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FULL TRANSCRIPT (with timecode)

00:00:05:05 - 00:00:35:18

Good morning and welcome. It's now 10:00 and I'm starting this preliminary meeting for the application made by a criminal New energy limited for an order granting development consent for the sharing of Sure. And such an offshore wind farm extension project. The examining authority will take turns to introduce ourselves fully in just a few minutes. But just bear with me while I deal with a few housekeeping matters. Can I check with the case team if you can hear me all the way back to the room?

00:00:38:00 - 00:00:46:09

Yeah. Thank you very much. Could you also confirm if the meeting recordings and livestream have started? Super.

00:00:48:03 - 00:01:16:09

Ms.. Haraway, are there any requests for reasonable adjustments or arrangements to enable participation? No, thank you. Okay. There are no fire alarm drills today. If the fire alarm sounds, please exit the building by the main entrance or one of the exits to the left and right of the room and congregate in the car. Car park in front of the main entrance. Toilets are located to the right as soon as you exit this room.

00:01:18:04 - 00:01:47:13

Okay, so on to introductions. I am Ms.. High. I have been appointed by the Secretary of State for levelling up housing and Communities as a lead member of the examining authority to carry out an examination of the above application. The examining authority's appointment letter can be found in the examination library with reference number PD, Dash 005 and handover to other members of the examining switch. Two Introduce themselves. Mr. Rennie, could we start with you, please?

00:01:49:08 - 00:01:57:11

Good morning. I am Mr. Rennie, a planning inspector appointed by the sector state. For this examination, I shall be leading on agenda item two.

00:01:59:18 - 00:02:09:15

Good morning. I'm Mr. MacArthur. I've been appointed by the Secretary of States to be the member of inspectors to examine this application. And today I will be leading on agenda item three.

00:02:11:22 - 00:02:22:07

Okay. Thank you. And good morning. I'm Mr. Manning, and I'm leading on agenda item four. And obviously, as with the other panel members, I've been appointed by the Secretary of State for the examination. Thank you.

00:02:24:00 - 00:02:31:23

And finally, I'm Mr. Wallace. I've been appointed by the secretary of state to this examination panel, and I'll be leading on agenda item five.

00:02:34:19 - 00:03:09:13

Thank you. I can confirm that all panel members have made a declaration of interest responding to the planning inspectorate's conflict of interest policy. And I can also confirm that none of us have declared interests in relation to this appointment. Also present today, members of the case team. Our case manager is Ms. Louise Haraway. Ms. Haraway is supported by Ms. Tracey Williams here at the venue and by Ms. Prior and Ms. Phoebe Challis Online. If you have any questions about today's event, please contact a member of the case team.

00:03:11:00 - 00:03:45:10

The Audiovisual and Internet Service today is provided by a team led by Mr. Ron Ross. Right. That's the team on our end. Turning to attendees today. First, I want to acknowledge and welcome those who are joining us on Livestream. Welcome and thank you for joining us. I would like to start with introductions from attendees, and what I suggest we do here is that I call out the name of the team and if and I suggest all the members of that team present in person, introduce themselves first, followed by the members of the team who are present virtually.

00:03:46:15 - 00:03:59:05

I will then turn to individuals and ask for their introductions. So my running order today is likely to be the applicant's team. First, Norfolk County Council. North Norfolk District Council.

00:04:01:12 - 00:04:33:04

South Norfolk District Council. National Highways Environmental Agency. Cawston Parish Council. Aughton Parish Council. Norfolk Parishes. Movement for an offshore transmission network. Mr. Mark Wanted. Ms. Alison Shaw. Mr. Derek Aldis. Mr. Marai travelling from Dutch Ministry of Infrastructure and Water Management. Is there anybody else here who I've not named and who wishes to introduce themselves?

00:04:36:16 - 00:04:48:03

I don't see any hands on the screens or in the room. Right. So if you can start with the applicant's team, could I just request everyone before when you start speaking, start with your name and the organization you represent.

00:04:51:17 - 00:05:06:23

Good morning, madam. My name is Julian Boswell. BMC will be the partner and solicitor with Burgess Salmon LLP. We are representing the applicant Ecuador Energy Limited and the others sitting at the table will introduce themselves now.

00:05:10:09 - 00:05:14:11

Good morning, Jenna. Well, I'm also a solicitor at seven.

00:05:17:11 - 00:05:22:07

This morning I'm Sarah Chandler, development and consents manager for the applicant to Equinor.

00:05:24:22 - 00:05:32:00

Good morning. My name is Carrie Haggard. Mark, and I'm project director for the project, and I'm representing Equinox.

00:05:38:15 - 00:05:42:00

Are there any attendees from your team online who'd like to introduce themselves?

00:05:43:08 - 00:05:46:23

I don't think they need to introduce themselves, if that's all right with you.

00:05:47:00 - 00:05:53:17

That's absolutely fine. Yes. Okay. We will then. North Norfolk County Council.

00:05:55:12 - 00:05:57:19

Sorry. Apologies. Norfolk County Council.

00:05:58:24 - 00:06:12:00

Thank you. My name's Stephen Faulkner. I'm principal planner at Norfolk County Council and lead officer on responding to nationally significant infrastructure projects. Well, let my colleague introduce itself.

00:06:13:09 - 00:06:16:01

Naomi Chamberlin, Norfolk County Council senior partner.

00:06:17:24 - 00:06:19:22

Can you repeat your name again? Chamberlain.

00:06:25:08 - 00:06:27:03

North Norfolk District Council.

00:06:28:02 - 00:06:31:23

Good morning. One fifth line on the development manager at North Norfolk District Council.

00:06:35:13 - 00:06:37:07

South Norfolk District Council.

00:06:41:11 - 00:06:52:08

Good morning, madam. I am Claire Curtis and I am representing South Norfolk District Council, but also Broadland District Council.

00:06:53:24 - 00:06:58:00

And I am the Arrow team manager and the lead officer for the asset.

00:06:59:01 - 00:06:59:16

Thank you.

00:07:07:14 - 00:07:11:00

Okay. Do we have an attendee from National Highways?

00:07:15:09 - 00:07:24:08

Yes, I'm corporate general counsel for National highways and our person. That's my colleague. So who you will introduce himself also.

00:07:28:19 - 00:07:33:19

Good morning. This is Shanksville Hook from special planning team national hi res.

00:07:37:00 - 00:07:37:16

Thank you.

00:07:40:08 - 00:07:41:13

Environment Agency.

00:07:43:04 - 00:07:46:03

Thank you, madam. Good morning. I'm Baltimore's Taylor.

00:07:46:05 - 00:07:47:19

I'm the lead officer for the.

00:07:47:21 - 00:07:49:10

Environment Agency and responding.

00:07:49:12 - 00:07:50:02

To this.

00:07:50:04 - 00:07:50:19

Application.

00:07:53:14 - 00:07:56:23

He caused an parish council.

00:08:00:20 - 00:08:05:15

Good morning. My name is Chris Monk. I'm representing Colston Parish Council. Thank you.

00:08:07:06 - 00:08:10:16

Thank you, Mr. Monk and Alton Parish Council.

00:08:11:16 - 00:08:15:13

Good morning. Susan Mather, Chair, Alton Parish Council.

00:08:22:03 - 00:08:24:04

Is there anybody else from Alton Parish Council?

00:08:25:16 - 00:08:31:18

Good morning. My name is Allison Shaw. I'm here as a resident, but also as an ultimate councilor.

00:08:32:09 - 00:08:33:01

Thank you.

00:08:34:23 - 00:08:35:15

Okay.

00:08:37:15 - 00:08:41:00

Norfolk Parishes Movement for an Offshore Transmission network.

00:08:43:06 - 00:08:47:08

I'm Jonathan Betts. I'm representing the Norfolk Parishes movement.

00:08:49:17 - 00:08:50:17

Or transmission network.

00:08:51:11 - 00:08:54:10

And I'm Sandra Betts, and I also represent things well.

00:08:55:01 - 00:08:56:03

Okay. Thank you.

00:08:59:01 - 00:09:00:03

Mr. Mark it.

00:09:12:18 - 00:09:17:12

Mr. Want it. Could you just repeat the names of the people you are representing here today?

