

TEXT_CAH3_EA1N&2_Session2_18032021

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00:01

Good morning, everybody. And welcome back to these compulsory acquisition hearings three for the East Anglia, one North and East Anglia to offshore wind farms. Before proceeding any further, can I just check with the case team that we can be seen and heard? live streams and captions have started.

00:23

can confirm that the internal recordings have started, I can see and the AU and the livestream has just come up now. And captions are working. So everything's good to go.

00:34

Excellent. Thank you very much for that, Mr. Williams. Now, ladies and gentlemen, before I return you to Mr. Rigby in the agenda just to flag that we are partnered on agenda item five, a and we will, in due course resume five eight to dealing with the extent of rights sought for the realignment of and get lines more farm. And However, before we do, when we were dealing with agenda item, four remaining objections from affected persons, we were aware of the potential requests to speak by Mr. pillet of St. Peter's parochial church council saboten. And Mr. litt was not present in the hearing at the outset this morning. But I understand from the case team that he is now present. So can I just check is Mr. Willard with us and available to speak?

01:28

Yes, I'm available and ready to speak. And I'm sorry for the delay. I was unaware of today's events. Okay. Well,

01:35

apologies for that, however, that occurred. But the important thing is you're now here. And on that basis, I'm going to hand back to Mr. Rigby, but just to flag that we will briefly get back to the agenda item for and before we resume where we left off before the break that agenda item five, a two. So Mr. Rigby returning to agenda item four.

01:59

Thank you very much indeed. Mr. Smith. And yes, we will get back into agenda item four. To hear Mr. Elliott's is, do I have, you know,

02:13

it's either, actually,

02:15

I thought it might be that But anyway, yes, thank you very much, Mr. Eilis if you would like to speak now that we will hear you now, back in item four of the agenda.

02:25

Thank you. So I'm a church Warden for St. Peter's Church debitum. And just geographically the church is adjacent to the BLM 22. And we became aware too late stage that there was a proposition by SBR to use the footpath, which joins the B 1122. At a point near the bottom of pretty lane to Church Road, and we understand there may be a proposal that SPR want to upgrade that to a public footpath, to connect their proposed crossing of the BLM 22 and use the footpath through the church to connect to Church Road. We aren't hearing of this, the PCC that's the parochial church Council of St. Peters and took some advice from the diocesan solicitor who said that really, we should avoid that if possible, because of the legal ramifications and insurance possibilities. And also the fact that the church path at the moment is used solely to access the church, although it is a cut through and that is quite where we are quite happy for that to continue, but it is done so by by a permission granted by our Rector. So it's quite a complicated thing. It was not a generally a general public right away, and we wouldn't want to see the path changed anyway, tarmacked or anything. It's it's sort of gravel at the moment. And so we would, we would oppose that at the moment. And that's really what I have to say.

04:24

Thank you very much indeed, Australia. That's very useful. So just to recap, we're talking about the path itself, which runs along the east side of the road, between Church Road and the bend in the road where I believe there's a crossing proposed, but what comes to the applicants eliminates so as well as your land.

04:50

Yeah, I'm sorry to interrupt. I don't. It doesn't run alongside the road. It is on the east side, but it runs through it runs through Through the churchyard of the church, yes,

05:02

yes, that's what I was meaning because there is actually no footpath on the road at that point. I think that's my understanding. Yeah.

05:10

That is correct. There's a footpath on the west side on the on the opposite side. Yeah, correct.

05:16

Yeah, you just we could just recalling from when we inspected that section of the road. Thanks very much, Mr. islet. If I could now hear the applicants on this, please just to let us know what their intentions are.

05:37

Coming up candidates about the applicants, just to give some context, the the works with abberton are arose out of pre application discussions with the County Council. And essentially, it's an issue of

volumes of traffic. And it was considered that ultimately, there would be some benefit in undertaking localised improvements of land within the highway, which would facilitate better crossing of a number of roads, or highways. They're very limited works, but there is no suggestion that we'd be seeking to undertake works to the path up to the church, these works are restricted, as far as we understand, to works within the highway. And it's the intention is to improve the movements across the highway, and nothing further and nothing more. And that is what was intended by the proposed works, which were promoted, having consulted the county council, it's my understanding that the county council would before undertaking these sorts of work, which to ensure that those consultation undertaken, but I just wanted to make it clear that there was no intention to seek to do anything further than improved crossings in relation to those particular highways. And nothing further. And it may be a county council may want to come in further, but that that's our position as it currently states that they are proposed works that will be undertaken the highway to improve crossings, and that is the extent of the works.

07:32

So just just to confirm there's no intention to do anything on the church path itself. It's the area on the highway that's adjacent to it.

07:43

That is Congress above the applicant. That is our understanding of the position.

07:48

Thanks very much indeed.

07:50

Yes.

07:50

Does the county council wants to comment at this point, please? Sorry,

08:02

so I got distracted there. Could you Would you mind repeating the question? I do apologise?

08:07

I'm wrong at all. It's Mr. gundry, isn't it?

08:09

Yes,

08:11

we're seeking to establish what's intended, adjacent to St. Peter's Church and saboten. In respect of improvements to the footways. We had it puts initially, as I understand it, that it was intended to undertake works on the pump the footpath that goes to the church, and perhaps to convert it to a public right of way. But the applicant has just put that that's not the intention and the works will all be within the public highway, which is your purview as I understand it.

