

ISH2_20 Jan_Part04

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FULL TRANSCRIPT (with timecode)

00:00:06:28 - 00:00:16:08

Good afternoon. Time now is 4 p.m. and I'm resuming session for the first issue is a victory. Second issue specific hearing.

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Do we have everyone back on line? It's far away. Yeah. Okay. And I will cover agenda item 11 one and four to get there first and then on the handover to Mr. McArthur. So

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the applicants design considerations are for the main components of the project project of the proposed development.

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And these are offshore wind farm infrastructure, landfill, cable corridor and substation design. And I'm referring to 287312 and up 313.

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Now I want to explore is the national policy statement in one section 4.5, especially relating to the references to sensitivity to place and contributing to the quality of the area in which the infrastructure would be located have been assessed.

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Have been addressed. I want to hear the applicants comments first and then ask local authorities satisfied with the place sensitivity aspect of the applicant's design approach. So before I handed over to you to yourselves, you may want to focus on the cable corridor component, which is 60 kilometres long. And if the design approach relating to infrastructure, flood risk, landscape and ecology.

00:01:47:00 - 00:01:54:05

If you feel that that is place specific enough in order to address those aspects of the of the NPS.

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Yes. Thank you, ma'am.

00:02:04:06 - 00:02:05:00

But as you say,

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the bonds for good design is set in the NPS. And as I understand it, you want to specifically focus on place

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and you referred to the three documents which which set out and underpin the framework for both actually onshore and as well as what is offshore.

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I think. I would say an understanding of a place in its widest sense is about landscape character. It's about seascape. It's about cultural heritage. It's about biodiversity. It's about

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settlement communities. Vernacular carp is a broad range of things. And clearly, there has been extensive baseline studies by all specialists covering those topics such that there was a very clear understanding of what the baseline is

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and how that should feed into the design process.

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Clearly, design is about outcome response process and you've got a design development process running alongside an iterative process where you're feeding in an understanding of baseline and impact to feed into the design. So in terms of the cable corridor, for instance,

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I've been involved in the project for a long time,

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and whilst I can't remember the dates

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clearly, there were originally two landings, two options for landings. Therefore, there's two corridors and there was a whole range of

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different options which began to then once the weapon landing was selected,

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there was then this process that my colleagues have already determined in terms of.

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I'm understanding how that the 200 metre wide corridor which was identified at the pier stage.

00:04:23:09 - 00:04:45:01

Studies before that had identified the best 200 meter wear that should be threaded through the countryside, if you like, and then gradually that is then reduced to 60 meters for the for the main the main dimension across the across the corridor already. So I think it is that.

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Given that entire design process has been grounded in an understanding of place, i.e. all those specific topics, then I think in terms of what each one is seeking, that's that's, that's exactly what we've achieved. And thus I think it's quite reasonable to say this project does represent good design.

00:05:24:24 - 00:05:55:25

Thank you, Mr. Courtroom. I think you've quite helpfully outlined how the design development process was. Inherent in your thinking right from the start. What you've also said, which is actually quite nicely set out in your design nexus statements, is how designed as it has been or design thinking

has been a part of the embedded mitigation. So that's all very clear. But I think some of the things that you mentioned, such as biodiversity

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and they're not mentioned in your design statements. So what I'm looking for is where have you set out what that thinking is in order for it to be almost an overarching principles document as well as as advised by AMP's and one. And in order for some of the outcomes as you go through the detailed design process for them to be tested back against.

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And I think one of the reasons why Agenda Item 11 one talks about the suitability and adequacy of the applicant's approach to design is because I'm wondering where some of those principles or design considerations have been set out, even if they have actually been thought about in the process. When you get into detailed design process, what is that framework that they've been tested against?

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Mm hmm. So I understand what you're saying to extend the

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advice.

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It does have a summary of each of those components I referred to, including biodiversity. So. So that does reverse part of us in that sense.

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It obviously sets up those design principles.

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Coordinate development underground cables, avoiding sensitive features, Fences. Crossings. Reduced working widths. Landscape restoration. And ecological enhancement. And.

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Clearly these are the drivers which have driven to mitigate the design process and the mitigation within the proposal. So the outcome of those principles is manifest in all of the documents, whether they're.

00:07:54:24 - 00:08:24:27

Well, you know, the clear commitments to trenches crossing at the very, very clear parameters and state and reduce working with. That's that's again we've discussed that as afternoon. So those those principles are embedded throughout the whole project and they will be delivered through all the material which is defines the project project description, works plans. And if you then go to the other end of the scale, take those last to landscape restoration project enhancement, then

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they.

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That does provide some guidance in terms of those aspects, which you will see is often repeated in the outline economy, ecological management plan and the landscape management plan, which are secured through requirements 12 and 13. That's what I said earlier, the requirements. So.

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I think that is how there is great purity in terms of actually delivering on that design intent which began all those years ago.

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Yes, it's understood. And just following on from that,

00:09:14:16 - 00:09:46:22

do you think that you've covered all aspects of the proposed developments as too quickly? So I'm just thinking about some other aspects which will be quite visible, such as noise mitigation measures and construction structures, say, relating to construction compounds, for instance. Do you think that there's enough in your design and access statement in order for those principles to flow through some of these components, physical structures, as they come up in the proposed development?