00:09:18:05 - 00:09:18:23

What to be.

00:09:23:19 - 00:09:32:08

Thank you. That's what I've got here. Okay, Mr. Ocean? Sure. I know you're representing yourself as well, but you've introduced yourself already. Okay.

00:09:35:03 - 00:09:36:04

This Eric Holder's.

00:09:39:13 - 00:09:42:14

Good morning. My name is the Recorders. I'm here as a resident.

00:09:46:20 - 00:09:47:10

Okay.

00:09:58:21 - 00:10:00:10

Miss America, Earthling.

00:10:04:20 - 00:10:17:11

Good morning, Madam Earthling. I am here for the Dutch Ministry of Infrastructure and Water Management, and I want to follow part of the meeting today and the proceedings for the Netherlands.

00:10:20:15 - 00:10:29:07

Thank you. I think I think that completes introductions. If there's anybody else who wishes to introduce themselves and hasn't done so already.

00:10:31:18 - 00:10:33:06

Okay. I don't see any hands up.

00:10:34:22 - 00:11:08:05

Great. So before I hand over to my colleagues who will set out our proposed approach to how we intend to examine this application, I would just like to make four points about today's preliminary meeting. First, just a few words about the purpose of the meeting. Our main purpose here today is to discuss how the application should be examined and the process, and only that it's not the substance of the proposed development or the merits of the scheme. The preliminary meet. The preliminary meeting is your opportunity to influence that process that we intend to follow.

00:11:08:19 - 00:11:18:15

Discussions and representations about the merits or disadvantages of the proposed development. For the examination itself, which will begin after the close of the preliminary meeting.

00:11:20:03 - 00:11:57:05

Second, a few words to acknowledge the format of the event today. This is a blended event. It allows attendance both in person and virtually through Microsoft teams. It's expected that both blended events and fully virtual events will be the operating model for Planning Inspectorate going forward. Now we've examining authority are attending this meeting from Norwich, as are several other attendees for those attending virtually. Please be rest assured that you do have our attention at all times, even though we may not be looking at the camera to avoid visual and noise distractions.

00:11:57:08 - 00:12:01:15

Please keep your cameras and microphones off unless we invite you to speak.

00:12:03:22 - 00:12:35:00

We will take a break around 11:30 a.m., but only if it seems that this meeting will go on much longer than that. Virtual Attendees. If you decide to leave the meeting during a break, if you do take a break, then you can rejoin using the same link provided in your email. If you're watching the livestream, then please refresh your browser to resume each subsequent session. The third point is about general data protection regulation GDPR. This event is both being livestreamed and recorded.

00:12:35:19 - 00:12:51:05

The digital recordings that we make our retained and published and they form a public record that can contain your personal information and to which general Data Protection Regulation or GDPR applies. The planning Inspector's practice is to retain

00:12:52:24 - 00:13:37:11

and publish the recordings for a period of five years after the date that the Secretary of State has made that decision. Consequently, if you participate in today's preliminary meeting, it is important that you understand that you will be recorded and that you are therefore consenting to the retention and publication of the digital recording. It's very unlikely that the examining authority will ask you to put your personal and private information in the public domain. Indeed, we will encourage you not to do that. However, if for some reason you feel that it is necessary for you to refer to sensitive personal information, we would encourage you to speak to a member of the case team and in the first in the first instance, and then we'll explore with you whether there's a way for you to submit that information in writing.

00:13:38:05 - 00:13:40:23

And so that can be redacted before it's published online.

00:13:43:05 - 00:14:17:11

The fourth and final point is about the proceedings and the conduct of this meeting to ensure that we are able to finish the business of the day on time. Please keep your representations brief and to the point when invited to speak. Please introduce yourself by name and if relevant by organisation, please repeat your introductions each time you start speaking. This is important for transcripts, recording and the livestream and both for the benefit of the examining authority and for other parties. We do expect courteous behaviour at this meeting and indeed at all hearings.

00:14:17:18 - 00:14:39:09

Please be patient. I'll wait for you. Turn to speak and do not disrupt or interrupt proceedings. Repeated interruption or disruption of the preliminary meeting after first warning is in principle deemed to be unreasonable behaviour. Please be aware that an award of costs can be applied for and made against a person who is behaving on reasonably.

00:14:42:03 - 00:14:50:12

The examining authority can and will ask for you to be removed from the meeting room and from Microsoft teams. Should disruption continue after two warnings?

00:14:53:00 - 00:15:05:08

Does anyone have questions about the four points that I've just covered? The purpose of the meeting, the blended event, GDPR and conduct at the meeting. Please raise your hand here or use raise your hand function on Microsoft teams.

00:15:09:01 - 00:15:14:20

Okay. I don't see any hands up. So, Mr. Rennie, over to you for agenda item two.

00:15:17:08 - 00:15:57:23

Good morning. I will now provide a summary of the examination process. This is set out in Annex B to our Rule six letter of the 13th of December 2022. Please do read this carefully if you haven't already. Before we get into the examination process, I want to say a bit about what has happened so far in the pre examination period. One The examining authority has read the application documents to understand the proposed development and its effects. Two. In order to familiarize ourselves with the element with elements of the application, we have undertaken unaccompanied safety inspections of the route and specific locations in the surrounding area.

00:15:58:00 - 00:16:14:22

In November 2022 and again yesterday, a short note of the locations we visited the time of day and weather conditions is published on our. On the Planning Inspectorate, national infrastructure projects, web pages. And we will keep this up to date throughout the examination.

00:16:16:17 - 00:16:57:07

Three. We have read all relevant representations received so far with parties to express their view about the proposed development. We have also received a few late submissions which the examining authority used its discretion to accept, and these are listed as additional submissions. This was all during the pre examination period which started after the Secretary of State accepted the application into examination. On the 3rd of October 2022 and ends today. Now in regards to the legislative and policy framework, this application is for a nationally significant infrastructure project or INSET under the Planning Act 2008.

00:16:57:09 - 00:17:30:02

Pursuant to Section 14, subsection one A and Section 15, Subsection three of the Planning Act 28, the proposed development includes an offshore generation generating station, and its generating capacity is more than 100 megawatts. The designated overarching national policy statement for Energy and PCN one and the National Policy Statement for Renewable Energy Infrastructure and PCN three applies to this examination and to decision making relating to this application.

00:17:30:22 - 00:18:03:06

Examining the examining authority will consider the proposed development in accordance with the NPS, N1 and N3 and any other applicable policy or considerations. Examination, examining authority deems to be important and relevant. Besides the Planning Act 2008 examination procedure goals governing some of the aspects of the proposal of the process, you will hear us referring to the Rule six letter or rule 13 notification or rule 17 request. These are all rules set out under the examination procedurals.

00:18:04:11 - 00:18:38:00

These can be found on legislation dot gov UK website and the link is on the Planning Inspectorate website. In regards to the examination process, the examination of this nationally significant infrastructure project will commence once the planning meeting has been closed. Since the examination process is primarily a written one. Representations made in writing carry equal weight

with any representations made orally. Examination will take an inquisitorial approach as opposed to an adversarial one.

00:18:38:18 - 00:19:09:01

Section 90, Subsection one of the Planning Act 2008 states. The examination of the examining authorities examination of the application is to take the form of written representation about the application and quotes. There will also be hearings, but they should be understood as building on the foundations of the written submissions. So interested parties should seek to engage fully throughout the written process rather than think they can wait for a particular hearing for the opportunity to influence the proceedings.

00:19:10:11 - 00:19:42:18

The examining authority takes the lead in establishing what is important and relevant to the decisions to the decision which the sector state needs to take. So we shall be looking for evidence of what is important and relevant testimony and evidence put forward to see how robust it is. At the conclusion of this examination, we will provide a recommendation report to the Secretary of State for Business, Energy and Industrial Strategy, who will consider the evidence and review our recommendation before the final decision on the application.

00:19:44:11 - 00:20:15:04

The recommendation report will have on its core a recommendation as to whether the draft development consent order, even in its current form or as amended during the application examination, should be approved. It will also contain record recommendations on what land should be subject to compulsory acquisition if the Secretary of State approves the DCO. Even if you do not recommend that consent should be given, we are required to still put forward what we consider to be the most appropriate DCO to the Secretary of State.