08:50

In terms of clarifying that point as well, I think it's important to be very clear that reviewing the existing land plans, works plans book of reference and draft development consent orders, there is absolutely no reference to the taking of any land or the acquisition of any rights within the churches interest. So if that certainly consists entirely consistent with the applicants explanation that all they're seeking to do is works within the highway.

09:26

Yeah, thank you. So I think if you know it's the kind of public right of way strike highways issues are, as you know, quite involved. And I think it'd be better if I took that away. And and replied it, deadline, I'm sorry, not to be very useful, but I don't want to sort of go off right on the wrong foot here. And I think that would probably be best or Rand because there might not be an issue anyway. But I think it's probably best if I refer it to Right away stroke highways officers in that regard.

10:04

We're very grateful for that. I guess all I then will remind is that we are very, very close indeed to the end of these examinations. And that if we don't get absolute clarity of deadline eight, then Mr. eyelid and the parochial church Council have a problem, which is that they need deadline nine to respond to anything that emerges that is adverse to their interests. So we absolutely need the full box and dice by deadline eight, if that's at all achievable?

10:35

Yeah. I mean, what I mean, definitely have it by eight. I'm not sure if there's any other way that I can. You can do it in I know, you don't really like to do this in between deadlines. But you know, is potentially possible I could get a quicker reply, but I'm not exactly sure how that would fit into your processes. I guess it doesn't.

10:57

I think I think in terms of our processes, I mean that there are two things going on here. One is delivering the clearest explanation to restripe for his PCC

11:10

as quickly as possible.

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And if if that could happen outside the deadline structure, and that will be massively appreciated. In other words, a quick liaison with your officers, a quick checkpoint with the applicant to make sure that nothing has been misunderstood. And then confirming correspondence back to miss Dryden. So if that puts Mr. eyelets, in the position where he can write in a deadline eight and say, we now understand what you are not proposing to do. And we are happy. Progress.

11:40

Yes, that assists us greatly, because as Mr. Smith says, We're rapidly approaching the brick wall, which is the end of the examination. And he and the county council on the PCC. Hopefully you can address that outside the examination. Yeah. Just the longest we are aware of deadline aids of what the position is preferably so agreed position between both of you.

12:04

Yeah, it, would it would it be nice. Thank you, sir. Would it be just to get the right question? Who would who would give me that? And then I can take it away and come back who Where am I? I could jot something down. But I'll get half astrologer over

12:20

well, we will have this on our action list which we are compiling at the present time. Okay, what would assist us greatly it would be if yourselves and Mr. Eilis of the PCC at St. Peter's saboten. And the applicant could come to us at deadline a with a with an agreed position on that. That would assist us I think, greatly.

12:43

Okay, so if I liaised between the two parties, and then come back,

12:47

yes. And somehow evident to us that that's the agreed position, then that would be very helpful.

12:54

Yeah, no, problem, sir. Look to the Action List, of course, which we will aim to publish as soon as we possibly can after today. Hopefully no later than than tomorrow. Oh,

13:05

thanks. So I think I'll probably wait for that. And then then the questions clear. And then I'm sure we can pass it around to get a sensible answer. Brilliant.

13:16

Mr. Rigby?

13:17

Thank you very much, Mr. Smith. Yes, we'd expect to have the action list out hopefully, perhaps by the end of this week, to give you the time you need so next sorry, Mr. Eiland was something else you wish to say.

13:33

When it was only just a clarification, and as I understood it, the information that came to us whether there was a proposed crossing at the V 1122 at the end, pretty lane. And unless there's any improvements to the highway as such, on the eastern side, in other words, make some sort of footpath that would then redirect people, if there was a crossing there that would get people onto the church

path anyway, which, as I said earlier, people are allowed to cross there by the rector's consent, but is not a general right away to all and sundry.

14:12

Yes, yes. Yes. Our understanding is effectively the crossing further north to the band would cross people to nowhere effectively if there was remain on the highway.

14:22

It would just demand church land. That's the point. Right.

14:26

Thanks very much for that clarification. Anything else on this point before we move on?

14:35

And not from not from me in the PCC? Thank you. Thank

14:37

you very much, indeed. The applicant you want to add anything?

14:42

Yeah, comments about the applicant. It was also really to facilitate a crossing of that of the road at that stage to the south, where there is proposed to be a footpath. So it's it's that movement that was being also really facilitated. And this was actually submitted with the application, the original outline code of traffic management plan. So it's been around for a while, but we're perfectly happy to deal with the matter and try and resolve any factual matters, that the works were all proposed within the highway. And that's the critical issue in relation to the matter was that it was sought to be highway improvement, not trying to facilitate anything else.

15:35

Thanks very much.

15:38

Nevertheless, if you're able to assist the other parties to get that sorted out, that will be appreciated. Thank you. Okay, thank you. Mr. eyelets. is still there you? Oh, we've gone now. Excellent. Totally good, right. No, no, I'm

15:56

putting my camera off. Yes,

15:57

yes. Oh, that's fine. It's okay. There's a bit of delay going on when we're used to that. That's right. Thanks very much. Indeed. That's very helpful.

16:03

So we now

16:04

come to the second point in Part Five. Thank you. So did you have something to say Mr. islet?

16:15

No, no, no, just a thank you.

16:17

That's fine. If you just that's, that's, that's fine. Okay, so if you'd like to switch a camera off now, we'll go on to the second point in part A of item five, which is the extensive right sort of realignment of national grid lines at Moore farm.

