different question to what Mr. Fulcher made but the point there is we have already started to have a look at what the water temperature where the temperature at the outfall is The temperature rises is something we've considered both in the original as and enemy at the end and we don't think that there's any any consequence on on the on the heavy metals and temperature at the outflow from the from the desalination plant

1:15:20

can you might not know this offhand but if you do what what is the the distance from your desolation outfall to the size will be cooling water outfall?

1:15:32

I can, I can certainly get a direct or direct linear measurement for you. So rather than,

1:15:40

obviously, it depends on which way the tide is running and plumes as well. But it's this if the if that is a useful measurement to have, and it tells me something or if you want to deduce anything from it, then or if it causes difficulties, then I'd be grateful if you would deal with it in the in your written in your post hearing submission. Thank you very much indeed. If I cut you off was something else to say?

1:16:09

I don't know. I think that's all unless, unless you had any follow up questions?

1:16:13

No, that's great. Thank you.

1:16:18

So I was going to anything else we'll pick up in writing in our written note.

1:16:25

Thank you very much. I will now move on to item J. And I'm going to ask interested parties. This is many other relevant environmental implications. So it's another somewhat wide catch, or are there any interested parties who wish to make a submissions? Please, on matters not already dealt with? Kind of counting the hands going to follow your hands up?

1:16:59

Sorry, sir, I was frantically trying to raise it before you move from the last. Last agenda item. Just wanted to observe that obviously you were moving into quite a lot of technical assessment discussion there about the potential for the overlap with desalination, and this is for the outfall. I just just thought it would be useful through just to remind examine thoughts clearly. Whilst I applaud your desire to understand the environmental impacts, it would be unhelpful if the CEO started to stray into territory that was the permits obligation to determine because what we don't want to end up with is two regulatory regimes trying to control the same impacts. So I've just thought out, I'd ask just that that to be noted that there will be some stuff that would be better dealt with in the permit than it would be the disco?

1:17:46

Yes, as you say, there's a bit of overlap isn't there? But very

1:17:50

much so in many areas.

1:17:54

Right, I'll try not to clear your pitch.

1:17:57

Thank you very much, sir. Thank you.

1:18:00

Dr. Henderson.

1:18:06

Dr. Henderson task, I just sorry to come back again. But that's wonder if we could ask one more question. Does EDF or any of its advisors have any experience of using a two millimetre wedge wire screen in a marine environment? I worked in America on these screens a lot. And they were always rejected for use in the sea because they blocked up and if it will block because I think it probably will. I'm wondering whether they have any plan to say get water from some other source of the desalination plant stops starts failing on them. Thank you.

1:18:45

Thank you. Thank you. Can I say I don't have I'm thank you for that point. At some of our hearings, at the point has been made that it's very, very important to make all of your points at once and was the greatest bet that point could have been made with the initial with your initial submission to us. It's just because it it takes more time to go back but Mr. Philip, what's going to have another opportunity any anyway, so no harm done. But please, please try not to again, thank you very much.

1:19:20

I will never do it again. Thank you for

1:19:23

Thank you. I've got Mr. Pete Wilkinson.

1:19:30

Yes, thank you, Mr. Brock. Just on the back of what Peter Anderson was saying. For task, we would like to know what other residual contaminants will need to be assessed as part of the decommissioning process, such as what quantities of chlorine and other chemicals will be used. So per million litres of potable water produced what proportion of the outfall will be chlorine and other chemicals and what proportion of the If any will be in a deep watered sludge cake. We've questioned the sustainability of the Defence entire so called water strategy and believed that the lack of a viable and sustainable water strategy for the 60 year operational period should result in a recommendation that the decio application is refused. It has to be sustainable. And what we've heard so far, we are not convinced by by any matter of means that it is. So thank you very much.

1:20:26

Thank you. So when you talk about decommissioning, you are just talking about decommissioning of the desalination plant, aren't you? Yes, I am. Absolutely. So yeah. Yep. Thank you very much indeed. And Mr. Steven Thompson, I see that your hand is up.