00:20:17:10 - 00:20:27:07

So if the secular state goes against that recommendation. The important point is that all matters relating to the draft DCO are integral parts of this examination.

00:20:28:21 - 00:20:35:07

Does anybody need clarification on these general matters around the examination process that will not be covered by later agenda items?

00:20:40:15 - 00:20:41:05

Okay.

00:20:42:12 - 00:21:16:17

The final point to make is about you and participating in the examination. This has been explained in some detail in the rule six letter and in the planning Inspectorate's document. What is my status in the examination? However, I want to acknowledge the status of some specific participants here. Most people, even because they hold interest in in land, is within the proposed order limits or because they have submitted a relevant representation or because they are a statutory body or because they are statutory undertaker, are considered interested parties.

00:21:17:07 - 00:21:47:24

Most people present today are here because they fall into one of those categories. However, the examining authority has made a few procedural decisions relating to parties who have been invited to participate in the planning meeting, even though they do not fall within any of those categories. Mr. Wallace will cover this in detail under agenda item five. As part of the procedural deadline submissions received on the 5th of January 2023. We have not received any request to speak to this current agenda item.

00:21:48:08 - 00:21:59:15

However, I would like to invite any comments first from parties here and then from the applicant on this agenda item. So firstly, is any comment anyone wants to make from any of the parties?

00:22:03:05 - 00:22:04:13

And conceding hands.

00:22:06:04 - 00:22:08:14

Okay. And anything from the applicant.

00:22:11:05 - 00:22:17:17

But okay. So I shall hand over to Mr. McCarthy to take us through agenda item three.

00:22:20:21 - 00:22:31:11

Thank you. So turning to agenda item three. It would be useful at this stage to have Annex C of our rule six letter on screen for this item, please, if the case team could share that. Thank you.

00:23:26:19 - 00:23:46:17

While we wait for that to come on to perhaps with you there we are. Perfect timing. So if your technology doesn't allow you to see the list on the screen, clearly you can find it as Annex C to our Rule six letter, which was published on the 13th of December 2022.

00:23:48:12 - 00:24:18:19

Section 88, subsection one of the Planning Act 2008, as amended, requires the examining authority to make an initial assessment of the principal issues arising on the application. For those of you who have a copy of our Rule six letter, please now turn to Annex C, which sets out our initial assessment of the principal issues. This list will provide a framework of issues for the examination going forwards, though it does not preclude us from amending the list by the removal or addition of issues at a later stage in the process.

00:24:20:23 - 00:24:54:23

Since the list of principal issues is visible on screen for those attending this meeting in person and at Annex C of the examining authorities Rule six letter, I do not propose to read through the items identified as principal issues at this stage. You may, however, wish to note the following Firstly, that the principal issues have been compiled largely alphabetically and not in order of importance. Second, that this annex is neither a comprehensive nor an exclusive list of all principal issues. It's an indicative list as we start the examination, but it does not determine the scope of the examination.

00:24:55:13 - 00:25:11:21

It will inevitably the case be the case that other relevant issues will arise during the course of the examination. Those other issues will be considered and examined thoroughly when that happens. Equally issues currently on the list may turn out to be not as important as they appear to be now.

00:25:14:02 - 00:25:15:17

All coming on to

00:25:18:00 - 00:25:50:23

parties here who wish to speak on this agenda item. We have five requests to speak, as I understand it, and we will hear those in turn shortly. The examining authority may have questions and I will give the applicant a chance to speak at the end. This agenda item. By inviting you to speak. Please remember that we are not here today to discuss the merits of the application and we are not seeking submissions

of that kind. There will be opportunities for all parties to make those types of submissions as part of the detailed examination of the application, which commences after the preliminary meeting.

00:25:52:07 - 00:26:13:18

At this stage we are seeking submissions from interested parties who have any additional issues which they think might or should affect the structure of the examination. With that in mind, I now invite submissions with a further reminder to all parties. To introduce yourself before you begin your submission indicating whether you are representing an organisation and if so, what its remit is.

00:26:15:11 - 00:26:26:19

So I will come first to the representative for South Norfolk District Council and Broadland District Council, which which I understand to be jointly represented by one individual today.

00:26:29:09 - 00:26:31:00

And I believe that's online.

00:26:33:12 - 00:26:34:06

Good morning, sir.

00:26:36:12 - 00:26:38:20

Good morning. Can you introduce yourself, please?

00:26:38:23 - 00:26:46:03

Yes. My name is Clark Curtis, and I am representing, as I say, both South Norfolk District Council and Broadland District Council.

00:26:47:14 - 00:26:53:04

Thank you, Ms.. Curtis. Please not tell us if you have any points that you wish to raise on this agenda item.

00:26:54:07 - 00:26:56:10

Not. Not at this time. Thank you very much.

00:26:58:13 - 00:27:02:13

Thank you. Coming, then to Alton Parish Council.

00:27:09:01 - 00:27:12:14

Good morning. I wasn't sure. Elton Parish Council.

00:27:15:14 - 00:27:20:05

We have three general points that we would like to make sure very briefly.

00:27:22:09 - 00:27:52:10

The first one on item three principal issues, as this is the fourth offshore wind farm project affecting Norfolk. Cumulative impacts of this project, taken in combination with the construction of all the other consented projects, will have to be considered during the examination of every relevant issue. Examples of such issues are in sections one five, eight, 12, 15, 19, 21 and 22.

00:27:53:05 - 00:28:11:01

Ultimately, Council will be grateful for clarification as to whether the examining authority is intending to include such consideration of cumulative impacts of other consented offshore wind farm discos in this examination. Shall I go on to the second point?

00:28:12:16 - 00:28:14:09

Yes. Please go through all of your points.

00:28:15:17 - 00:28:51:08

In principal issue one, we seek clarification on whether viability of the grid connection would include consideration of an alternative connection point, e.g. Whirlpool, Ocean PC have urged the applicant for well over two years to renegotiate their grid connection before they submitted for a DCO to a less damaging site that they have refused to consider this. This is why we have asked Tariffication on whether that might be included by the panel in their examination.

00:28:52:07 - 00:29:25:02

Point three Further to the above. We believe it to be imperative now in the interests of transparency to compel National Grid to engage publicly with this sensitive process, to attend hearings and to be asked to explain in open forum why such a great allocation cannot be renegotiated in the light of current circumstances. With the agreement of both sides, the stakes are too high now for local communities along a third 60 kilometre cable trench for this avenue not to be explored.

00:29:25:10 - 00:29:26:00

Thank you.

00:29:28:21 - 00:29:38:06

Thank you, Mr. Shaw, for those points. Rest assured that the examining authority is aware of the points you raised, has noted them

00:29:40:08 - 00:29:52:02

and will respond appropriately in due course. Coming on now to. Well, before I move on. There you have another representative with you, promote and parish council. Do they wish to raise anything else?

00:29:53:17 - 00:29:56:03

I think we've covered all our points. Thank you very much.

00:29:56:15 - 00:30:00:15

Thank you. I'm coming on then to Mr. Aldous.

00:30:03:21 - 00:30:38:01

Thank you. Thank you, sir. Derek Aldous, President. Two points. Firstly, a number of representations have been made in the IP registration stage, and then further points were made for procedural deadline day. And I understand the applicant will respond to those points at deadline one. And so we may or I may wish to come back again after seeing those responses. If there's line one and I don't intend to repeat what's already been submitted. Other than that, I think the points I wish to raise have already been covered by previous speakers.

00:30:38:12 - 00:30:39:02

Thank you.

00:30:40:22 - 00:30:41:21

Thank you, Mr. Augustus.

00:30:43:16 - 00:30:50:15

Finally, for now, then to the representative for Mr. Clive Hay Smith, Mr. Paul Middleton and Priory Holdings Ltd.

00:30:53:17 - 00:31:32:14

I'll call it Art in management for client easement, Paul made a temporary Holdings Limited, so the assessment of principal issues covers all the issues broadly that we think should be covered. However, noting what you say about the list being non comprehensive, nevertheless, under the compulsory acquisition and temporary possession heading, we think another important issue that the examining authority should consider is the endeavours to address impact on a volume of endeavours to to address impact on the affected parties and reach agreement by negotiation through negotiated settlement.