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I mean, the dance is about the. Is about the development, the operational, the outcome of that process. So test is that's what it's defining. So in terms of

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the aesthetics or scale of the acoustic fence, no, it doesn't. But the approval process that would be the local authority would be undertaken as part of. And I'm not noise expert, so, you know, but that is where the control is in the sense that

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the understand it.

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We will get back to you on questions of the that the examining authority might have on that. But I just want to invite local authorities to see how what they think about all the matters that we've just covered.

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So if you can come to South Norfolk and Broadland District Council first, I'll go to the district councils first.

00:10:58:00 - 00:11:18:16

Thank you, Clark. Curtis. I've noticed that Broadland councils. We have assessed the design and access statement as submitted in line with the policies to which it refers to national policies. And I have we've not raised any objection in terms of of that.

00:11:23:00 - 00:11:26:05

Thank you, Ms.. Curtis. Mr. Line from North Norfolk District Council.

00:11:28:00 - 00:11:44:28

Hello again. My North Norfolk District Council. We have no particular comments or concerns about design access issues. This alliance hall in the cable corridor affects North Norfolk and we're not raising that as part of our statement of common ground. We're happy with the issues that are be considered by the applicant. Thank you.

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And Mr. Faulkner. I'm just checking if you have any comments or if you're going to defer to district councils on this matter as well.

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Thank you, Madam Speaker and Counsel. I simply reiterate the comments which my colleagues in the District Council made already. Thank you.

00:12:10:01 - 00:12:19:27

Thank you. Thank you very much. And I'm happy to leave it here. And over to Mr. McCarthy. We will follow this up with further. Lots of questions. Thank you.

00:12:20:22 - 00:12:55:10

Thank you, Mr. Hyde. Coming onto the next agenda item, although leading on from the points raised by Mr. High, I think to take the applicant a little a little further, I was going to say along this avenue, but actually perhaps we're going backwards somewhat. You've touched on the principles within within your design process and leading on from that. Can I ask whether at this stage it's engaged in what can be termed a structured design process?

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Collingwood for the applicant.

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Can I just be clear about your question? Have we. Engaged in a structured design process. Yes, within the Aquanaut team and its consultant advisors, then yes, we have, I think. Thank you. If if the examining authority were to ask you to set out the points within that structure, you'd be comfortable doing that.

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I think you're asking us perhaps to summarize. The design process does undertake the last three years or so, in essence, that you will probably be familiar with the repair plan of work. If if I were to ask you whether you'd gone to gone through a process akin to that, I'm not asking you to follow your plan of work, but if you're if I, if I were to ask you whether you've gone through a process with with deliverables, with with milestones such as they are set out in, you would would you be able to set them on? I think I think we would in the sense that.

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There was clearly a feasibility there. There were feasibility stages. There were option appraisals.

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The indicative design here stages is akin to stage C probably, or stage B probably,

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and then an increasing amount of design information was was produced in order to.

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Define. The development, I suspect because the

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the parameters, the parameters document the table with all the parameters, it

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was very much of a alive document that was continually updated. So as, for instance, as the corridor changed,

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there was a next iteration of that parameters Excel spreadsheet. So I think perhaps in order to provide what you're asking, then it wouldn't be me that does it. But, but I think from what the information I've been fed as one of the team, I can see there has been a very clear process.

00:15:31:20 - 00:16:00:06

It's something that would follow the the the architect status because it's not building. No. Well, there are some. There are some, but no, I'm not a very good point to make sure I didn't ask you to. And and also, I think the point that we aren't asking you whether you can provide this information at the moment, but we may come back to this to this point. At this stage, I just wanted an overview in terms of the design process. So for.

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But leading on from that, I could. Could you also give an outline of the design professional disciplines that have been involved in the design process thus far?

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Well, it's the whole range of.

00:16:19:04 - 00:16:22:02

A professional, as you would expect. So.

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A plethora of engineers, I would say.

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I'm obviously a landscape architect

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as other colleagues have worked with me on it.

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The ecologists have a very clear role in that design process.

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Hydrologists more or less every single year. You could you could almost pick every single topic for me. Okay. And whilst the environmental specialists or engineers, they have a role in the design process and they have done.

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I mean that that the husband character of this project is that.

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But.

00:17:12:00 - 00:17:13:11

Multidisciplinary meetings

00:17:15:07 - 00:17:45:15

and getting around the real table or a virtual table to thrash out the optimum solutions, bearing in mind that often different topics set up conflicts or compromises. So the design process often does compromise in the sense that one. Oh, you look at it from one point of view and think it should be like that. And then another one to say you need to meet in the middle as part of that design process of optimizing and testing solutions. So that has taken place. Thank you.

00:17:45:17 - 00:17:56:19

And who within the design team has the overall responsibility for coordinating just exactly those competing, often conflicting

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disciplines. But that clearly falls to or is as clients. And my colleague on my left has had a very strong involvement in that. So perhaps

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you want to respond to.