16:34

And just before we start this item, Mr. Rigby, if I can just briefly effect, it does appear that the livestream is both all over again, for those is falling over again, we will continue. But again, to make clear that if anybody outside the direct connection to the hearing, needs to find this material, it will be in the recording safe and sound. So Mr. Rigby, please, please continue with item five, a two.

17:09

Thank you very much, Mr. Smith.

17:11

So

17:13

in in respect to this item, we've already heard from Mr. fullbrook, acting from Mr. Maroni previously. So what I'd like to do at this point is to ask Mr. marny, if he could summarise the points that are still in dispute. I think his document rep seven DASH o eight, three will refer in response to the applicants and national grids deadlines, six submissions. Mr. Maroni.

17:45

Thank you. Yes, you're absolutely correct. My deadline seven submissions really sets out the my concerns, I'm not going to repeat them here. I really, I would say in relation to all of this, which is the temporary realignment works, that is only happening to the north east of the pylons in the centre of the field, that is Zed W and Zed x 22. Therefore, all that's happening in the southeastern corner of the field, is the relaxation, if you like, of the pylon lines and the scaffolding over the road. And the response in the following ch to where National Grid said that provides information, we got an extremely vague response in the summary of oral case. And I'm really sorry for him to this, this matters still on the agenda. So I really hope this will be something be easy to resolve. But it doesn't seem to be easy to resolve. And I'm not sure what the reason for that is that anyway, that's all I've got to say because my submission set out the detail.

18:50

Thank you very much. Could I perhaps then at this point called national grid, please?

19:04

Search? Certainly. I think the first thing I should say is that we don't accept for one moment that the things we set out in our oral case or the summary of our oral case, which is ever ep 6108 is vague or not clear, but we have come back to give you any further sort of clarification, you may. You may need obviously, you know the operations that we need to carry out to the lines and the diversions were described by Mr. Mehra when you occur. On the last occasion, we were here and they've been very fully written up as I'm sure You can appreciate when you're working with and near 400 kilovolt lines, there are safety matters which mean that works, compounds, vehicles moving things of that sort need to be kept well away from those lines, Mr. monies raised in his comments just a moment ago, and in his deadline seven submission Rep. 7083. In effect two points, one relates to the crossing of the Saxmundham road, which deals with I think, really that kind of plot 117 A and that corner of plot 116 the corner the residential plot, which we've said we would need to use in relation to scaffolding and secondly, just the extent of the land needed in plot. 116 and so I'll invite in a moment, Mr. Mehra guanica, to just explain why we need the extent of land and in particular, they temporary possession power shown on the plans. But before I do that, can I just just remind you, very helpfully Mr. Mani, appended to his original written representation, which is rep one, dash 291 the existing

21:58

easement.

22:00

And if you look in that, rep, and you look at page from page 19 onwards, but I draw your attention to page 21. And page 22, page 21 shows the existing rights we have to go on to his land comprising principally plot 116. And indeed, two fell unlock trees within that plot of land and page 22 of that document shows the extent of that land, which is far greater, both to the north and south, then is currently proposed. And I explained on the last occasion, why we felt it was not appropriate for us simply to rely on the existing easement we have, because we wanted to avoid any argument about whether we would be exercising those easement rights for what is in part, a different project here. But when you're looking at the issue of interference with Mr. Manny's land interests, remember he has already approved his predecessor granted us while greater rights or at least far greater in terms of exempt rights over this land, then SP R is currently asking for it. So with that context, I'll just ask Mr. wran weaker mark, when you get first to just explained the the reasons and the extent for the land where we're crossing the Saxmundham road that's plot 117 a, remember the strip of land and that little corner, as it's been called in 116, the corner of the residential land and then when he's finished, that you may have some questions, and then I'll then get him to comment on plot 116. So, Mr. Irwin, you're hoping you're there? Yes, you are. If you could now take up this first point to be crossing the road and the scaffolding and so on.

24:25

Thank you. Good afternoon serves up kusumoto on behalf of thanks and get the extent of the temporary possession powers in this area where the crossing of the sex mountain road is largely led by the need to provide temporary net a scaffold over the road during this restraint to protect any vehicles

passing underneath the road during the overhead line restringing works and also the members of the general public as well. From a safety perspective during the works the length and the width of the scaffold really will depend on the angle of the crossing and will extend where the crossing is at an oblique angle as opposed to perpendicular crossing. The requirements these requirements in terms of the length and the width authors have discovered structures themselves, and the Orient orientation will be provided by the scaffold constructors following a detailed stage. In this particular case, the design of the scaffold protection area is likely to extend beyond the current corridor width we have added into the triangle area when Mr. meyen is land up in the corner of plot 116. And the scuffed footings will need to be placed within this triangle land. Though there will be no need, however, to wholesale clearance up any of the vegetation or the hedgerow, but some lopping might be required of the vegetation within that tranquil area. And the extent of any vegetation removal would likely depend on what is in the way of the footings off this particular scaffold structure that will be erected. And also depending on the position the guy rows, which will provide any anchorage on the scuffle structures where we have an edit, will will will have the net crossing onto the opposing structure on the opposite side of it.