00:31:33:13 - 00:31:46:20

And in these circumstances, this particular importance around that, given the flexibility the applicant is seeking in regards to sequential construction and potential impact on temporary possession powers.

00:31:50:00 - 00:31:54:04

Thank you, Mr. One. That is noted as well. And.

00:31:55:23 - 00:32:27:17

Before I come to the applicant. And does anybody else present wish to make any comments? I see some hands raised in the room, so I will come to you. Please proceed. And please remember to introduce yourselves before me. Thank you. I'm Jonathan Betts. I'm representing the Norfolk Parishes Movement for an Offshore transmission network. And Madam Chair, panel, I would like to draw your attention to what is a serious omission from item three of the agenda for this meeting.

00:32:27:19 - 00:32:44:24

The initial assessment of principal issues. Alexy Point one of the rule six letter sets out the principal issues to be examined by this examining panel, and the list does not appear to include any consideration of alternative grid connection sites.

00:32:46:19 - 00:33:19:11

The applicant has failed to address or even acknowledge this in any of the documentation supplied with the DCO application. They have merely referred to the NGO asylum process, which resulted in an offer of connection to the Grid Norwich Main. The entire DCO application has been predicated on this offer and the problem with this course is that the sign on process is focused on the optimal economic solution for national grid.

00:33:19:21 - 00:33:53:08

With very little consideration of the impacts on communities or the environment. Whatever the rationale provided by National Grid for their offer in 2019, and we do feel that they should be held to account for it. It should not be allowed to dictate the onshore path of the cables from the seven debt projects without comprehensive justification by National Grid and by the applicant who accepted this island offer and rigorous scrutiny by this examination panel.

00:33:53:14 - 00:34:22:04

Mr. Betts, can I stop you there for a moment? A reminder that we are not going to be looking at the merits examinations. So I understand the point that you've made and the principle issue which you believe should be addressed. That is not notes. Are there any other principal issues that you think should should be addressed within this agenda item? But we'd like to avoid discussing the merits of the examination. We are not in the examination yet.

00:34:23:18 - 00:35:00:17

The point with respect to the point that I was making was that the there has not actually been at that point not actually been included in the in the documentation. And I think it should be. And that was the point I was making that that is noted and the examining authorities aware of the this point having

been noted in a number of relevant representations as well. I'm so do rest assured that we are aware of the issue and your points are duly noted. Could I just add as well, I would like to make clear representation of written representation to the examination as well on this subject.

00:35:03:23 - 00:35:20:06

Thank you. If there are, then no other items or any other parties that wish to raise any matters on this agenda item. No see, no hands on screen. And I see nobody else in the room that wishes to make any comment. So I will come then to the applicants.

00:35:25:21 - 00:35:32:19

There is a hand on the screen. So there is a hand on screen. Thank you. I have no idea who it is.

00:35:35:03 - 00:35:36:08

From national highways.

00:35:36:17 - 00:36:17:24

This is a junction from national highways. I like to just to inform the audience of participants here planning a team or the consultant team for the developers. They are aware of national highways on major projects. So in addition to the number of offshore wind farms in this area, there are national highways. Three major projects already decided a 47 Mott Garden home to Euston, A47 11 take on Junction A47 Blofeld to the not bulling home on that that three items I'd just like to inform the audience does it.

00:36:21:04 - 00:36:23:11

Thank you very much. Those points are noted as well.

00:36:25:14 - 00:36:33:19

And if you have major points. Please take your hands down from teams to avoid me getting more confused.

00:36:35:09 - 00:36:39:18

And just before we come to the applicants, I will pass back to Mr. Hyde.

00:36:41:13 - 00:36:52:22

Just a couple of points, Mr. Hug. The projects that you've just mentioned, with respect to which item in the initial assessment of principal issues, do you feel that's relevant? Is it with this.

00:36:53:18 - 00:37:07:09

Is just an just an address appraised by the parish council, our speakers that she mentioned about the four other offshore events. But we just want to highlight there are already three other major projects.

00:37:11:00 - 00:37:12:01

The cumulative impact

00:37:13:23 - 00:37:14:18

of the cumulative.

00:37:14:20 - 00:37:18:06

Impacts assessment when we are considering the other items.

00:37:18:23 - 00:37:41:23

Understood. Mr.. Thank you. That's very helpful. And just one point to make a general point to make about compulsory acquisition is that the points relating to compensation are not within the scope of

this examination. So this is just a general point to everyone, which is why you will not find it in the initial assessment of principal issues. Another point, just about,

00:37:43:12 - 00:38:12:10

you know, as we've said already, that the list is not exhaustive. However, when you see our list of written questions, you will find a lot of issues that you've brought up today will be covered. And and as Mr. McCarthy has said, that there are some of these items which will fall away by the time we close the examination. Some, of course, will take more priority and that will become more evident through written submissions or written questions and of course through

00:38:13:23 - 00:38:18:08

hearing agendas and so on. I'll pass back to Mr. McArthur. Thank you.

00:38:19:03 - 00:38:28:21

Thank you, Mr. High. So then coming finally to the applicants, would you like to make any comments on any of the matters that have been raised on this agenda item at this stage?

00:38:30:20 - 00:38:41:13

Julian Boswell for the applicant. We don't have any independent comments on the principal issues list and we don't have any response to the points that have been made in this section of the agenda.

00:38:43:20 - 00:39:02:24

Thank you, Mr. Boswell. So it just remains for me to close off this agenda item by thanking you all for your participation today. It is not the examining authority's intention to take any procedural decisions today, but we have listened to and will consider the comments made by all parties.

00:39:04:14 - 00:39:08:21

I will now hand you over to Mr. Manning to continue with item four of our agenda.

00:39:11:04 - 00:39:31:08

Okay. Thank you very much. And for this agenda item, you need to have a pen at Annex D and F of the rule six letter in front of you. And if it's possible for the case team to scroll down to Annex D, which is the table for that, for the timetable, that would be much appreciated.

00:39:36:03 - 00:39:37:04

Thank you very much.

00:39:39:05 - 00:40:16:19

Okay. In the interest of brevity, I don't intend to read through every aspect of the timetable, but I will highlight some key points, as I've said, and actually use on the screen now. So maybe if the case thing could sort of gradually scroll through as I make my way through the various points, that would be appreciated. Okay. Two representations that will be made here today and further discussions that the examining authority will have. We may make some changes before issuing the final examination timetable, which will be in our Rule of Late Letter, which will be published soon after the close of this meeting.

00:40:18:20 - 00:40:55:23

I just want to take the opportunity to highlight a few important few important points in relation to the timetable, particularly in relation to the deadlines and ultimately the importance of sticking to those deadlines. I mean, what's the authority does have the ability to accept late submissions into the examination. Ultimately that is at our discretion, should only be in exceptional circumstances is late. Submissions do restrict the ability of the parties involved in examination to respond to the information and can therefore jeopardise the examination timetable.

00:40:57:06 - 00:41:16:12

It is important for you to note that if you do submit something late, there is also the possibility that it won't be accepted by the examination. Is there some feedback? The problem was it just makes sense. It's just, okay, that's fine. I'll move my microphone slightly further away. Okay. Thank you.

00:41:20:04 - 00:41:54:24

Okay. I'll first take you through the opportunities and the examination timetable when you can make written submissions. I will then talk about hearings followed by sites, inspections, and as these matters are ultimately linked, rather than invite comments as we go on each of those, I would invite comments from those wishing to speak at the end of the agenda item. I will also touch on the reports on the implications for European sites, commonly known as the reefs, and also managing change during the examination process.

00:41:55:21 - 00:42:29:10

So certainly moving on to written submissions. These can be made in a number of different formats throughout the examination. Firstly, relevant representations during the pre examination period, which we have already completed. And thank you for those who have provided submissions to that. The next opportunity will be through written representations, which should include each party's detailed case and sets out why they support or oppose the application with evidence as far as possible.

00:42:30:22 - 00:42:47:22

Richard Representations are requested by parties DEADLINE one, which is Monday, the 20th of February, and notice for that deadline for the written representations we set out in our Rule six letter and in Annex F of the Rule six letter.