1:20:46

Good afternoon, sir. Thank you. Steven Thompson, Eastern inshore fisheries and Conservation Authority, Eastern Africa, we made a submission. That afternoon we made in response to a consultation document direct to the size we'll see project that was a document dated from August 2021. But I think it probably hasn't got into this planning process. And we should find a way to do so. In that submission, we made several points, a couple of which have points of detail, which are probably better dealt with in writing. But one, which I think is worth considering now is what assess what assessment has been done to the possibility of integrating the need to take in water and put water back into the sea for desalination. With the existing seawater management system at size, we'll see Would it be possible rather than having to put in a new intake system to take water, for instance, from the sizewell b intake system, and put the put the water going back out to the sea emphasise will be returned system, because that would obviate the need for any new works at sea with the attendant implications on ecology and other activities such as fisheries. And also it mean that by the time the SE Lancome reaches the sea, it's been diluted in enormous amount by the large volume of water going out. So is that a possibility? Has it been considered? And if it can't be answered, why not? Thank you.

1:21:58

Thank you, Mr. Thompson. Mr. Is anybody else? No, Mr. Thompson. Mr. Wilkinson, you put your hands down, please. helps with the signalling system. Mr. Phillpotts? She'd like to respond to that.

1:22:21

Yes, I just just briefly and we will pick up the points that are made about the experience or otherwise, of blocking of these evaporators using this type of mesh, alongside the frequency of cleaning point this sensibly sit together? Simply the very specific point Mr. Wilkinson raised we'll deal with in writing rather than trying to deal with it now. Mr. Thompson's point, as I understand it, is proposing that in stead of doing what we're proposing to do, we should tap into the size well be nuclear safety system, and use that instead. Leaving aside the obvious complications that might be involved in seeking to do such a thing. The question arises, why would we need to go through that exercise if we've identified a system which is acceptable? In other words, why why do we need to consider that alternative? Nevertheless, if that was a point raised in consultation, I'd like to be stabby opportunity to check what consideration was given to it, we can come back to that in writing once we bottom that out.

1:23:37

Thank you very much for going back and writing to me a detailed report you bottomed out,

1:23:43

indeed.

1:23:46



Thank you very much. Right, that completes item three, and I can now move on to item four, which really is remaining h r a issues, the three items A, B, and C, which are in agenda item four. In fact, the examining authority does not have anything specific which we wish to raise under those headings apart from one item. So before I go to that, I would just like to inquire if there are any interested parties who have representations that they wish to be made to make about those three agenda items which had not been made before. So that's physical interaction between species and project infrastructure. Obviously in relation to international sites, direct habitat loss, and direct or indirect habitat fragmentation effects on marine mammal qualifying features. And I do seek the views of natural Kingdom environments agency MMO, RSPB and other IPS if they have any, on the third addendum to the shadow h r a report and any relevant subsequent HRM material to the extent it hasn't already been made in in writing. So let me make that call now please. Okay, I'm not seeing any hands go up, which sounds there ever is that will be very, very thorough, which is good. The other item I want to raise. Mr. Philpott is is this race to the marine mammal baseline in the HRA, section six of the shadow, HRA third addendum. We will, I think put this into our rule 17 tomorrow, but in short, we see that at section six of the shadow, HRA third addendum. Now the applicant says that the reference populations, which have been used in marine mammal assessments have been updated since the original shadow, HRA report and the first agenda and we're prepared. And those updated things are outlined at table 6.1. of the third agenda. And marine mammal assessments in Section nine, we are told have been based on the updated reference populations so as to allow a light for like comparison. The question which we'd like to ask you is how your original HRA assessments for the proposed development as a whole would change. If you were to use the updated population updated reference population counts. Now if you want to come back and and answer that now that's fine. If not, feel free to take it away. And let's say we'll set it out in the rule 17 tomorrow.

1:27:09

So I'll just check because I've got Dr. Lemon on the on the line is where all those separate from me, what I'll do is I'll just see whether there is a ready answer to that, in which case it can be given now. If not, I'm sure I'll be told them. We'll take it away. Thank you.

1:27:26

Good afternoon, Jennifer Lomas on behalf of that applicant. And yeah, as these recent updates to the reference population just came out since our previous assessment, it only felt correct to include those. But as you will see, most of them are minor changes in counts. And with exception for that being perhaps accounts for harbour seal, which have declined. However, we have put in our updated assessments for context within the third m s, each area Dandan. And we don't believe these will change the outcomes of the previous assessment in the x era report. However, if you need further information, we can provide that and for deadline tank.

1:28:09

I think it would be Oh, that's very helpful. Thank you very much for coming on quite a complex question coming up quite so quickly in relation to it. I think we would find it helpful if you would give us a full answer on that, however, full may turn turn out to be not trying to make work for you. But it's something which you say it's come up rather that rather what's got recently, so it'd be good to sort that out. Thank

you. Thank you. I'm good to go now then to the RSPB and to the Environment Agency in that order. If they would like to respond to what the applicant has just said.