26:24

I'm briefly going to intervene here, Mr. Marinelli, Monica, because I think in terms of the technical understanding what needs to be done, we came away with a with a very clear understanding of that. And from the last hearing, we're very grateful to you for it. I mean, essentially where we seem to have wound up is in a position where we are being put to challenge by Mr. Marley's submissions around the justification for the extent of the land sought and the rationalisation for that, and which is a reasonable question to ask within the framework of a compulsory acquisition hearing. However, Mr. Humphreys has made an in principle submission, which drew our attention to the extent of the underlying grant of rights to and get for the existing alignment. And make clear his view that because the extent of that grant of rights by Mr. Maroni, his predecessor in title was for a larger land area than that which is now being sought. That essentially, we are looking at an extent of the land within Mr. Montes ownership that is potentially subject to interference for reason by and get that is already significantly larger than the body of land that you've identified here. And I just wanted to clarify whether that was the case and understood by Mr. Mani also to be the case? Because if it is, then it conditions, third degree, our thinking on this point. I think probably the best and simplest way to get to that will be to revert briefly to Mr. Marley and just ask him whether he agrees with that point that Mr. Humphries put whether the existing easement covers a larger extent, or the granting of existing rights affects more land than is currently subject to this particular proposal.

28:30

Money effective person thank thank you, Mr. Smith. Yes, the existing grant does extend to a wider area, but the rights are different. What is being sought here is a different set of rights. And although it might be a somewhat attractive argument to make the existing deed, in terms of the works that are to be carried out, simply isn't relevant to this application that was simply to allow the lines to pass over the field, and then maintenance work to those lines. What has been proposed here is quite different. And I can't speak for my predecessor in title, what we are having to do is to deal with the facts in front of us what scottishpower see what National Grid are seeking to do, and the extent of the rights they are seeking. And as you quite rightly said, I do feel this is only a reasonable question. I'm I'm sorry, that example thinks that these aren't vague, I mean, there is an element of precision in what National Grid

said which is they talked about the size of the scaffolding which would be 20 metres in depth and 14 metres in length. And they also talked about the the overhead line having a 60 metre corridor 30 metres in the route centre and as I said in my submission that still takes you 20 metres away from the intersection of the north south boundary hedge and the road. So in that context, the only piece of information I've been given to justify why the reservoir is now residential land needs to be encouraged is to allow for flexibility over access routes. And then it goes on to say about crop layout and tram lines, which I'm sorry, I think is rather too vague to rely upon in the context of seeking temporary possession and compulsory powers.

30:38

Okay, so we have your clear points and response to Mr. Humphreys. point there. Apologies for interjecting with with your witness, Mr. Humphreys, but I just thought that if that was the number of it, we were better off understanding that now rather than recovering ground that we covered last time.

30:58

Yes, sir. I mean, two or three points there. And then I'll revert to Mr. Irwin YUKA. Personally, as you will see clearly from the existing deed, it allows us to erect retain, maintain repair, renew, renew, inspect and remove the existing line it also quite separately, it gives us full right and liberty to fel unlock trees from time to time, it also gives us full right and liberty with and without vehicles, plant and equipment to enter upon the same property, but all or any of the purposes aforesaid. So, it's it's actually a very wide part, as you would expect, as is entirely typical in these easements that end get has and obviously Mr. Money perfectly properly. This was granted by his predecessor, but he bought the land subject to this particular right. Second point is Is this Mr. Mani said that we set the scaffolding would be 14 metres. Now what we said was that the scaffolding would be a minimum of 14 metres, that's clearly set out on page three of the summary of our oral note, it's the larger paragraph in the middle of that page, why a minimum because 40 metres would be the extent of the the width along the length of the road. If as Mr. Moran when you said the crossing was perpendicular, but if you look at the overhead lines, in this particular location where they cross the Saxmundham road, they're not perpendicular. They they are at a at an angle and it's because of that, that it's necessary to have a longer scaffolding which as we've said we think extends into would require us to put a footing into that corner of land as for the 60 metre corridor or the 60 metre corridor, ie 30 metres either side of the centerline of each of the overhead lines or 30 metres either side that is the safety clearance to do with the swing of the lines Mr. merwin ego can explain that to you in a moment. But obviously, it would not be appropriate as he will explain for construction workers and and others to be placing materials or driving vehicles around within that type of zone save were absolutely necessary which is why there is a very clear requirement for us to have vehicles and carry out works outside that area. Which of course is totally why this is reflected in the original easement for the existing lines. So I'll just get Mr. Moran when you get to to to talk about these things. Perhaps explain to you again this point about the the perpendicular and you know how long scaffolding might have to be although that's a matter for the scaffolding designers perhaps to just explain the 60 metres this sort of safety clearance to do with the swing of conductors. And then explain how and get at requires areas to kind of manoeuvre, move around, store materials and so on outside that area, including as I think Mr. Innes explained earlier, the the need to you know, move of vehicles and other things so as to minimise damage to crops and things of that sort the tramlines point. So, Mr.

Moran when you could, if you could just, if you could just touch on those points that would be really helpful.

35:15

Can I can just briefly intervene here because what what I think would be useful to understand is the approach that's being taken here, as part of a is, in a sense body of general practice around the safe management of the construction or repair of existing transmission alignments. So if I were then to say, if this project were not proceeding, but as a matter of normal repair, and get word to need to replace the conductors, on the existing transmission alignments at this location, what would they be doing to protect the road? In those circumstances? And would it be materially different from what they are asking to do, and the rights that they're seeking in relation to to this particular location as part of this project? But essentially, what we're trying to get here is a gauge around the reasonableness of the request, both in terms of its content and its extent, that are understood.