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Yes. So as I mentioned earlier, and this sort of like the study in the in the making, something that is multidisciplinary so that we were all there and there is waiting there, waiting the facts. And then if we needed to go to that, one of the aspects, we could not avoid it completely that how could we mitigate that? So that was part of the conversation. And then of course you're waiting that yeah, what is feasible that you can do from a technical perspective and then also how would you do it on balance, you minimize, you minimize the the impacts.

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So that decision, it.

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Was of course.

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With as well different disciplines within that we know as well.

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Okay. Thank you.

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I'm aware that the outlined some principles which you touched on earlier are set out in the design statement.

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What's

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in terms of the the expected outcomes from from the design process and those principles? Can you can you give us again an overview of what what the applicant's expected outcomes are?

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And I'm talking about design and design quality rather than clearly a win win for a functioning wind farm at the end of the thing.

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Color for the applicant.

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I mean the the the dazzle vastly.

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Set out some further detail in terms of

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aspects of the development.

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The landscape and ecology outcomes of.

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Fairly easy to describe in the sentence clearly that the drive towards and not by the net gain use of local species habitats, etc. that's a that's a clear design outcome that we would expect through through the process and landscape. Similarly.

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Perhaps if we just focus on the substation, for instance, then.

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There's a lot of inherent mitigation by design in terms of selecting that particular field in that particular site, which.

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Benefits from a slightly lower elevation and well screening such that

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that's that's an important part of the design levels of the platform. Clearly elements such as fences, elements such as the buildings have a bearing on its

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on how it appears and some guidance is provided. Does which has the ability to be controlled through the requirements.

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We've indicated a

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couple of studies should influence the color of the materials. The reality is substations are very functional building. And I would expect I think it's appropriate that the buildings switch.

00:21:43:27 - 00:21:59:28

We never climbed 15 meters out of a simple form. Simply clad in those those types of as you'd expect, almost cover is important. And that's why it's in in the dance.

00:22:01:26 - 00:22:12:24

A lot of the electrical infrastructure clearly is. It's a purely functional electrical infrastructure. But as far as the usual stuff that makes up a substation.

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I think the control there really is, is it's a lot to do with it's it's a good site, which means. Its impact will be reduced.

00:22:32:05 - 00:22:43:14

I'm going to stop you there. Not not because I'm not interested in what you have to say, but because I'd actually like to return to this point. And I think you'll have more opportunity or opportunity to go into this in a little bit more detail.

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I'm I'm kind of I have a plan. I'm going from macro to micro. So

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my my slightly more challenging probably questions I'm going to complete and then we'll come to specifics and specifics around the the onshore substation.

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But I want to finish off looking at your your view of the design process, your design process and really what's.

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What a successful design process looks like. I'm really what you believe. It's essential for its own process to include again, within the context of this, this type of project.

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And yet my, my, my belief is they've not said enough. So the question is what what do you believe? What does the applicant believe? A successful design process looks like and what must have include?

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I think what's what it must include is clear leadership, clear leadership and support for good design from the defined.

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And.

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I can't claim that there is someone with a job title or design champion within the organisation. But having worked with the organisation, an understanding of what good design is and what's important, and how to thrash these things through and get as good as you can is is what what I see, which I think would characterize a clear design process. I think with a.

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An infrastructure project which is heavily driven by functional

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aspects as well as.

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The realities of viability of the offshore wind farm, etc.

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There clearly are limits to what what a designer could achieve on a project of this nature.

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And that's recognized by.

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Guidance, national planning guidance in terms of.

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And what can be done, really. So.

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So accepting this as an infrastructure project, then I think this project does.

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As I said earlier, I think it does represent good design in the sense that the process that the whole team has has been on.

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Okay. You raised an interesting point, and I will ask

00:25:34:12 - 00:25:51:27

perhaps perhaps not yourself, because you've kind of already given me your answer, but the applicant generally do. Does the applicant have an individual or group of individuals which you would classify as the design champions for this particular project?

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Yes. He is from a Hollywood epic. And

00:26:23:21 - 00:26:33:14

in it, we know it has been really that work together between the consensus team and the technical team. So as we said, I mean that the decisions have really been.

00:26:35:01 - 00:27:00:19

Work together in that multidisciplinary set of perspectives. So what a technical team, of course, is looking at the functionality of what we need to achieve than it has been. All these inputs that we ask that goes into developing the one sharing and bringing together from all these different inputs and database that I mentioned earlier today. So I have been that sort of work together really between the technical team and Yeah, and the call center team.

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So, Okay, thank you.

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Notable to me in your description of successful design process was the mission of Design Review.

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Do you believe that independent design reviews are unimportant in the design process?

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Design independent design review.

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And it can have a very positive role as.

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Nonetheless, you didn't include that as something important within your description of a design process or a successful site process. Correct. Obviously, it's not essential

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and it can have some positive outcomes. I think the.

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Throughout the process and given there has been a lot of engagement with the stakeholders including.

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Those, I believe, have designed review panels. But

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often projects are reviewed through a design panel process at the request of

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a third party.

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We had no requests. I think there's also.

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I would.

00:28:35:00 - 00:28:35:26

Question.