1:29:05

Thank you. So I'm just checking with my colleagues, I think for now, we've got no no further specific comments to make. But But thank you for coming to us just in case. That's all

1:29:15

right. And does that is that just in relation to that question which I asked, or are you dealing with the other the A, B and C points in item four?

1:29:26

Thank you. So in relation to all four and the question you asked. Thank you.

1:29:30

Thank you very much. I'm grateful to you. Who's it to be Mr. Barlow, Mr. Scared?

1:29:40

Cameron's guides Environment Agency. Just to say we have no further comments for all the for all the further question with defer to natural Inklings.

1:29:51

Thank you very much indeed. Thank you. Are there any other interested parties who have anything to say which they haven't said already? Okay, thank you. I don't think you need to reply to any of that, Mr. Robot. But I know that if you do want to you will. And so I'm going to move on to item five of the agenda, which is the DCA and deed of obligation issues. We've got a couple of points stated on the agenda, which is any changes everyone, but those which are revision, neither decio. And the versions, which are currently deadline seven, and I'm conscious that we've seen more material since then. But that was my starting point when read the agenda. And all the other control documents needed. So I'm going to start with that, Mr. Philip part. And then go on to the practicalities point. We do have some comments on your protective provisions. They are drafting and procedural points. It's with reluctance that I say very much about procedural provisions because they normally something which the two parties are thrashing out between them. But I think that you would find it helpful to, to consider those, I won't, I'm not gonna give you a taster now, but you'll get get this get those tomorrow. The the next sort of changes over and above those what what we've seen point which I would like to raise is to ask you to tell us what the applicant proposes in order to ensure that the temporary desalination plant is not used at the end of the construction period, and it's removed at the end of the construction period, or as I think I hear it now, at the beginning of the commissioning period, could you outline for us what you are currently proposing and then I'm going to go to the counsellors, and ask them what they want to say about it. And we'll go We'll go around. Okay, so

1:32:16

I wonder if to try and deal with matters reasonably, comprehensively incoherently. I'm going to invite if I may, Mr. Jones, to provide an overview of what is going to change, which will deadline 10s, which will

pick up the point that you've raised over and above those matters that we've already alluded to, as you'll recall, I drew attention to what's in the CMS in terms of cessation in the deadline eight version, which is obviously a requirement. Mr. Jones is going to deal with matters sort of together, partly to ensure that the answer to your question is full. But also hopefully to provide some advance notice to interested parties as to what's coming at deadline 10. Some of those interested parties were directly engaged within negotiating and discussing these things, it will probably be helpful for them to hear it said an open session. Others might just be interested to know what's coming in any event. So can I ask him to deal with that overview? And that will pick up the point.

1:33:29

Yes, but I would like to hear also from like, can be from him or it can be from you as to how you propose to deal with those in the suite of regulatory documentation. Let's, let's call it that. And I've heard you making distinctions between requirements with a capital R and requirements without without capital R. So an indication as precisely as you can orally of where those things are going would would help us

1:34:02

that that's exactly what Mr. Jones was preparing to provide. And I'm pretty hopeful it will deal with your question. If not, I'm sure we'll come back to it and we'll try again.

1:34:14

Thank you. Thank you. Yep.

1:34:20

Okay, good afternoon. So, if I start then with the update proposed to the development, consent order, just picking up the aspects in order so I'll go I'll start with the decio and I will mention the deed of obligation and then move on to the CMS. But as far as the development consent order is concerned, it was mentioned earlier, but we are looking to add the desalination plant into requirement 16 of schedule two, which is the requirement that specifies that temporary infrastructure must be removed at the end of the construction period. And so We will specifically identify the desalination plants in requirement 16 for the avoidance of doubt,

1:35:06

I've got I've got the decio up on the other screen. So it would probably be very helpful if I read that suffering while there says at the moment whilst you're telling me about it. So 17 so nice

1:35:21

1616 That's correct.

1:35:25

Okay, so that will get a specific mentioned for the sort of the dissemination, we'll get a specific mentioned in 16.

1:35:33

That's correct. I move on. And then we'll also look to update the deemed read licence, and a condition will be added to the DML requiring the removal of the desalination plants as well. So that will cover the marine aspect of it. So that DCMS Well,

1:35:58

that's the head works, isn't it that you're going to take off?