36:32

Thank you, sir. could see my coworker on behalf of national grid? I'll start responding to the first question put forward by Mrs. Smith. in responding like if we were to do if we were to restring, or to carry out the words in the existing overhead line, separately, the answer to that is, we will still need to protect the road crossing all six mandap will still need to provide us net a scaffold protection. If we were to restrict or change any conductors, or to remove a, what we call spaces, which are these equipment that hold that separates the sub conductors together. If we have more than one conductor strung on the overhead line, as we will have man lines man traversing across the line to remove these spaces with nuts and bolts, so we'll need a net a scuffle to protect from any falling objects onto any movement moving vehicles or members of the general public. The second point raised by Mr. Humphries regarding our lateral limit of deviation corridor of 60 metres, which we provided in our last hearing. This extends 30 metres either side of the centre of the line of the force edX and the for that w as well alignments. This overall width is derived from a calculation where we base it on the maximum sag of the lowest conductors. I'll try not to go too technical into this, but it'll be based on the maximum sag of the voice conductors in a standard span length. And we swing the conductors at an angle of 45 degrees so that at least we can get a maximum we can look at the furthest point away from the from the conductor's this lateral deviation, it depends, it's it depends on the geometry of the structures. The maximum lateral movement of the actual root centerline of the overhead line itself. The span length, which is the distance between the two pylons, and the maximum sag of the conductors, when they're operating as the maximum operating temperature, that's when we we get the maximum sag and also on the lateral swing of the conductors, and the insulators from the attach points on the on the pylons themselves. This overall width really, as a summary really this over width is is a calculation of this maximum cycle the lowest conductors in a standard span swung at 45 degrees to represent the maximum wind loading on the on the on the on the conductor's off. With this, this is what will turn our working corridor for the overhead line the 60 metre corridor, and it will provide us if the conductor will provide us room to set any plant and the equipment and also to so that we can maintain any statute statutory clearances, electrical clearances, there's what I mean to any objects or to the ground or to any plant and equipment that's within the working area. As you can appreciate that we'll be working under live conditions where one circuit is still under electrical the life whilst the other circuit is switched off. In regards to the area, the length take area now that will be required to access the towers. We would also

need to consider the Construction compounds, which may be single therefore, to take in any storage of steel work or any materials or conductive drums that are brought onto site, we will need to access the site. And ideally we would never for safety reasons, we would avoid passing through a working area as the reason why we also need land area to access our construction compounds which will provide welfare facilities meeting room offices, or even guest drying rooms for the operative staff.

40:37

Okay. Okay, now just one brief follow up on that then taking all of those considerations into account that drive your calculation of the specific land that you require. Obviously, the specific requirement is influenced by the particular geometry of the alignment at that point. But I take it from what you say that there would be no difference in if you met the same geometrical conditions of a line crossing a road in those circumstances in another place, you would still require the same amount of land and that is an established practice in terms of the safety of your works. And that you would apply that that land requirement no matter where you were, and it will be essentially not a factor for your consideration as to as to whether that part of that land was maybe a residential curtilage or not, is it? Am I am I correct? Or not?

41:41

Yes. to restring over there sex mountain road? Yes, you're correct, we will still need to provide some form of a metal protected scaffold structure.

41:50

Okay. Right. Look, apologies for those interjections, I just thought we needed to get some some some principles pinned down. So

42:03

if I could just clarify, what you're actually saying is that there's no material difference between, essentially between what you're seeking to do here, now as it were, with this project, and what you might need to do as a matter of routine maintenance in any event.

42:25

So I should just clarify there, we're still talking about crossing the Saxmundham road, which is a restringing. Part. Obviously, as we move further along the line to the east, we have the additional factor.

42:39

Yes. Oh, yes, temporary

42:41

lines. But yes, if we're, if we're

42:44

talking about this, thinking about this area here that we're talking about, where if this project did not proceed, and you needed to undertake major maintenance, then they will be doing this, you'll be doing the same thing effectively. Anyway, this is similar activities.

43:02

Could similar when you're gonna be on behalf of get? Yes, Mr. exhibit, we will be still doing the same. Providing same structures for restringing works and any operations that require removing anything above the lines.

43:15

Yeah, thanks. That's very helpful. That's just what I was wanted to get to get it get to in my mind, that's even without the current project, you might on occasion need to do that kind of works anyway, which is why you've got these ones, you've got to be able to do that.

43:32

Yes.

43:33

Thanks very much. Yeah. So Mr. Smith, you wanted to another point?

43:36

No, no, I'm unclear on that point. Now, I think all we need to do now is to allow Mr. Humphries to conclude any further introduction of material for Mr. Morrow, Nika, if that's necessary, and then return to Mr. Marnie, and allow him to address the points and then allow Mr. Humphreys a right to reply if needs be, okay.