00:28:38:06 - 00:28:50:10

How much? Not notwithstanding the value of design review processes. And I've taken significant projects through this process master planning projects, design projects

00:28:53:14 - 00:29:20:07

in terms of. But the design review process. I've using a local panel or national panel. The influence he could have had. On the project itself, given the nature of it, I mean, some fairly. Significant, important decisions were made at the outset, such as undergrounding cable. That was a huge decision in terms of.

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Reducing the impacts and creating a good project.

00:29:28:04 - 00:29:37:01

I think the Infrastructure review panel would have limited experience, frankly, I think, and

00:29:39:05 - 00:29:44:01

ability to say contribute to the design of the offshore array.

00:29:51:08 - 00:30:00:12

In terms of cable corridor. It's quite simple, really strictly. And but ultimately it needs to be. Designed properly.

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What would a design review panel come up with? I can't speculate, but I would say limited, really. And therefore, where, where, where, where? Perhaps where? Beyond the substation. Where again? Design is limited in the sense that.

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It is such such a functional beast that as long as it's located well and it's as small as it can be to deliver. The ten for made.

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Then.

00:30:39:28 - 00:30:56:09

There are some buildings to be considered, but they're not highly visible buildings, and they have to reflect that they should reflect their functional purpose. So hence the suggestion within the dance that they should be simple.

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Rectangular cuboid type buildings.

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The NYC clearly encourages design panels,

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but you know, it's not a it's not it's not a requirement. And I don't think it's.

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I'll stop. Okay. Thank you. I think I have a feeling I know the answer to the question, but I'm going to ask it anyway. Is it the intention of the applicants to engage in an independent design review as a part of this project?

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Can I suggest Someone from Ecuador answers that? By all means.

00:31:59:04 - 00:32:29:17

And Sarah turned on behalf of the applicant. It's not something that we've committed to as of yet, but something that we have been considering and will continue to consider. Just to come to a point that you made that of Mr. MCCOSKER about the design and the use of a design panel being unimportant to us. I just want to pick up on that point. I think that the process that we've been through throughout the application stages of this project and and Mr.

00:32:29:19 - 00:32:58:11

Goodrem has carefully explained for you in terms of what's been important to us, that has largely been informed by the feedback we've received from the extensive stakeholder engagement that we've undertaken. At no point has taking the project at this stage to an independent design panel being requested or suggested to us by stakeholders. And so I would suggest that that that has been one of the reasons why we haven't looked to do that to date.

00:33:01:00 - 00:33:17:19

Thank you. And just to to complete this this point, you. To almost complete this point, but certainly to to to label at this point no further. You do you believe that that view is consistent with the policy guidance which is within the M.P.s?

00:33:23:27 - 00:33:54:04

Jim. Yes, we are. We are comfortable that the approach we've adopted is consistent with the requirements of design for the. Yes. Thank you. I will leave that there unless anybody else has. Anything that makes race. I will not go to interested parties yet. I'd like to come to the end of my section of questions on this matter, and I may want to carry on.

00:33:55:00 - 00:34:26:08

And then I think at that point it's worth opening. These questions to the floor. But coming on to the next agenda item that the secretary of state needs to be satisfied ultimately that the proposed development is having regard to regulatory and other constraints as attractive, durable, adaptable and sustainable as it can be. Taking the onshore substation, since it would be the element of the proposed development with the greatest visual impact on land in the operational phase.

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How has the applicant provided the information necessary to satisfy the Secretary of State of these criteria for each of the scenarios proposed?

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Are you asking how relevant design things are secured in the DC? Or are you asking something else? I'm not asking that at the moment, although put a pin in that because I would actually like a response to that too. No, I'd like to know what what steps and ultimately where it's demonstrated to the examining authority so that we can follow through in our report to the Secretary states that the proposed development and specifically in terms of the onshore substation, is this attractive, durable, adaptable and sustainable as it can be.

00:35:45:00 - 00:36:18:26

Julian possible for the applicant. Can I suggest that we reply to that in writing? Because I suspect that we're just going to cover a lot of the same ground that Mr. Goodman has already taken you through, because those scenarios have played out at each stage in the there's been an you won't be surprised to hear that the. The arc and its partners attitude towards scenarios has sort of evolved over the last three or four years, and that has then as far as the the substation is concerned,

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there are yeah, that's right. Now that I think that there are some things to say on that subject is probably better if we give you a considered answer in writing rather than than doing one by one on the hoof.

00:36:34:15 - 00:37:10:13

By all means, that's that would be welcome. Thank you. I, I did. I did cut Mr. Goodrem off talking about some of the topics that I'm sure you're quite happy to talk about. So I will give you a chance because because I have I do have related questions and it's acknowledged that the. With even within the NPCs that the nature of much energy infrastructure development is going to be limited. It's that or or or the extent to which it can contribute to the enhancement and quality urban areas is limited and accepting that there are limitations.

00:37:11:03 - 00:37:34:14

Can you set out the elements of the onshore substation, its scale? Ms. Fabric for instance, where where the African does have greater freedom and outline its design approach to ensure that these elements, when taken together with the whole of the substation. Proposal or proposals, would provide both a sense of identity and an improvement to the surrounding environments.

00:37:42:26 - 00:38:03:25

Children is not something we can wrap into our reply or into a written submission. Yes, by all means. I think you may be getting the hint that I'm not seeing that information. I'm examining authority isn't seeing information before us at the moment, so.