1:36:03

That's correct. So yes, so it would be the it would be removal of the the intake headworks the outfall diffuser head and any pipework that sits in the in the in the upper levels of the of the seabed to ensure that there's no risk of exposure. The remainder you're

1:36:23

not going to go all the way down to the junction with the drilled with horizontally drilled. Pipe I guess.

1:36:37

I believe not, sir. That's correct.

1:36:40

Okay, I expressed no view either way. I'm just looking for clarity.

1:36:44

Yes, of course. Yes. Okay. Keep that okay. And then, as for the deed of obligation in sheduled, nine of the deed of obligation, it sets out in there a number of key environmental measures which sizewell c co will need to use its reasonable endeavours to implement those environmental measures in accordance with the phasing schedule. That phrasing shedule appears in the construction method statement plate 2.1. At deadline 10, we will be specifically adding the desalination plants to that list of key environmental measures. So that the reasonable endeavours clause would which which would apply to that also. Well, it doesn't do get along stuff as well. So we mentioned it earlier. So there's there's two long stops that will relate to the desalination plant. So there's the one that I mentioned earlier about the commissioning works. So commissioning works, and specifically, cold frost testing must not commence until the operation of the temporary desalination has ceased. So that there's a long stop in terms of its operation. And then in terms of the early phase, where we're looking where we were looking this morning at the water tankers. Mr. Rhodes mentioned that installation of the cutoff wall must not commence until the desalination plant has been installed and is operational. So there's a there's a number of long stops at that point. So requirement 16 requires it to be removed. And there's a long stops that required it to not be operational. And it appears in the phasing schedule which shows its removal as well to which the reasonable endeavours clause applies.

1:38:44

Okay, so summary requirement 16 will mean that you got to take the thing away at the end of the construction period. The DML will require you to remove the head works sheduled nine lists the removal as a key environmental measure. And there'll be a lot search results plus a long stop. And

you've also got to tell it gives us a no no cold flesh testing will begin until you have no is it decommissioned it or until you have stopped using it.

1:39:26

So its physical presence isn't the environmental concern that that's driving the need to stop the commissioning work prior to cold frost testing. It's it's the in combination effect of the two discharges. So the long stop trigger there would be would be would be for the SES of the of the temporary desalination plant. And so if I just make clarify something I said earlier, so the key environmental measure and shedule nine have to do that relates to its implementation, rather than its removal.

1:40:00

The key environmental issues is implementation. Yes, I'm sorry. That's that's that's the cutoff wall. That's your long stop. You got to get.

1:40:16

That's right. So the, the, the installation of the cutter will can't commence until the temporary desalination plant has been installed. That's correct.

1:40:29

Right, thank you.

1:40:31

And if I may just pick up sir on a number of the other changes to the construction method statements, some of which you'd have heard already throughout the day, but I think it's useful just for completeness to run through them. So as was mentioned, our deadline at the construction method statements already changed substantially. And it no longer contains assumptions it contains things that will be done or must be done. But at deadline term, there'll be a number of further additions to that to further control elements to do with desalination. So just running through them will be confirming the maximum number of diesel generators and pumps associated with the plant in the construction method statements. We'll be providing greater clarity on the period that diesel generators will be present for. As we mentioned earlier, we'll be confirming that the drilled pipes will be going through the crack deposits, therefore being sufficiently deep to not become a historic environment concern. I mentioned earlier about the intake and outflow pipes over the triple si crossing. So there'll be further controls in the CMS to do with those specific to do with them being drugless and protected as they cross over. We will also add further detail on the non potable water controls. First and further details there around the treatment measures that we're proposing from sidewalk D and the water recycling rates for certain construction processes. And also limiting the total amount of water that can be abstracted in either desalination phase so that that is adequately controlled through the CMS as well. And picking up finally all the points that he suffered Council have requested, we're proposing to use the CMS to agree to notify the server council when the desalination plant would be moved from the main platform to the temporary construction area.

1:42:30

I remember that from a couple of weeks ago. Yeah, thank you. Okay. Can I just ask you that about about requirements 16. Requirements 16. The trigger is completion of the SSC construction works.

How do we know the works that completed will be the first of my questions on that. And secondly, a Yo, you're saying that you won't use the desalinate, you mustn't use the desalination plant once the total flush testing has begun. So is there any reason why the removal or other decommissioning of the desalination plant shouldn't commence immediately your call slash testing starts?