00:42:50:04 - 00:43:08:10

The examining authority will issue one or more rounds of written questions. We will formally issue the first written questions with our rule letter, which will finalize the timetable and that say, as I said slightly earlier, will be published as soon as practicable after this meeting.

00:43:10:08 - 00:43:37:10

That will be two further answering questions if we consider those are necessary later on in the examination and those will be issued by the examining authority on Friday the 14th of April and then Friday the 26th of May. We can all say if we consider it necessary at any point during the examination. Issue a specific request for information from named parties, which is known as a Rule 17 letter.

00:43:39:12 - 00:43:55:14

For both written questions and Rule 17 requests. The way you participate is by either responding to questions or by commenting on other responses received. Various deadlines. Three Examination provides opportunities for responses and comments.

00:43:57:13 - 00:44:11:19

Moving on to statements of common ground. Annex F of our Rule six letter sets out the examining authorities request with respect to these with named parties and the range of topics that we expect the statements to cover.

00:44:13:12 - 00:44:30:17

The deadlines to receive these statements are at deadline one. Although there are opportunities at deadline three and five for updated statements of common ground, and each authorities expect all final statements of common ground to be in it. DEADLINE seven.

00:44:34:02 - 00:44:40:16

Okay. Rule six letter and unacceptable. They give notice and provides a deadline for local impact reports.

00:44:42:08 - 00:45:10:00

These are reports that are submitted only by local authorities representing the broader views of that community and should be represented in terms of their positive, neutral or negative effects based on the information available at the time. The report is distinct from any representation a local authority may make on the merits of the application. Locally, impact reports are expected from the neighboring lower and upper tier local authorities at deadline one.

00:45:12:21 - 00:45:30:21

Okay. We only got two hearings now, and there are three different sorts of hearings under the Planning Act 2008. And those are set out under section 91, 92, 93 and 94. These are open floor hearings, compulsory acquisition hearings and issue specific hearings.

00:45:32:11 - 00:45:54:20

The first round of hearings takes place over the next few days. The rule six notification will 13 notification of these hearings were sent. The Rule six letter and Annex eight. The deadline to receive confirmation of attendance at the hearings this week was procedural deadline. And again, thank you for those who have responded.

00:45:56:14 - 00:46:13:23

Following the close of the preliminary meeting, which marks the start of the examination, we will have an open floor hearing which is scheduled for this afternoon. This is an opportunity for individuals and community groups to put their views forward verbally to the examining authority.

00:46:15:12 - 00:46:43:02

All submissions ultimately should be based on the representations previously made in writing and not simply repeat matches covered in written submissions, but rather provide further detail and explanation to help inform the examining authority. I believe we have seven parties who have requested to speak at the open floor hearing this afternoon and ultimately for the attendance of the applicant is also requested.

00:46:45:09 - 00:46:59:01

Okay. Tomorrow, that will be our first issue specific hearing. The purpose of that hearing will be to consider strategic offshore matters associated with the proposed development, and that's outlined in NFC of our Rule six letter.

00:47:00:22 - 00:47:19:10

Further, there will be another issue specific hearing on Friday, the 22 January, which will discuss strategic onshore matters and agendas for both of those issues. Specific hearings were issued on the 10th of January and are available on the national Infrastructure website for the project.

00:47:21:03 - 00:47:47:11

We would like to note that some of the matters identified on the agendas will be covered in some detail in the examining authorities. First written questions and at the hearing we are looking for clarity on the applicant strategic approach on the matters identified and of course are the parties views on that approach. We expect the representations at the hearing to set the scene ultimately for the more detailed written questions.

00:47:50:06 - 00:48:21:21

Okay, then the draft timetable reserves two further potential rounds of hearings. Firstly, we commence in the 20th and 27th of March and then we commence in the 19th of June and we will issue the rule 13 notifications for the hearings. Firstly for the ones in March, at least 21 days before the confirmed dates. Upon receiving the notes vacation for hearings, you will be asked to confirm attendance by a particular deadline.

00:48:24:04 - 00:48:37:07

It should be noted that deadline won. There is also an opportunity for interested parties to request further open floor hearings or a compulsory purchase. Compulsory acquisition hearing.

00:48:39:17 - 00:49:06:11

Okay. Moving on to sites inspections. You should be aware we have already undertaken a round of unaccompanied sites inspections which took place between the first and 3rd of November 2022 and a US high was undertaken yesterday. These were carried out from public land only, including various public rights of way where we observe key locations of the proposed development.

00:49:08:07 - 00:49:19:07

Notes of our ready company sites. Inspection on the first to the 3rd of November were published on the 11th of November and can now be viewed on the project page of the National Infrastructure websites.

00:49:21:16 - 00:49:54:15

The notes for the unaccompanied site inspection undertaken yesterday will be added as soon as practicable to the national virtual Web page. It is possible that we may undertake some further unaccompanied sites inspections during this site, during the examination process and again, as with the other notes, if we do decide to do so, will be provided on the on the websites. I'm checking out the company sites inspection. There are generally these are generally to locations not publicly accessible.

00:49:55:06 - 00:50:11:03

You will notice that the draft timetable includes and company sites inspection this Thursday. The Wall six letter identified a number of locations that the examining authority wished to visit, and the applicant's proposed itinerary was provided at procedural deadline.

00:50:12:22 - 00:50:32:08

The final itinerary was published alongside the hearing agendas on the 10th of January. A confirmation of attendance to the company's sites inspection this Thursday was also a procedural deadline, a announce stand that we have for parties wishing to attend at the company site inspection.

00:50:34:12 - 00:51:04:09

Okay. It is possible that there may be further company sites, Inspections and deadline one includes the opportunity for interested parties to nominate sites for that, and ultimately such locations will be taken into account when the applicants propose a company site. Inspection itineraries provided by deadline to an examining authority will publish the final itinerary a week before the hearings commence in March should they be required.

00:51:06:12 - 00:51:41:09

Okay, Foreign companies start inspections. The examining authority has a good understanding of the locations visited. Therefore, it is unlikely that we will need to visit all the sites again at any company sites. Inspection. As I said, such an inspection will only be necessary to view land where there is no public rights of access or with no clear view from public view points. I should stress importantly, that the examining authority will not hear evidence or the submissions during the accompanying sites inspection.

00:51:44:22 - 00:52:29:15

Okay. Moving on to say a few words about the reports on implications for European sites or the race, as I refer to it from now on where an applicant is provided a Habitats Regulation Assessment report with the application examined. The examining authority may decide to issue a risk during the examination. The research is a factual account of the information and evidence provided to the examining c The examining authority on habitats regulations assessment matters during the examination, and is up to date to the publication of the release and for the purposes of ultimately enabling the Secretary of State as a competent authority to undertake its habitat Regulations assessment.

00:52:32:14 - 00:52:48:24

It is not the Examiners authority's opinion on these matters. If a race is required, the examining authority propose to publish this on the 16th of June with comments invited on its content deadline six, which is the 7th of July.

00:52:50:17 - 00:52:58:21

Ultimately, any comments received on that will be taken into account as part of the examining authority's recommendation to the Secretary of State.

00:53:01:24 - 00:53:34:16

Okay, Just one more thing to say before I invite comments on what I've just gone through, and that is in relation to managing change through the examination process. The examining authority know that a lot of work is going on behind the scenes to try and resolve conflicts between parties. We have tried to retain as much flexibility in the examination timetable to ensure we can accommodate the examination of issues that might arise without the need to change the timetable later in the examination period.

00:53:35:04 - 00:54:20:22

However, the examining authority would like to take this opportunity to advise that that does ultimately become a point in time in the examination where effectively it becomes too late to accommodate any changes of substance because of the need to consult and take other procedural steps in properly examining the proposed change. Advice 916 available on the national Infrastructure website explains all of this in a bit more detail. For this examination, the examining authority are of the view that that time is likely to be deadline three so as to enable party sufficient time to digest and comment on any changes and also inform the need for any scheduled hearings in the timetable.

00:54:22:22 - 00:54:46:20

I do note in terms of the applicant, it is our understanding that there is an intention to make a change request and that is available on the national structure websites and as the reference. Yes. 036 but we will cover that point on the next agenda item with Mr. Wallace in relation to procedural decisions.