44:02

Yes, sir. We were talking there. Obviously, about the the crossing of the text monlam Road, as we move further east and into the plot 116 proper, if I can call it that the main part of the that plot. Obviously, we have many of the same issues that Mr. Marwan Nika has just talked about, obviously, not the scaffolding, but the other issues about safety clearances, compounds needing to get access. But in that area, we also have obviously the extent of work number 40, which is the temporary overhead line works area and the potential for pylons to be moved temporarily within that area. And then obviously there's, there's there's also the areas further along outside Mr. Martinez land tag, which we don't really for these purposes need to deal with so, so do you do you want this to Morrow, when you could do to explain the thinking and the principles are exactly the same, but we now have the additional point that we know we need clearances and work areas for the construction of temporary temporary pylons and overhead lines going along new alignments,

45:46

essentially, given given the position that we've ended up in with Mr. Martin his most recent written submissions, and subject to what Mr. Mani may bring forward, when we returned to him. The the point that we need to be clear upon is essentially the degree to which any land take here has been reduced to the minimum necessary and therefore to be clear about the application of standard approaches and procedures that set out the geometry of the land requirement. I must say my, my understanding at present, and I will obviously give a very full and careful consideration to anything else that Mr. Mani wishes to put that leads me to, to a different view. But my view at present is that I'm completely clear

now on my guess the understanding around the derivation of the land requirement, bearing in mind the movement to the temporary alignment, and then the the construction of the final alignment. So the question to my mind, on your side at present is is is clear, Miss Mr. Rigby, you, you have a like mind, Barry, do you? Do you understand the basis and justification for and gets requirements as I set it out? I think probably the best thing we can do now is to is to hear is to hear from Mr. Marnie, because he obviously made points that haven't drilled into our brains yet.

47:29

Yes. And

47:30

if that's the case, then we need to we need to bring them out, flush them out and give Mr. Humphreys and Mr. Ma Nika a chance to respond. So, Mr. Mani

47:43

the floors at mica my effective person. So the last thing I want to do, sir, is to drill into your brain, I think that would be rather an unpleasant exercise for all of us. But the the the the dimensions of the scaffolding, which Mr. Humphries referred to, he referred to the length, but there are two dimensions, there's a 20 metre depth, and then there's the length. And obviously, the length needs to reflect the angle at which it crosses the road and basic geometry. But what I'm referring to is the depth, which is 20 metres, which is the east west dimension, which is the dimension which impacts on the residential part of the land. So the length isn't really the issue here. It's really the question of the depth of the scaffolding. Also, the the reference to the previous grant. And this, and the reliance on it is an argument for saying that, in fact, National Grid don't need these rights at all, it undermines the argument for the necessity for these rights. So, you know, if these rights aren't needed, because they've got them under the existing grant, and why are we having this debate at all. And the reason for that is the rights required, go beyond the existing rights, and therefore, it is legitimate to discuss the extent of those rights. So I really do think the reliance on previous deeds in the context of different words, and everything else is irrelevant to the decision here, which is about necessity, in terms of the rights required for this project. In relation to Mr. Maroni because comments in terms of this vast array of machinery and welfare facilities and everything else, which is somewhat extraordinary, I'm not an electrical engineer, but I'll take his word for it. Now, this is a vast field, it's 40 acres. And if you look to the east of the field, I'm not just stepped up a bit from this. I'm obviously not wishing despite my well known opposition to these projects, I mean, we are dealing with here with the very unfortunate consequences, these projects are consented. And my objective is simply to move the works as far away from the residential part of my property as possible. That's it The simply what we're talking about. And therefore, if one looks at the plan, and I'm not debating the eastern boundary of the plot 116, I'm debating the western boundary. And if you look at the eastern boundary, that is a vast tract of land in both to the to the, to the east and the North. And therefore, I do feel that there needs to be something more to justify the width of this land, particularly where it impacts the residential curtilage. But also, further up, and you'll, and you'll notice, obviously, the width to the west is big enough. that's to do with the the temporary realignment from pylons and Zedd expansion and Zed w 22. But again, it seems difficult for me to understand why quite so much land is required, and essentially what National Grid are

saying is, take our word for it. Well, I don't think that's good enough in these circumstances. And I'll finish that. Thank you, sir. Okay.

51:08

Thank you very much.

51:11

Thanks, Mr. Mariani. If we could go back to national grid, thank you, Mr. Humphries.

51:16

Yes, sir, I think just a couple of points arising there, I hope the 20 metres and the minimum 40 metres are clear to you the 20 metres is in effect the the extent that the scaffolding would need to go into land either side of the road, the 40 metres minimum is the effect the the length of that along the road, because that's what you're trying to protect. And the more oblique the angle, the longer the length, you have to protect in order to, to be able to catch anything, including the overhead line itself, if it were to, if it were to fall. The second point about the previous ground I dealt with is at ch. Two where it was briefly mentioned, it's clear to us that those rights were granted in connection with the original overhead line, what we do not want to do or what SPR does not want to do is to get into some argument at a future date that we are exercising rights that were granted for one line in connection with the diversion of that line granted under an entirely separate power. And therefore, we would say, Sir, it is entirely reasonable and indeed proper, that we should be granted those rights, even though there may be some extent to which the types of rights and the geographical extent of the rights overlap, the point I was making is that these types of rights have been granted over in fact, and five for a wider area in relation to the existing overhead line. And therefore what is being proposed by SPR here is not some new impact on a landowner that has not already been granted by the landowner, as far as the third point is concerned about the Western and the eastern boundary. So I'm just not sure that there's anything more that can be said about that. The the boundaries have been drawn in, as far as in our case, we feel is, is appropriate. It's obviously for SBR to talk to these things as well, but we think they've been drawn in as far as is appropriate to allow us the working areas that we need. And and, you know, insofar as you know, there are access routes, the ability to use access routes that were possible, you know, avoid, you know, use existing tracks and avoid any interference with the farm land. That doesn't mean of course, that we will at all times require or areas of of that land. This is exactly the point that Mr. Ennis was talking about. Before by identifying the areas we have that does give us some ability to try and avoid particular constraints or work with landowners which end get would always want to do in order to carry out works in the most appropriate way. So as far as we are concerned, those those areas of Temporary possession in part 116, and the other plots we discussed, are appropriate.