1:43:29

No, sir. There's no there's no practical reason why that that couldn't be the case. The the long stock has been driven by then the environmental need to not create an in combination effects. But we can certainly take that point away and consider that consider that one further. And then then provide provide our proposal deadline 10. That in connection with the specific wording around requirements 16. I suggest my colleague, Matthew sharp, who is the architects of under the wording of a number of these requirements, may be able to provide further clarity on on the points around completion of the construction works.

1:44:17

So just just to say before Mr. Sharp comes in, requirements 16 is triggered by completion to the size well see construction works and size. Well see construction work is a defined term decio. So I think that may provide the answer that you're looking for sizewell see construction works defined in Article two. This means that construction of works numbers one a one B one C and one D or one e as the case may be an any worse authorised by part two of schedule one in connection with such works. So it's a defined term that triggers the operation. I have requirement 16. So it's When you've completed those works.

1:45:07

Thank you. Yeah, I guess I think I don't know, awful feeling that I've asked this before. But the the worry point on that is what is what actually is completion. There's always, you know, every every construction project, I know, goes on with an awful lot of small things which have to be finished off. But that may well be after the the building has come into or the project has actually come into into use. There are other things to do.

1:45:43

But it's we can consider that. But I think in terms of the particular issue we're dealing with, yeah, because the principal environmental concern is its operation. That once you've eliminated that problem, which we will in the way that Miss Jones is explained, the precise timing is, in a sense, less critical. And because once you no longer need the desalination part, there's no particular reason to keep it on the site. This is a site where if you get rid of something and create a bit more space, there's every incentive to do that. So there doesn't seem to be a problem, that it requires a tighter restriction in terms of removing the plant itself, I would suggest,

1:46:31

okay, thank you for that. Thank you. Mr. Sharp Hello.

1:46:39

Just one further point to add, and requirement 14, which is the the landscape works for the main development site. That includes a timetable for the implementation of the landscape restoration scheme that needs to be submitted and approved prior to commencement of work one a, and that timetable would also obviously include the anticipated phasing of the closure of the construction site, and also the implementation of the landscape restoration scheme. So the combination of requirement 14 and requirement 16 should give greater clarity. If that's the use.

1:47:24

Thank you.

1:47:25

Thank you.

1:47:30

Thank you. So I hope that the combination of Mr. Jones explanation and then the response to your particular questions have given you a reasonable idea of what we propose to do both to deal with this specific point. But more generally at deadline 10 and less else we can help with?

1:47:48

No, that's a that's been very helpful. I get turned to the council's now and ask them what they would like to say about this. You can I think, Mr. Tate, I should come to you first.

1:48:06

Like So Andrew, he suffered cancelled. Great grateful for that list from Mr. Jones, which cover the points in principle that we were going to make, we will need to reflect on the triggers, including the point you've raised about completion, because that can be a lengthy process that overlaps with operation. And there are landscape impacts clearly of retaining the plant, even if it may not be operational. So we'll just want to reflect on on that not take up anyone's time. No, yes. The

1:48:53

the threat, the phrase, the phrase snagging list always comes to hand, doesn't it? Yes.

1:48:59

And we reflect also on the weather the requirement, the earliest stage for the desalination plant to come into existence should be the cut off all or not, we just need to think about that. Not saying it shouldn't be but we just need to make sure that's right. The only other point I think to raise relates to the point I raised earlier about the risk of exposure or venue of the pipeline's in the longer term and the indication that we made that that should be reflected in the SI P and NP. It may be that the CMS is going to prescribe the depth of HDD that will alleviate our concerns. But at present those concerns are alleviated. And so, we would want to see something reflected by way of contingency in the drafting to the CP MMP. But apart from those points, we welcome the indications that have been given. Yeah,

1:50:13

I must have had you in mind when I was thinking about the depth of the pipe work which comes up from the horizontally drilled pipe to the, to the, to the to the head work so you make decisions to where you how much you want dug out. Okay, thank you very much. Can I turn to Suffolk County Council now, please? Mr. Bedford?