00:54:49:01 - 00:55:03:12

Okay. And well, now come to comments. I say we won't make any procedural decisions today in relation to the timetable. We will consider those comments when we finalize the timetable in our rule eight letter.

00:55:05:05 - 00:55:25:20

From the indications of people that wish to speak. I understand that three people said that they may wish to say something on the timetable. So I'll just double check if that's still the case. So South North Council improved in District Council. Ms.. Curtis, did you wish to say anything at this point?

00:55:26:24 - 00:55:28:19

Clark? Curtis No, thank you.

00:55:29:12 - 00:55:30:17

Okay. Thank you very much.

00:55:32:24 - 00:55:40:10

The next was Alison Shaw. Would you like to. Do you have anything to say? Thank you.

00:55:42:08 - 00:55:45:20

I wasn't sure what Parish council. No, thank you. I'm fine.

00:55:46:00 - 00:55:57:17

Okay. Thank you. And is that all say the same for the parish council as well? Yes. Thank you. Like Mark Warner from Odds and Mark.

00:55:58:05 - 00:56:12:02

Mark Warner Management. Is there an opportunity in the examination timetable to request issue specific hearings? My clients have an interest in terrestrial ecology and biodiversity in relation to chalk streams and crayfish.

00:56:26:00 - 00:56:26:15

Okay.

00:56:29:20 - 00:56:41:11

In terms of we question issues here as those are ultimately set by the examining authority. But obviously, we'll note the the points raised in terms of your concern in relation to those matters.

00:56:43:06 - 00:56:44:06

Thank you. Thank you.

00:56:46:17 - 00:56:55:13

Okay. That's the only three I had on my list. But if anyone else does wish to say anything, yes. Needs to know Norfolk County. So if you could introduce yourself, please.

00:56:56:17 - 00:57:34:20

Thank you, sir. Stephen Falconer, Norfolk County Council. And just two general points to make on timetable, etc.. The first phone issue should be hearing on Friday. Number two, it's quite prescriptive in terms of the timetable and and and time for people to come in. We're proposing to come into those sessions remotely. And therefore, you know, people will be available at allotted times. So like when we've been here before, literally here before in this room where, you know, hearing I finish 2 hours early and people going home.

00:57:35:12 - 00:57:53:21

We will have people who are sort of allocated for a particular time. So I assume it's over preceding it and finishes early. That doesn't mean that the the hearing will end early, that you will stick to the quite prescriptive timetable set out in the agenda times, etc..

00:57:56:01 - 00:58:18:13

Yeah, I mean, my understanding is that the time should be flexible, so there may be opportunities to start out some slightly sooner. You know, I think it all six letter it sets out that you know the the timetables will be flexible and particularly the agendas are flexible. So we do encourage everyone to be there to jump in when they need to

00:58:20:08 - 00:58:20:23

be.

00:58:21:00 - 00:58:21:15

A slight issue.

00:58:21:17 - 00:58:39:04

For Friday is quite a full day. So, you know, it's probably unlikely that we will start late because there's a lot to cover. But it is important that all parties are there, you know, to jump in when required because there will be some give sheets that need to be.

00:58:40:17 - 00:58:41:07

That's okay.

00:58:41:09 - 00:58:42:08

Thank you. Thank you.

00:58:42:10 - 00:59:21:10

That one. And the second point is really just picking up on some of the issues which have been raised already. Around the table this morning is Norfolk's playing host authority to at least eight other projects at various stages, and particularly for ourselves as an interested party in a statutory body. In all of this, the County Council is involved with discharge of requirements on these three discos. We've got the three national highway schemes which have been referred to by our colleagues this morning, which come through a High Court challenge.

00:59:22:07 - 00:59:55:23

And in addition, we would like to see a non-statutory consultation from National Grid on their East Anglia Green project, which is not unrelated to this project in some shape or form. So I think the reason I bring this to the attention of the panel to the examining authority is that it's going to put a great deal of pressure on the authorities around the table in terms of meeting deadlines, etc.. Now, I'm hopeful that we can reach all our necessary deadlines, particularly in terms of local impact reports, etc., But I'm very mindful that this process is, as you said, it's inquisitorial.

00:59:56:00 - 01:00:23:09

It can be quite time consuming and resource hungry. If the examining authority could be sympathetic to those local authorities and other interested parties around the table. Well, you know, pushing forward the particular deadlines that there may be potential delaying issues for us responding not because we're being slow deliberately, but we've been responding to other statutory consultations at the time. So just be aware that.

01:00:25:00 - 01:00:33:13

Okay, that's noted. And ultimately, obviously the examining authority consider the merits of each case as we go through the examination and key.

01:00:35:12 - 01:00:36:02

Okay.

01:00:37:19 - 01:01:10:09

Just on the point about hearings. The time is flexible. However, there is an opportunity for you to stay in touch with the case team, and it's very unlikely that we will be too far away from the time indicated in the in the hearings, because, as Mr. Mannings already said, it is a very full agenda, but there is an opportunity to stay in touch with the case team in case that time is too different and just be informed of it.

01:01:10:18 - 01:01:20:18

I'm just responding to this point because of the point you've made about resources. It's not lost on us. And so we just and you know, you can manage your resources that way.

01:01:21:20 - 01:01:22:10

You.

01:01:25:06 - 01:01:29:15

Okay. Thank you. Yes. One more, if you could introduce yourself before you speak. Thank you.

01:01:30:07 - 01:02:07:20

Geoff Lyon from North Norfolk District Council. Just a follow up question about timetables and looking for a timetable. That's quite a short response. Time for the written question. So it's probably give or take about two weeks response time for most parties on that particular point. Is there flexibility to extend that to bring the least of those questions forward, to get past it, more time to respond because two weeks may be quite tight. Give them another workload workstreams that we all have at the moment. So so to make sure we've got the time to give the responses because it's important to respond to those questions in as much detail to help use it as an examining strategy.

01:02:11:13 - 01:02:17:01

Just like in camp. That was the deadline won in terms of the submission. Two responses to all written questions.

01:02:18:20 - 01:02:40:10

Jeff Lauren North Norfolk District Council is to general timing. So throughout examination you issue your questions and then responses are expected within say to just over two weeks. So that window response time cannot be extended either by releasing the questions earlier or giving a bit more time to respond. I'm just conscious that's quite a squeeze period to respond once those questions are released.

01:02:41:00 - 01:02:44:17

I think it. Ability to consider that when we finalize the timetable. Thank you.

01:02:48:11 - 01:03:04:23

Okay. Any other interested parties? Can't see anything. Hands up virtually, and there's none in the room. So I'll pass over to the applicant. If you do wish to say anything on the timetable or in relation to any of the things we've heard from the interested parties. Thank you.

01:03:07:07 - 01:03:42:11

Thank you. So, dude, impossible for the applicant. Three points. Natural England have made a point at deadline A, which it may or may not be helpful for us to comment on where they have said that if the release comes out at the deadline proposed, they will struggle to respond to it because of their commitments in relation to the hearings. As I've understood their submissions. So if the implication of that is that they're asking that the release should come out earlier and we would support that if you were minded to go down that route.

01:03:42:19 - 01:04:14:04

That was the first point. The second point was that all of the deadlines for submissions are midnight, which I accept is the norm for examinations. But we've had a debate within our team as to the sort of typical wellbeing implications of that and we would actually prefer and would ask that the deadlines was 6 p.m. rather than midnight on the basis of Parkinson's law. That work expands to fill the time available.

01:04:15:10 - 01:04:57:19

If it is 6 p.m. and that is imposed, then we think there is a wellbeing benefit to that. Otherwise people are repeatedly working, some people repeatedly working quite late up to the midnight deadline, which I accept is what normally happens. But we're putting that forward as a as a proposal. And then the third point was, you've mentioned the statement of common ground. And I'm asking or we would quite like to give you an update on where we are, a quick update on where we are in relation to those, but also to point out where we don't propose to take forward statements of common ground as things stand at the moment because of discussions with relevant parties or for other reasons.

01:04:59:10 - 01:05:04:07

So are you proposing to do that now in the statements of common ground or. Yeah.