00:38:05:21 - 00:38:06:17

Yes, please.

00:38:16:08 - 00:38:16:23

Yeah.

00:38:18:06 - 00:38:24:21

So Mr. Goodwin's got some some things to take through now and then we'll build on that in our written submission. Thank you.

00:38:26:17 - 00:38:35:25

Colin drum for the African Just. Perhaps I can partly answer it to make sure that we understand what we might and subsequently put in our note. But

00:38:37:25 - 00:38:45:05

if we take the does, it refers to security fencing that B mesh or palisade and three metres high.

00:38:47:06 - 00:39:18:12

That will be secured under requirement 14. So that's an example of design guidance and how it can be secured. Is that what you're getting at with respect? That is that that is one of the items that I think are absolutely within your control at this stage and are not restricted by the the constraints which. Other elements of substation infrastructure would naturally constrain you in terms of your choices.

00:39:19:27 - 00:39:37:15

But you've I think you've just told me pretty much all of the information which is in in the next statement on on that topic you could show us far more. Simply in terms of fencing and screening, you know.

00:39:39:11 - 00:39:53:17

Yes, because the desk covers reduced topsoil. Reinstate the cable corridor as well. Sorry, that that's not the, uh, of the the substation. But

00:39:55:16 - 00:40:24:21

it talks about. It talks about the fallen buildings. The gastos. There's a requirement in relation to the appearance of buildings. So appearance. How a building appears will be influenced by its form, its shape, its color, the materials. So those aspects of design, which clearly are important in terms of

00:40:26:14 - 00:40:33:09

how it how it looks and what it achieves there. So that's covered by

00:40:34:25 - 00:40:41:08

a requirement I've talked about in color, again, to be informed by color study.

00:40:42:29 - 00:40:43:15

So.

00:40:45:03 - 00:40:59:11

Those aspects. The enclosure, the landscape, the biodiverse treatment, the buildings, the fencing, the hard surfacing, functional gravel slabs or whatever

00:41:01:04 - 00:41:06:08

are all aspects of the design. The rest is the electrical infrastructure.

00:41:08:17 - 00:41:10:08

There isn't anything else.

00:41:12:00 - 00:41:42:06

But those those that covers the entire substation, I think. Unless I've missed them. Yeah. Yeah, I agree. What? I'm. What I'm looking. I'm trying to get towards this. Well, I suppose you believe that you've given us as much information as you can at this stage in terms of, let's say, pure and simple, look and feel of what these elements are. You've just described how they might look. At the end of the day, if the proposed development was successful.

00:41:44:10 - 00:42:01:23

I suppose what is presented in the dance is and described in the dance. And within that project description is as far as the development has progressed, there are some 30 montages of the substation which are clearly.

00:42:03:27 - 00:42:20:22

I think that they are based on an indicative design. Because you'll see buildings and you'll see electrical infrastructure. But that's that is an indicative design representative of what the development might look like by

00:42:22:23 - 00:42:53:19

as controlled by those parameters. So within those within those photo montages, the worst case of the 15 metre high building is their 30 metre high electrical lightning conductor. Notice that for instance, the electrical infrastructure. So in terms of the look and feel, that's a reasonable representation of what it might be based on the extent of. So on such to this stage, there's been no further.

00:42:54:15 - 00:43:10:09

I'm not aware of any further design development of, say, the buildings. That's taken place yet because clearly that's post concern and the the electrical contractor.

00:43:12:19 - 00:43:21:13

Their responsibility to to designed and developed as part of it the Germans and the build that. But arms control body requirements so.

00:43:27:17 - 00:43:32:17

That's all I want to say. Okay. I'm going to close by.

00:43:35:03 - 00:43:44:04

I suppose, pointing out that you are not first, this type of development has come through this process.

00:43:45:21 - 00:43:56:05

Others who've come before. You have done more. And I would say than than you have at this stage. I believe you can do more as well without in any way affecting the the

00:43:57:26 - 00:44:03:00

the constraints that you have or.

00:44:04:20 - 00:44:07:01

Or I suppose, causing them any jeopardy.

00:44:09:00 - 00:44:31:16

And I would ask you to consider that. Take that away and consider that and take it away on the basis. That's ultimately what we would like to know is how all of these things are secured. And when it comes to the local authority to discharge these items, what's what do they have to look back on?

00:44:33:13 - 00:44:38:24

No, I understand. You understand your question. I'm aware of the more detail that.

00:44:41:24 - 00:45:17:18

Some other organizations have undertaken. Though I'm aware of one of them particular and. They are more difficult sights, we say. So what's what's key to our site is actually it's tucked down, it's well screened and doesn't have some of the design challenges that some of these other sites have had and therefore further details being provided. I, I don't believe that the NBA has discriminates in that sense.

00:45:17:20 - 00:45:28:04

I think there's a requirement and and it's noted that site placement is is an important element of good design. But but the NPS calls for good design full stop.