1:50:41

Thank you. So microbead Suffolk County Council. We certainly welcome what we've been hearing during the course of today, obviously, like Mr. Tate, we will have to reserve our formal position until we see the documentation set out. But I say we certainly welcome the proposed changes. There was one point where I think it would be helpful to have some clarification, hopefully, this afternoon. When Mr. Rhodes was explaining the position in relation to the long stops, my understanding was, it was clear that the the two long stops in relation to both the provision of the desalination plant preceding the commencement of the cut off wall. And then secondly, the removal of the desalination plant prior to the commissioning, that they would be achieved by way of control through what would be in the CMS, which then obviously, the implementation of the CMS, according to its terms, is itself then secured by a requirement of the DCM. And that's what I understood was the way that it was being presented by Mr. Rose and Mr. Phillpotts earlier this morning, and that that was something that we would welcome. I wasn't quite clear when Mr. Jones did his resume to you. A short while ago, whether he was suggesting that those long stops would simply be a feature of sheduled. Nine and the do, because it's so that would be a retrograde matter. It may be that I simply misunderstood the way that Mr. Jones was putting it, and in which case, there isn't a concern. But if there is, if that wasn't intended change, and that's not something that we would be contented with. And we would want to see those matters dealt with in the CMS and secured as previously indicated.

1:53:12

All right, Mr. sviluppato, is offering us an answer.

1:53:14

Yes, I can clarify. It is, as Mr. Rhodes explained, it is intended to be in the CMS along with the other similar long stops in the way that I explained earlier. I when reference was made to shedule nine of the deed of obligation that was in relation to changing the list of key environmental measures, so that the reasonable obligations clause bites on provision of desalination, as well as on the other items in that list, because otherwise it wouldn't have been in there. That's not to say that the other controls wouldn't then be that those other controls wouldn't be affected by it. But it is nevertheless helpful reasons we've canvassed before, to have reasonable endeavours to deliver the DSL in accordance with the timetable, as well as the long stop to pick up what happens if that slit. So that was all that Mr. Jones was explaining. And so there shouldn't be any confusion about that.

1:54:17

I'm grateful for that clarification, and that provides that reassurance. So So I say, subject, obviously, to seeing the precise detail on that. And also, I say, wanting to see what is done in terms of clarify and what is meant by the word completion. Particularly because there are some elements I think, in relation to the spent fuel store where one might need to just make sure that that all works through properly.



Subject to seeing that I say I think we are considerably reassured by what we've heard during the course of today.

1:54:56

But did you prefer to see the The decommissioning obligation as a capital requirement? Well, I'm puzzled why why you like the idea of it being one of the

1:55:16

good, as I understand it will be it will be dealt with both. Because if it's in requirement 16

1:55:25

Yeah, yeah, it will

1:55:27

be 16. It will be covered by 16. And design Senate, that, that I think the approach that's been taken to the long stop dates, as it were, across the board, has been to introduce those through the vehicle of the CMS. Yeah. And the CMS itself. It's a requirement capital of the decio to undertake the project in accordance with the CMS. So that's the mechanism in relation to the long stop date. And but in relation to the removal of the desalination plant, that is also going to be secured by a requirement. 16.

1:56:21

Yeah, I think it needs to be you could be a bit careful about CMS because requirement date says the construction work is carried out as part of work number one must be counted in accordance with the CMS. There's quite a few other works. But I will, I'll leave that with you know, integrated.

1:56:43

So we will reflect on that in terms of the breadth of things which are included within the CMS and then secured by that means, but thank you, sir. Yes.

1:56:58

Very good. Other any other interested parties who wish to contribute to this question of changes to the dceo? Mr. Kean? Hello. Hello, sir. Thank you very much. So just just say very, very briefly, you all, of course, have seen and you've already referred this down to common ground between sides, all my clients end up ul, the references are ep 9015. So just to just to record out loud as it were that subject to the protective provisions, which had been the subject of detailed negotiations since we were last. Here it is age 14, but subject to those provisions being included, as agreed with site as well, then it's my clients position, as you can see from the second ground that it would withdraw its objection now. So I think, if I understood, right, you've got some drafting and procedural points the panel has that we will, we'll see in writing tomorrow and obviously says subject to what those points are, and what that might throw up by way of the need to review or change will obviously take that on board and talk to talk to Mr. Phil bottom and his colleagues accordingly. But But as things down, I just thought it might be useful for me to, to to record that formally at this point, subject to any comments that the panel has. Thank you very much. That's very useful. Mr. Wilson.