01:05:04:15 - 01:05:10:09

I might take it as natural as ready to take you through the statement of common ground, unless you want to do it under AOB.

01:05:12:05 - 01:05:15:14

Continue doing okay? Yeah. If you'd like to do it now, that would be appreciated.

01:05:17:13 - 01:05:35:07

Thank you so much, Nashville, for the applicant. And we've been through the list of statements of common ground that was requested in the Rule six letter and the majority of those the applicant was expecting. And this is already progressing. You'll be pleased to hear that there were a couple in that

01:05:36:24 - 01:06:21:11

which we don't propose to progress at this stage. So the first two days is with East Suffolk Council and the applicant has been in discussions with East Suffolk Council and both parties agree that at this stage it's not really a valuable use of time to focus on a statement of common ground and say, We're not proposing to submit a statement of common ground with the Suffolk Council. Certainly at this stage the second party is Norwich City Council and to date we have had very little engagement with that party despite seeking that engagement and they haven't submitted a relevant representation as far as we're aware.

01:06:21:13 - 01:06:34:20

We're not expecting them to participate in the examination process. And so I think submitting a statement of common ground with them, which be quite challenging. So we're not proposing to submit that at this stage.

01:06:37:01 - 01:06:42:10

And then just in relation to the list of statutory undertakers.

01:06:44:05 - 01:07:15:02

At this moment in time, we are engaging with all these parties and actively and discussions are progressing well. But that's largely focusing on protective provisions. And so I think those discussions are likely to resolve and matters between the parties. And it may be premature to be looking at statements of common ground for DEBTLINE One, it's likely that something will come later in the process once those discussions have progressed more. But we are speaking to these parties.

01:07:15:14 - 01:07:24:24

I think the only exception to that is probably the independent oil and gas where we are likely to be submitting something at that one.

01:07:27:18 - 01:07:32:04

I think that was all of them. Thank you, sir.

01:07:34:08 - 01:07:54:04

Okay. Thank you for that update. Obviously, the determining factor will consider consider that. And obviously, if we consider that it would be useful for any statements of common ground which you don't propose to do, we'll will indicate that to the applicant at an appropriate point in time. Okay. Is there anything else before we move on?

01:07:55:17 - 01:07:57:17

So I made sure.

01:07:58:03 - 01:07:58:23

I was sure.

01:08:00:16 - 01:08:15:22

Ultimate counsel. Could I just respond or make a comment on the applicant's reference to making a request for consideration of a change to the. To the time of day, the deadlines end.

01:08:17:15 - 01:08:37:16

Can I respectfully suggest that that is a time management under due to wellbeing? Staff wellbeing issues that can be managed within the applicant's team. But if I would like to to represent without asking the permission, other interested parties who are not

01:08:39:05 - 01:09:01:13

salaried members of the of the applicant's team. In fact, the evenings are times when they are not at work and when they might well be working on a reply to a written question. I also suggest that having been myself through three examinations before this one, that

01:09:03:09 - 01:09:34:10

the many of the parties in this responding to this examination will be very used to the deadline being 2359 on the date given in the examination timetable, and that it would be extremely confusing and slightly dangerous to a lot of eyepiece if that time were to be changed to something like, say, 6 p.m., a lot of people would not notice that and I think it would create a certain amount of confusion and even bad feeling.

01:09:34:12 - 01:09:40:10

So I would encourage the panel to think carefully about that. Respectfully. Thank you.

01:09:40:23 - 01:09:48:11

Okay. Thank you for that contribution. I would just offer the applicant any reply. If you do have anything to say, your response?

01:09:51:12 - 01:10:04:01

I do. So I do the impossible for the applicant. Obviously, I hear the points that have been made. There are multiple days running up to the deadline and it is the final deadline that we're focused on.

01:10:05:19 - 01:10:18:07

Yes, I accept that there are different considerations in play and I think we're content to leave that with the panel and the decision that you make. But we have obviously given that some thought and have raised it in the way that we have.

01:10:19:10 - 01:10:40:24

Okay. Thank you. I'd say obviously we will consider those points and in our finalized timetable.

Okay. In that case, I think that some support discussion on the timetable, as I will, will consider all of

those points very carefully when we finalize the timetable with our Rule eight letter. So I think now I'll hand over to Mr. Wallace.

01:10:43:06 - 01:10:48:13

So, I mean, okay, so now we just hand over to Masai to take those on. Thank you.

01:10:48:19 - 01:11:06:23

Just just before we hand over policy responsibilities, should we expect I would say a few things that the local authorities that you mentioned about not having a statement of common ground with one of them is Norwich City Council. Use that their host authority. Host city authority.

01:11:09:11 - 01:11:10:01

Mozart.

01:11:30:24 - 01:11:31:14

Jude.

01:11:33:02 - 01:11:41:08

Not in Julian, but we think they're a neighboring authority rather than the host authority. We can double check again

01:11:42:20 - 01:11:46:24

in any event, as Ms.. Ashwell explained. We haven't been able to.

01:11:48:12 - 01:11:57:09

It seems common ground by definition for the campaign parties to want to participate in. At the moment, the indications are that they don't want to participate in this examination.

01:11:58:00 - 01:11:58:15

Okay.

01:12:00:06 - 01:12:04:21

Okay. And without getting into any details, I think that clarification about

01:12:06:15 - 01:12:18:12

the status of these accords origins and host and boundary authorities, we should probably clarify that as soon as possible. And I did have another point.

01:12:21:21 - 01:12:22:11

And.

01:12:24:20 - 01:13:09:01

The statutory undertakers. You stated that you feel it is premature to submit a statement of common ground with them because conversations are ongoing. One Our approach to the timetable is to frontload and the you know, that was actually very much to the benefit of local authorities so that they have time of the pre examination period to think about what might be coming. So even if a statement of common ground is not something you feel suitable at this point, at least an indication of what matters remain unresolved with statutory undertakers is possibly something that we would like sight of as soon as possible.

01:13:10:21 - 01:13:16:19

Thank you, madam. Yes, we can certainly look at providing that. Okay. That's all for me, Mr. Manning. Thank you.

01:13:17:24 - 01:13:27:15

Okay. Thank you very much. In that case, I will hand over now to Mr. Wallace. He will run through agenda. Might survive in relation to procedural decisions. Thank you.

01:13:28:19 - 01:14:12:11

Thank you very much. Yes. Moving on to the procedural decisions of the examining authority and. Rule six letter sets out a summary of the various procedural decisions which have been taken by the examiners of authority, and these are set out in full Annex F two. That letter, we've discussed a number of those procedural decisions under the previous agenda item. The remaining procedural decisions relevant to this agenda include the arrangement of the accompanied site inspection for this first day, the acceptance of documents into the examination, the participation in the examination of other persons and the applicants notification of a potential change request.

01:14:14:06 - 01:14:48:08

It's moving to the first of those. We have made a procedural decision to accept some submissions that were submitted outside of any formal deadline. Please note we do not normally do this. We have our discretion to be able to do it. And I would advise everyone not to rely on our discretion so much, but to accept documents in the examination place, accord to the deadlines as close to those deadlines as you can. Those two documents that we have exercised discretion on so far are listed in Part eight of an excerpt to our Rule six letter.

01:14:49:04 - 01:15:12:18

There have also been a number of documents submitted from the applicant in response to our Section 51 advice, which was issued at the same time as a notification of acceptance of the application. And those documents are available on the project page of the National Infrastructure website in the Examination Library under references as 0012032.

01:15:14:22 - 01:15:48:06

Moving on in respect of the accompanied site inspection for Thursday this week, the examining authority reviewed relevant representations, the lands plans and the works plans that were submitted, and also where we would like to see following unaccompanied site inspection at the back end of last year. From those documents we determined the list of venues that we wish to see and request that the applicant prepare an itinerary to guide us around these venues. These have been duly provided and on Thursday this week will be visiting a number of those sites.

01:15:48:18 - 01:16:35:01

Thank you to all the owners and operators of those sites for allowing us access at that time. The potential for further accompanied site inspections remains. And the details of that were given by Mr. Manning a moment ago. So please do look out for those. The examining authority have been informed by the applicant that whilst it sent the request notification to various parties under Section 56 of the Planning Act 2008. Once a mole Barton Parish council went awry, mainly because of an error in the email address held for that authority in consideration of the specific circumstances that have led to Mal Barton Parish Council not receiving the Section 56 notification.