00:45:29:25 - 00:46:02:06

I guess I accept concern without repeating why I think this does represent good design at the stage of design development appropriate and proportionate to where this project is. Then you know, that's that's that's where we're at. But I do understand where you're coming from. Thank you. And as Mr. Bezos pointed out already, you will be responding in writing. By all means, please include responses to this line of questioning within within that, too.

00:46:03:25 - 00:46:08:12

I will at this stage hand you back to Mr. High for person for the questions.

00:46:13:07 - 00:46:25:09

So we've covered question four. Just very quickly, getting onto your question five and six, how the design and vision document documents currently secured in the draft issue.

00:46:30:01 - 00:46:33:13

Madam, I'm going to ask my colleague Nora Fuller to address this one.

00:46:37:22 - 00:46:39:03

Nor for the applicants.

00:46:42:12 - 00:46:45:02

Politics. I have an echo. Thank you.

00:46:49:26 - 00:47:02:08

I think Mr. Grimm has already started to touch on on much of this. But I will go through a summary of how we see all of this has been secured in the drafting in the DCO as specifically in the requirements,

00:47:04:09 - 00:47:39:26

as Mr. Good has already pointed out, the the death and the ADF include design principles which have been embedded in the design of of both set up and that those have therefore the detailed design parameters which are secured by the DCO and the DMO conditions. In terms of the DCO, those

would be of the requirements two and ten and in the emails to offshore conditions, one, two, three and schedules ten and 11 conditions watch two and schedules 12 and 13

00:47:42:16 - 00:48:13:27

as the overarching design parameters which are secured. And the task also includes, as, as mentioned, various bits of design guidance for various elements of the design of the onshore infrastructure which are secured within the requirements. So just to take you through through how we see that the design guidance for the onshore substation building of buildings is that, as was mentioned, sets out that it should be simple form a cuboid.

00:48:14:14 - 00:48:51:12

That the materials of steel frame, prefabricated insulated panels and that colour should be informed by colour study. These are all items that are subject to approval under requirement ten four, which requires the approval of details relating to the layout, scale, external appearance, the materials, for example, and other things. Furthermore, that additional design guidance as already mentioned in relation to security fencing, which must be three metre high mesh or palisade of this, is subject to approval, as Mr.

00:48:51:14 - 00:49:21:27

Gibbs mentioned, under Climate 14. Then there's the re-use of of topsoil, another area of guidance and that's covered off in the outline landscape management plan. That's AP 303, which is subject to final approval under requirements 11 and 12. And then. In addition to that, we have the commitment to reinstatement of landfill and cable corridor.

00:49:23:00 - 00:50:00:00

Restoration of land use temporarily for construction is covered in requirements 25 and there are further details in relation to to that and how that would be carried out are also included in the outline landscape management plan. Again, subject to approval under requirements 11 12 And also in the there are some details in the outline, ecological related details in the outline Ecological management plan that document AP 304 which is subject to final approval under requirements 13.

00:50:02:17 - 00:50:39:21

Ms. Fuller, I'm just going to stop you there. I think I think you've made your point that the principles of the as they flow through every different aspects of the these different parts of the management plan and those are the aspects that are secured in the DCO. But if the overarching principles design vision for both on the design vision and the overarching principles for both offshore design and onshore design are set out in these three documents. My question is, is it not important to secure these three documents in the DC or somehow And which kind of leads on to my next question, but I'll come to that in a bit.

00:50:40:06 - 00:50:40:21

But

00:50:42:05 - 00:50:43:06

your answer to that.

00:50:46:07 - 00:50:47:13

Yourself for the applicants.

00:50:49:11 - 00:51:07:19

We feel that the. The requirements by picking up all of those key threats and where they are fairly set out is secured. If the way in which those principles are set out in the ideas and the vision documents are secured in that way.

00:51:09:07 - 00:51:47:04

I accept that the requirements don't actually refer directly to the desk or the other documents, but. As you know, as I try to explain and as has been explained earlier, because everything is informed by those principles that run through the guides, it is in fact a sort of golden thread in a better sense that because you have all of those parameters set out and because you have all have that feeding into all of the documents that are secured, then we consider that in that way they are cured.

00:51:48:27 - 00:51:49:25

Okay, So.

00:51:52:09 - 00:51:59:05

Besides yourselves telling us that those principles have informed your design development process so far,

00:52:00:25 - 00:52:02:21

there is no way to.

00:52:04:26 - 00:52:41:23

There's no accountability for that at a later stage. So post consent, for instance, when you're in detailed design stage, there isn't yet there isn't a framework that you can test against. That was the starting point for some of these design principles that have flowed through the. And that I find a bit troubling. So a I mean, I'm very happy to take your response on that now. But it's just it's just something that perhaps you can think about that during detailed design stage, whatever with the, you know, the starting point in terms of your design vision and principles that have

00:52:43:29 - 00:52:48:26

that have informed the design development that has finally come through in the. Yes,

00:52:51:23 - 00:52:54:26

there is there is no testing back to that point.

00:52:56:13 - 00:53:30:05

And I would find that troubling. And I just kind of go back to the design review point that. You have set out your design principles with your client and you've set out your design vision and you have some principles with your client. You have then taken that through to design, design development. But you don't have any independent either design review or testing in that as such. And then that testing is not happening and is not happening. Post examination eat post consent if consent were granted.