1:58:33

Thank you, Mr. Brock Kristofferson on behalf of task, and possibly we welcome the the measures that are in there to make sure that the desalination plant is is temporary, as was originally sort of put forward. And I think it was Mr. Jones, who who basically explained that you certainly wouldn't want a desalination plant running at the same time as sizable C was operating. So I just still have this major concern that we're looking at a situation where he cites we'll see could be built, but it doesn't actually have a sustainable supply of potable water from the mines. And I just doesn't seem an LSU could tell me differently that the DCR is structured that such that that couldn't happen. And it just seems ridiculous. You could end up with a 20 billion pound building that that can't operate because it hasn't got domains water supply. I just wanted to

1:59:33

thank you very much. Thank you. Are there any other interested parties on this point? Okay. Mr. Phillpotts, then he was sent reply.

1:59:48

So only very briefly. Clearly, we've covered the point that has just been raised on part of the task already extensively in writing all submissions. I'm not going to repeat all of that. We like Mr. Kane's clients, we'll wait to see what the points are. And we will engage with them as he suggested we would, as we've been doing effectively, in recent times, so far is the question that was posed to Suffolk County Council, which is well, why not have another requirement? We would simply reflect on it in this way in addition to requirements 16. One has requirement eight now requirement eight bytes on these works. Yeah, bytes on these words, because they are part of word number one. And then one has to ask oneself in accordance with the policy in E n, one, in those circumstances, having regard to all of the other controls that are in place, including requirement a requirement 16. What would be the necessity for the further requirement? In other words, absent an additional requirement? What would be the reason for refusing development consent that would generate the need for that further requirement? If there isn't one? And I submit there isn't one that tells you you don't need another requirement?

2:01:20

Yeah, I think I mean, to to help you. We are concerned to make sure that we keep the desalination plant within the bounds of what has been assessed. And you heard the questions which I put to the Environment Agency about what what have they thought they were looking at in terms of what what they're assessing? And they said that up until up until commencement we call flesh testing. So those are a bit of help US dollar thinking is on on those issues.

2:01:55

So we are if I may say so entirely aligned on that, that is our objective as well, for obvious reasons. We don't want a consent that doesn't properly reflect our assessment. We don't want the desalination plant to go outside the assumptions we've used for the purpose of assessment. And hopefully, what we've been outlining today, and indeed, in writing makes that clear, we are leaving no stone unturned seeking to do that.

2:02:23

Very good. Very good. Thank you. Right. Thank you. As always, I'd only want to say no, that

2:02:31

is Thank you, sir.

2:02:33

Thank you very much. Let me just add this in that case, we have been we have given some thought ourselves as to what would be needed to make it clear that the point at which the temporary desalination plant ceases to be used and to be removed. We have our own modest suggestion for a requirement and we may share that with you tomorrow, if it still seems relevant, having heard what you've already what you've helpfully said this afternoon. And it will be based and take into account obviously what you said in the CMS about the timescale. Can I just say also Mr. Philpott we're a little bit puzzled as to how the marine works aspects of change nine are covered by requirement eight and the CMS and it's because the point I've just made to Mr. Bedford is that requirement date applies to work number one. And the marine works our works numbers to something or other down towards the a bit further down the alphabet. So well, it's we will ask you to ask you to address that and I'll mention the rule 17 requests I think you can see you can see that I would say one other thing when I look at shedule one of the decio and the

2:04:16

work which is the dissemination plant you've got what what strikes me is a slightly curious wording

2:04:26

yes

2:04:28

it's one a kk says temporary desalination plant and plant apps are a temporary solution plant out full tunnel brackets, continuing as work number two, oh, close brackets. And I don't read that as you trying to make work to Oh part of work number one. It reads to me as they were just telling me this is the same thing which you find that you're up to.

2:04:54

This I see precisely because of my understanding is that because the outfall tunnel Starts within work one, but then continues, of course, beyond that and out into the MMOs. area, it's appropriately then defined as work number two, oh. And then when you come to the deme, marine licence, that picks up work number two, amongst a series of work two numbers that extend out into the it's area of jurisdiction. And it's at that point that the conditions on the marine licence kick in. And so you have in particular, I've made reference earlier to those conditions, which deal with dredging 35 through 37, but you have a wholly new condition, condition 52, which must be discharged before those words can commence. And so the details that have to be approved on the requirement 52? Are I would suggest pretty comprehensive. Okay. So if there are, if that helps, feeding into any question that you wish to pose, no further requests, then that that's an important point to be considered, we obviously want to make sure the DCA is right, that there are no gaps. So again, we have a shared objective, but that's the thinking behind the design standard.