01:16:35:16 - 01:17:21:12

We have made a procedural decision on the 21st of December 2022 that it would be appropriate to treat them as if they were an interested party and necessarily ensure they receive all correspondence regarding the examination in similar circumstances. To examine the 40. Also consider it appropriate to treat the company Franco UK Ltd as an interested party and afford them the same rights accordingly. The applicant also informed the examining authority that some non-statutory stakeholders were also not sent a Section 56 notification and taken a precautionary approach and to ensure that these stakeholders who may have had valuable contributions to make to the examination are given the opportunity to do so.

01:17:22:02 - 01:17:29:20

The examining authority invited them to this preliminary meeting and we did so on the 21st December 2020 to.

01:17:32:07 - 01:18:05:09

These parties are given the status of of a person. Whilst this is not defined in the Planning Act itself, there is a provision in the examination rules and procedures for the Examiner for you to invite other persons to participate in the examination. What will be set by them will be given weight, subject to the merit and robustness of the evidence, just like any other evidence. Should other parties in the list want to participate in the examination? To examine the efforts to use its discretion? May accept their request for participation.

01:18:06:24 - 01:18:16:20

The Examiner photo has also invited the relevant government representative from Belgium and from the Netherlands to attend the preliminary meeting and has granted them the status of the other person.

01:18:19:04 - 01:18:53:08

The final part of this agenda item deals with a change request notification received from the applicant. It is our understanding that the applicant wishes to make a change request. I wish to deal with all matters regarding this now. Would I would remind everyone here we are not necessarily discussing the merits of this, but more so the implications in terms of the process and in terms of timing as we go forward. Should everyone wish to see the letter regarding this? It can be found in the examination library under the reference I.

01:18:53:10 - 01:19:06:03

S hyphen 036. So turning to the applicant, if you could briefly just summarize in headline terms what it is you are looking at in terms of a potential change request, please.

01:19:10:03 - 01:19:53:21

Thank you, sir. Julian Boswell for the applicant. The letter we've submitted 13th of January highlights three changes to that we're definitely going to make and one that we are actively considering. So dealing with the two that we're definitely going to make, both of which we consider to be non-material changes. The first relates to the drainage solution at the onshore substation and in the application, it's explained that two options are being put forward for the discharge of surface water and there has been ongoing consideration and discussion with the local flood authority about those options.

01:19:54:08 - 01:20:07:04

And we're now in a position to make a decision as to which way we can go. And we are, as explained in the letter, going down the route of the

01:20:08:21 - 01:20:39:11

infiltration adjacent to the substation, as opposed to a route that would take the surface water to an angry Anglian water facility, which was the one that we were always hoping to. So the one we are now doing is the one we were was hoping to do, but we had to get to a point where we were confident that we could, we could support that. So that is, that is that change. So it's a simplification of the application by removing one of those options.

01:20:40:14 - 01:21:25:04

The other change is, is quite a small matter to do with a hedgerow or technical point whereby in the light of ongoing discussions with Norfolk County Council in relation to traffic safety, they have pointed out a particular hedgerow that they think is going to need to be the composite or removed, and

to reflect that and to facilitate that, we need to make a couple of minor changes to the relevant documentation. So those are, as I say, two changes that we're confident a non-material changes in the light of the planning Inspectorate advice on these matters and that we are intending or currently intending to formally make that deadline too.

01:21:26:10 - 01:21:33:02

That brings us on to the first change listed in the letter 13th of January. That's

01:21:35:01 - 01:22:08:06

where we explained that there was already an interaction between the scheme and something called the Food Enterprise Park in relation to its phase one existence. That is a phase two under active development. We were notified by the Food Enterprise Park subsequent to the application or on timing, where we couldn't have taken into account when preparing the application in relation to the Phase two proposals.

01:22:08:17 - 01:22:39:15

And so that is being there is now active engagement ongoing to trying to get to the bottom of the implications of that. But we felt that it was prudent to put you on notice that there is at the very least a real possibility. And I think it's fair to say it's more likely than not that we will be seeking a change request to allow more flexibility in the corridor for the cables at that point to try to minimise any conflict with with with phase two.

01:22:40:01 - 01:22:57:23

And so because that will involve additional land pursuant to the relevant advice note that you'll be very familiar with. We think that will be a material change request and it is done, as I say, what I've indicated, to try to

01:23:00:10 - 01:23:26:23

reach sort of the best accommodation between the two, the two proposals. Then at the end you'll see that we have put in a couple of procedural observations from our experience on other schemes where sometimes examining authorities take different views on the procedures, which can have significant implications for the point that was made earlier by

01:23:28:10 - 01:23:49:00

your colleague in relation to what is the sort of point of no return in terms of change requests. And I think the implication of what you said earlier is that you're seeing the points we've raised here in the way that we were hoping you would and as as other examining authorities have done. So I think I'm.

01:23:52:04 - 01:24:15:05

Reasons. We've indicated at the very end of the letter the reasons for doing that. We think that the the way it's running a process that actually has things running in parallel is actually clearer. And as well as saving time, it's actually clearer for those that are participating in the process. That's what I'm proposing to say by way of a summary. And in terms of the Food Enterprise Partnership points.

01:24:17:13 - 01:24:24:06

I would. There's only so much more I could say if you were sort of trying to press me, because it is very much a work in progress at the moment.

01:24:26:18 - 01:24:58:02

Okay. Thank you for that. There are two quick questions that come out of it, if I may. The first, there's obviously a suggestion that the infrastructure planning, compulsory acquisition regulations may be implicated effectively. And can you explain just in terms of the food and Supplies park and your change request? Are there any additional affected persons as a result of the additional land take?

01:25:10:08 - 01:25:39:06

I think we we haven't got it partly depends on where this ends up, but the current indication is no. Okay. Thank you very much. And although you probably briefly touched on it, I've noticed from your letter that it suggests the change request would be submitted at deadline, too. Is that purely for negotiations to continue a wise module, or do you know that the non-material changes, if you like, why is it a deadline to which it's nearly sort of two months away?

01:25:43:04 - 01:25:43:19

I think.

01:25:45:05 - 01:25:52:09

We knew you would ask us when you were going to when we were targeting, and so we felt we should volunteer that,

01:25:54:07 - 01:26:11:02

I think. But I'm not trying to be difficult. The difficulty is that this is an ongoing discussion. And so we've got to obviously nail down what the change is, assuming that we make it then this and consequential documentation and and related issues to pull to pull that together.

01:26:12:15 - 01:26:39:20

So, yes, we that seemed to us to be at the present time that the deadline that we should be that we should be aiming for recognizing that there are different demands at different points. Okay. Thank you. And just one final question, if I may. I appreciate may not necessarily have to answer this, but do you feel there may be more change requests potentially coming in the examination?

01:26:45:22 - 01:26:49:19

We are not warming up anything else behind the scenes at the moment.

01:26:51:20 - 01:27:07:11

Thank you very much. Thank you. Now, that completes or that I had to say, under this agenda item. I'm not aware of anyone who specifically registered to speak on this agenda item, but I'll look around the room, first of all, to see if there's any hands.

01:27:09:12 - 01:27:11:17

No, none in the room. Anyone online?

01:27:14:00 - 01:27:22:10

No, I said no hands. So thank you very much. Everyone feel participation and that I am back to Mr. High for agenda item six.

01:27:27:12 - 01:28:00:00

Thank you, Mr. Wallace. That brings us nearly to the end of the preliminary meeting. Many thanks to all of those who have taken part and to those who made written submissions at Procedural DEADLINE A once I closed this meeting. The examination of the application and the testing of the evidence will start. We will send out a rule letter which will include, amongst other things, the examination timetable, and also send the examining authorities first written questions and requests for information.

01:28:02:24 - 01:28:17:10

This might be the very first time that I'm actually servicing a meeting docked on time. But the time is now. 11:28 a.m.. I shall close this preliminary meeting and we look forward to working with you during the examination. Thank you very much.

01:28:19:07 - 01:28:19:13
Okay.