55:08

Thank you.

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Perhaps Now we could go to the applicant, please.

55:19

If they have anything further they wish to put on this matter. It is

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it is your application, sir. So I grant you the right to make submissions. Thank you.

55:30

Yeah, comments pop up can be very, very, very brief. In the context of what you've heard this morning, obviously, opposition is that we should be given the rights in terms of order to execute these works. And whilst we have liaised and worked with en jet in relation to the development of these proposals, who knows that could be regulatory changes and other parties come in, we need to have the powers to deliver this project in the integrated fashion that has been set out. And that is the way in which the project has been formulated. Insofar as the the debate about the extent of land, clearly, the applicants have had extensive experience in dealing with these matters. And it is against that background, that having worked within the order limits were set. And it is inevitable in relation to working over and width 400 kV lines that proper safety distances and working practices required to be adopted. And it is critical that we have sufficient land to enable that work to be undertaken safely. It is a major undertaking. And if we reflected that, and obviously worked heavily with Amgen to make sure that there is sufficient land to enable the works to be carried out safely. And of course, it is subject to the final design. And therefore, there is an extent to which some of the order limits expect the worst case movements either way. And we have to reflect that at the stage. When the final engineering design is fixed, we will then be able to determine within jet the extent to which land will actually be required for temporary possession. But again, at this stage of the process, we have done everything we can and we have during this process where we can limited and reduce the extent of the order limits. But in this context, and in respect of these works, we have not been able to do so because the land is needed. And it's not to say that it hasn't been examined. We have looked at it with NGOs in some detail. And it's against that background in our submission that the rights sought, are proper and reasonably and are required to enable the works to be conducted. Thank you. I've got nothing further to add. Thank you.

57:48

Thank you very much.

57:49

Just one very quick point for clarification, if I may, presumably, the communications protocols that you and National Grid have generally will mean that you'll be liaising with affected landowners and their agents as the design progresses, as you say, if you're able to close out areas around that you may or may not need in the final design, then that's something that you're able to communicate separately with those affected

58:20

as a gentleman. Yes, comments about Africa? Absolutely. And that is how these projects are delivered with those landowners that are potentially affected. Effective communication is absolutely critical. Okay, we also take on board as far as we can, comments that they've made and concerns that they have, insofar as we're able to within the design, final design parameters of the project. So absolutely be full on effective communication.

58:48

So in and just again, respect to the points that Mr. Maroni made in his deadline, seven submissions, it would help us if you're able just to address those briefly at deadline eight respond to those. It looks to me as if several of them just simply asking you to confirm that his understanding is correct. I think I'm relating to hedge rows. In particular, I'm thinking what is a concern possibly that the powers are available or may not need to be used?

59:21

Call us and certainly, we would wish to make we have responded after the last set of hearings and we will respond to those specific comments at deadline.

59:31

Thank you very much. That's that's very helpful. And now we're coming to the third point and the monster item that is item five a and I'd like to bring in Mr. Smith here in respect of operational Landon landscaping at the National Grid and E standards substations site, Mr. Smith, thank you.

59:52

Thank you very much, Mr. Rigby. Now we're we're we're moving a little down to the core of The first connection point site here. Essentially what we're trying to assert, and is that we have absolute clarity about the need for land and or rights in relation to the construction of both the anger facility and the Scottish power facilities on that land. Now, we note submissions from the applicants or deadlines six, and I'll refer particularly to rep six hyphens 059 and n get, and again, I'll be referring to rep six hyphen 110. And these were responses to our second round version questions e x q 2.0. point one, the first question the x q table, and the x keys can be found at reference PD, hyphen, 030. And there has also been a related submission from the Suffolk Council, which is rep six hyphen 079 that responded to the second question in our E x q table and say CS, as well, and is engaged here in the deadline seven Rep. Seven, hyphens 088. It raised responses to the submissions that I've just referred to above. So firstly, I wanted to turn to and get and drawing attention to that se C's submission deadline seven rep seven hyphens 088. argument was put around the operational land requirement there by Stacy's? Can I ask to what extent you agree with or indeed and disagree with the position that was put there and factor that into include your reply to XQ 2.0? point one, please.

1:02:17

Yes.

1:02:19

I just need to try and get that up on.

1:02:22

I'm perfectly happy for you to take as much time as you need. I'm hoping we're hoping through through detail here.

1:02:31

Do you want to summarise what the point is? I've got it on screen, but rather than me reading it, unfortunately, I haven't got it printed out. There is a point on the Encyclopaedia of planning law land, which is used for carrying out the undertaking. Oh, sorry. This is the point about whether it's operational, whether it's

1:02:50

operational land or not operational land and also the degree to which you have minimised that which is operational land. I mean, where we ended up, I think, after the second compulsory acquisition hearing was the view that there need be no more operational land than the minimum. And, and that that was that was a clear submission that was made by yourselves. But But essentially, here, what we're trying to do is to nail the jelly of what is minimum, and and then and I'll flag this up having referred to the Suffolk Council, rep six, hyphens 079, we're going to try and nail down the degree to which there is any remaining justification for Amendments of or removal of permitted development rights, because they are still of the view that those rights or be removed that there is an inverted commas a risk that a greater extent of land might be become operational, then there is a strict operational justification for and because of that, they are seeking the removal of permitted development right. So so that bundled in with with this complex of issues, Are we clear?