2:06:29

Okay, thank you for that. I'm gonna move on in case to Item b. of, of agenda item four, which is just practicalities of reviewing and the submission of the revisions. I don't think I've asked you for this. Before if I had was at the very, very outset of the process. When you put in your, your final version of decio. At at D 10. Please, may we have a track change version, comparing it with the very original version? Which is revision revision one? And the other thing was, yes. Thank you and to your instructing solicitors for the draft of the legal opinion, the confirmation and compliance documents. We do have some comments about that as well. And they will be in our rule 17 tomorrow for you. Thank you. And lastly, before I hand over to miss MCI, for items, six and seven, I just say it's again, going back to the the question of the long term operational supply. We listened and I had listened, I listened very carefully to what you were saying this morning. And your explanation of why your client is so confident that it will eventually get a means possible water supply. I think it's so for men to realise maybe it's from somebody else, it doesn't really matter. And I've read your legal submission on that Rep. 8125. And the question, which is worrying me is this. If that is such a robust process for making sure that you can have a mains water, potable water supply, why haven't you used it to get the mains possible supply which you need for the construction process? Maybe there's a very simple answer, which you can give me now or you may want to think about it and reply detail.

2:08:55

I'll take that away if I may, because that involves also parties is delving into the history of discussions which there are others who've been more closely involved with that. So rather than providing with an often response, I'll take that away if my main

2:09:08

but on the basis that it was like a very robust process. It's quite difficult to understand why why it hasn't, why it hasn't dealt with the issue which you have at the moment.

2:09:16

Yeah, so you'll you'll recall that we did in our set out in our rep 8125 submissions. We dealt with our history of engagement with your MP process, which we're not in control of we're a customer not not the water under taker, but I'll I'll come back we'll come back with a more comprehensive answer, but that may be an important part of it.

2:09:43

Thank you. Yes, I saw that you've been asking to be put into the plan for a while now. Very good. That concludes what I was asked you. And I will now ask you to miss MCI Thank you very much.

2:10:05

Thank you, Mr. Brock. So the next item is whether there are any other matters relevant to the agenda that if anyone wishes to raise,

2:10:21

right, but no hands up there. So if I move on now to the close of the hearing. So this is the last hearing scheduled in the examination timetable, and the examination itself is due to close on the 14th of October. So I'd like on behalf of the panel to thank all participants for their helpful and cooperative and intelligent approach throughout, and for adapting so well to the virtual format that we've been obliged to use. So we appreciate the supreme efforts made by interested parties to attend hearings and comply with deadlines throughout the summer months, and for the quality of the submissions that we've received. I'd also like to thank the planning Inspectorate case team, including our case, team managers, Michelle Gregory, and more recently, Sean Evans, for all their hard work behind the scenes. All those collective efforts have greatly assisted our knowledge and understanding of this application. And we thank you for that. So there is one last deadline to mention before I close this hearing. So let me remind you that any post hearing submissions, including written summaries of the cases you've made orally at this hearing, should be submitted a deadline 10. Tuesday, the 12th October, if there are no other matters that anyone wishes to raise, and I see that Mr. Full pot does have his hand up. So if I turn to Mr. Phil part,

2:11:58

yes. If I may, just one small housekeeping point. It's simply this helpfully earlier in the hearing, your colleague, Mr. Humphrey raised the question and sought further information from us in relation to item three be on transport and particularly in relation to the profile that the request that I would make is this, is it possible for that request to be included, if it wasn't already going to be in the written request tomorrow? I say that simply because we are for understandable reasons, very keen to ensure that we have correctly recorded and understood the precise terms of the request, so that when we provide a response to it, we get it right, first time because there is only one opportunity. So it may be that that was already intended. If it wasn't, that would be our respectful request, please.

2:13:04

Now that that's been noted, Mr. Phil Potts, and I have had confirmation from this time free, that that will be done.

2:13:12

I'm very grateful, I should put my hand down other than to say, I'm sure on behalf of the applicant, I can say that we are also grateful to you and to the other interested parties who participated in this examination, particularly for, as you've said, making an effective examination, notwithstanding the constraints of the digital format. We certainly appreciate the hard work that's gone into that.

2:13:43

Thank you. Right, I don't see any other hands up. So I'll now close the hearing. Thank you all for your attendance and participation. Here hearing is now closed.