00:53:30:23 - 00:53:36:12

So I would feel that that's a bit of a misstep.

00:53:38:26 - 00:53:55:21

Lawyer for the applicant. I take your point, and we will certainly take that away for further consideration. I am not sure if, I suppose, will Ms.. Chandler have anything further there? Because I can't. I can't see them at this point in time, but they may want to add something to that.

00:53:58:00 - 00:53:58:21

So possible.

00:53:59:22 - 00:54:16:02

Julian Boswell Yes, just to reiterate what Mrs. Phil has just said. We'll, we will reflect on the various strands of design questioning that you have a chance this afternoon and come back with a response on that and the other points that you have made to us.

00:54:18:09 - 00:54:21:04

Okay. Thank you, Mr. Boswell. It just leaves me.

00:54:24:24 - 00:54:41:00

Which leaves me with just the final question, which is the and it's kind of linked back to what we've just finished off with, but the applicant's proposed iterative design development post consent. If consent is granted and engagement with parties.

00:54:44:05 - 00:54:45:15

Julian Bosworth for the African.

00:54:48:23 - 00:54:57:13

Obviously there are requirements that require detailed designs, come forward and be considered and approved. You

00:54:59:15 - 00:55:06:23

is what lies behind your question a feeling that that is enough because that would seem to us to be the way that this is normally done.

00:55:10:28 - 00:55:12:26

I think it goes back to that point

00:55:14:15 - 00:55:41:14

that the the detailed design that's currently secured through requirement ten, the detail design parameters, it seems a little bit to me in vacuum given that the the starting point of your design process is not available for the parties to test against. So if you said to the parties that the outcome of this process is going to be a.

00:55:44:03 - 00:56:06:12

I apologize for not picking up anything for the design statement, but one of the principles of the design access statement, how those parties such as a local authority be able to say, yes, the detailed design that's before us meets that particular design aspiration as set out in your vision documents and your design principle documents. And so. That process at the moment which is currently under requirement and. Seems

00:56:09:06 - 00:56:12:07

it seems to be the middle of the story rather than the full story.

00:56:17:05 - 00:56:24:25

Julian Bond of the applicant. Again, I suggest that we we reflect on that. It's helpful for you to have made those.

00:56:26:22 - 00:56:33:11

Those observations, and we will reflect on that in the context of the sense, the nature of the development that we're dealing with.

00:56:48:07 - 00:57:03:15

Local authorities to do just given the the the last two questions I had is about discharge discharging one of those requirements. Do you have any comments to make? Would you like to add to the points made?

00:57:08:12 - 00:57:12:29

South Norfolk and Broadland District Council. First Mr. Curtis.

00:57:14:15 - 00:57:15:06

Like Curtis.

00:57:15:08 - 00:57:53:27

South Norfolk and Broadland Council. Having reviewed the requirements, I have to say that they are much in line with the requirements that we've seen before with the Government Consent orders for the offshore wind farms. South Norfolk has Hornsea project three substation within its authority and it reflects it reflects along those lines. So I haven't actually got any specific concerns with regards to one thing I would point out is that for us, we appreciate the fact that the building is quite substantial in size.

00:57:53:29 - 00:58:18:21

Was it 50 metres in height and therefore we would wish that the requirement. Does Nessa's hate the agreement of said materials with local planning authority to make sure that that reduces the impact of the visual amenities of the building by use of appropriate colors.

00:58:24:00 - 00:58:39:14

That's just the sort of input that helps us. Ms.. CUTTER So thank you very much. I would request that that's reflected in your statement of common ground, something that that can be taken forward in terms of during the six nomination. Thank.

00:58:42:04 - 00:58:45:20

Mr. Lyons, do you have anything from. Oh, okay.

00:58:48:17 - 00:58:57:10

And we have, I think, Mr. Faulkner's deferred to the district councils anyway, so I'm going to move on.

00:59:00:15 - 00:59:03:18

Anybody in the room who wishes to make any points?

00:59:06:08 - 00:59:07:02

Mr. Aldous.

00:59:08:17 - 00:59:40:03

Thank you, madam. Very quickly, as time is moving on. Three points of clarification in terms of N-1 Section 4.5 and contribution to the quality area, is there any ecological enhancement outside the red line boundary or is it all within the red line boundary? The second point has any consideration been given to reflections and glint from the outdoor electrical equipment? This is something which comes up in solar farms quite regularly. I don't know whether it applies here as well. And the third point.

00:59:40:15 - 00:59:54:25

Does any of this discussion also cover works carried out by within the National Grid portion, the DCO with the Associated Works to upgrade the National grid substation? Or is this only applicable to the.

00:59:56:12 - 01:00:01:29

Wind farm substation footprint and that equipment yard there.

01:00:04:17 - 01:00:08:04

There are associated works, although not within the National Grid compound. Thank you.

01:00:08:27 - 01:00:09:26

Thank you, Mr. Aldous.

01:00:13:09 - 01:00:15:11

Mr. Bozeman, would you like to take those questions?

01:00:15:24 - 01:00:28:20

Julian Bosworth, the applicant in reverse order. Our DCO doesn't include any works which will be National Grid thereafter. Some decisions do, but this one doesn't.