1:04:12

Yes, sir. I mean, in relation to the point, first of all, about operational land, I think, I think the simple point there is, as I explained that compulsory acquisition hearing to we only require that land, whether it be freehold or indeed any other interest that we require for the development we're not seeking or indeed expecting any wider area of land to be given to us and therefore, as far as we're concerned, the operational land will be the land that we require for the substation and the ceiling and compounds will obviously have other rights. But that's it. Slightly, you know the cables and so on, but that's a slightly different point.

1:05:04

This is where Stacey's seem to disagree with you and, and and the point that we would really quite like to test at point three of their rep seven hyphens 088 submission, they refer to operational land not being necessarily limited to land within the finish substation compounds. I'm summarising here, it is capable of extending to any land which is acquired and held for the future purpose of carrying on the undertaking, which, which of course, could potentially be a more generous extent of land and could give you a broader right to do a much broader range of of use and development than maybes is currently envisaged.

1:05:51

Yes, but so that comes back to my point, obviously, this is not our DC we have no acquisition rights here, there is a very large area of ping planned to, you know, in the area of the substation, and the ceiling end, compound. And we, we clearly, for our substation do not require all of that land, we require the land on which we want to put the substation and the ceiling and compounds and so on. And as I explained last time, we're anticipating that we will be given sufficient land for those purposes. But, you know, on on, on, on that general question of, of, of one, that's really not, not for us, it's not our it's not our DC go, I think on the related points of the permitted development rights, I mean, that is very

important to us. And you will have seen that we've responded in the document, you refer to rep 6110. on that. And so it's not hard to see why why we would push back very hard against that this is a piece of hugely important national infrastructure, you know, if the department consent is granted, it's a substation that will connect in an electricity generator offshore generator to the National Grid, if, you know, there was some incident or some, you know, a fire or something, you know, that happened at the substation that knocked out part of the facility, it will be absolutely essential that national grid could replace that as quickly as possible. And, you know, the, the public who wants to use electricity might not understand if we then had to go away and apply for planning permission to a Suffolk Council in order to, to carry out some essential piece of work. That's one of the clear reasons why parliament has given us those powers. And so we would say Indeed, we did say in that response 110 that Parliament hadn't given us as a utility company, those powers that should not be taken away, sir save, you know, for the clearest of of reasons and And to be perfectly frank, the the points made by others in relation to that don't even scratch the surface. There is no reason for us to lose our permitted development rights here.

1:08:50

Okay, well, that's reasonably clear. And that takes into account that the position that has been advanced by sociis at deadline seven, so I'm going to provide the applicants with the same opportunity to respond to those points. Then of course, given this is in substantial part safeties point I will hear from them, and then we will return via and get if necessary, but principally to the applicant for a right of reply on points. Right. So the principal questions to the applicant and particularly focusing on the response to the SE C's deadlines, certain document, please.

1:09:33

Cool. So half the applicant. One match before I start, sir, is is that I don't think cc's are technically at this here.

1:09:43

We do have

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a dress tomorrow, Scott and jets position. And I was just I think I saw Mr. Montes Hang on. I certainly don't want to take advantage of a situation where safeties aren't here. When we should Have you have that debate when Mr. Mani perhaps could confirm whether it's intended that cc's will be represented at tomorrow's decio? Hearing?

1:10:10

I'm grateful for Mr. and assess that that's precisely the point I was going to make. I'm not I'm here in a personal capacity today for any confusion, but we will we will we are planning to raise this issue at tomorrow's hearing, where we'll be represented by Mr. Attorney. And it was Mr. Attorney that as you'll see who drafted our deadline seven submissions. So I feel somewhat exposed without counsel here

1:10:34

discusses that is an extremely good point. And I'm actually grateful to Mr. Innes as well, for kind of directing us on that point. You're both Right. I mean, we had a dilemma, I guess hearing that we had a reason to, to ask and get to come to this hearing specifically, and they have come and they have input into that matter, we've now heard them, I think probably the best and safest way forward and given that Stacey's will be properly represented tomorrow by counsel, is then to kind of put a set of parentheses around this to stop and say that unless there's anything else that and get very specifically want to put bearing in mind that we expect they will not be present tomorrow and that we will stop this item and we will come back to it as a decio item where all parties are properly represented with counsel, etc. So is there anything else that anger need to say? No, sir. That was brief. Okay, and is that cause of action agreeable? Firstly, Mr. Mani, you are in your personal capacity, but your content that that's the way we will deal with it.

1:11:54

That's very simple. Thank you very much.

1:11:57

And the applicant raised the suggestion so I'm sure they won't disagree. In which case, that item is closed off essentially adjourned part heard to tomorrow. So that brings us to 1pm where we would normally take a lunch break in any case, so conscious that we are making somewhat glacial progress through item five. The next item of item five is item five, a four but we will return to that after the lunch break, which I propose to take now. And ladies and gentlemen, we will resume at 2pm to 2pm. Ladies and gentlemen, thank you very much