01:00:30:29 - 01:00:40:08

Substations are recognized as having nuclear issue. So just ask Mr. to good. So unlike solar parks, that isn't an issue.

01:00:43:06 - 01:00:49:06

And that ecological benefit outside the red line boundary.

01:01:05:22 - 01:01:12:25

That's why the answer to that first point about the red line boundary is that everything is being delivered within the red line boundary.

01:01:29:16 - 01:01:30:15

Thank you, Mr. Boswell.

01:01:32:06 - 01:01:36:07

I see Mr. Apples as a hand up from National Farmers Union.

01:01:41:13 - 01:01:42:12

Okay.

01:01:42:26 - 01:01:43:11

Yeah.

01:01:44:12 - 01:01:54:26

Statements from the National Farmers Union. It's not in regard to the substation. And I don't know if I'm raising this at the right part of the examination, but just in regard to design

01:01:56:21 - 01:02:07:04

and if you you and the land in dress group still do not feel that we have enough design or link boxes on exactly yet the size of them.

01:02:09:22 - 01:02:14:13

How they will be marketed and then the frequency of those as well.

01:02:19:11 - 01:02:19:27

Okay.

01:02:23:24 - 01:02:26:27

Thank you, Mr. Abrams. I'm just waiting for the applicant to respond.

01:02:39:28 - 01:02:43:09

Putin pulls off without being invited to respond to that.

01:02:45:23 - 01:03:05:01

I'm being told that the link boxes are underground and they're simply a marker about. I'm just conscious of the Sharples experience. So if there is a point of difference between us, I think we should resolve that through ongoing dialogue on the state common ground.

01:03:10:18 - 01:03:15:02

The frequency. The point is obviously a different point to the underground digging point.

01:03:19:25 - 01:03:20:10

So.

01:03:22:04 - 01:03:33:12

Staples. Anything further on that that's was examining authorities, understanding as well. But except for the frequency point. Was there anything else that you wish to raise? I'm sorry, I.

01:03:33:14 - 01:03:36:21

Probably didn't explain well enough. Then. I understand what I've seen

01:03:38:10 - 01:03:45:24

in one of the documents. Yes. They're saying the main part of the link box will just be underground and it's going to have like a manhole cover on the top.

01:03:47:12 - 01:04:04:27

We want to know exactly the sizes of those different manhole covers, you know, the concrete area around those the fencing. Will they be staggered? Not staggered. We just haven't been given the detail that we've been given by other developers for other wind farms.

01:04:06:19 - 01:04:07:06

Thank you.

01:04:10:03 - 01:04:16:07

So I think her question is about size and kind of fencing, etc., plus frequency.

01:04:17:07 - 01:04:41:27

Julian Possible for the applicant. I'm told that we think it's in the project description chapter. I suggest that we include this in our written response, and I'm told on the frequency point that it's every one kilometer, but I suggest that we confirm that with a signpost that in our response and we're obviously happy to continue with dialogue with the NFU.

01:04:44:18 - 01:04:47:10

Thank you. Mr. BOSWELL. The state was anything else?

01:04:49:24 - 01:05:01:06

Thank Hillary Staples from Rush Farms. Yes. Just to confirm that I've seen the information that's in the project description document, and that's not we're expecting more information than that. I keep.

01:05:07:22 - 01:05:18:09

Mr. Most, when you are pursuing a statement of common ground with the nephew, may I suggest that this be something that's covered in this just to avoid duplication of information?

01:05:19:16 - 01:05:20:01

Yes.

01:05:21:19 - 01:05:23:09

We will certainly attend to that.

01:05:27:18 - 01:05:37:00

If there are no further questions, I do want to very quickly move on as we still have two fairly lengthy agenda items left and we're at 5:05.

01:05:38:24 - 01:05:43:28

Okay. So I'm going to move on to agenda item 12 and I'm kind of ready.

01:05:47:06 - 01:06:20:28

Thank you. I just want to ask a couple of questions about human assessments. The authorities approach taken to examine cumulative effects is to examine the cumulative effects on each receiving environment alongside the examination of that particular area. So coming to effects on traffic will be covered as we examine traffic and transport transportation effects. It is the more overarching access by the applicant's proposed methodology to come to effects which I want to address for this point.

01:06:21:21 - 01:07:01:15

In that regard, we want to get the views of the applicant, many of the parties on this question, which is the cumulative assessments in the environmental statement. In many cases, noise being an example takes a broad approach to examining cumulative effects and assumes that other projects will not result in significant effects in their own right, rather, for example, than that undertaken further modeling of sensitive receptors that could affect cumulatively. Does such a general approach being to assume that other projects will not result in significant effects in their own right? Allow for a robust assessment?

01:07:05:26 - 01:07:09:03

But ask Mr. Shields to respond to that.

01:07:11:24 - 01:07:46:03

So Eleanor Shields for the applicant. So vision to the planning Inspectorate's Advice. Note 17. Here's an effect assessment that's been taken into account and followed in the cumulative impact assessment. I'll refer to that as I go forward and document. App hyphen zero 91, which is the Chapter five methodology. Section 5.8 sets out the approach to cite the interrelationships used in the S to ensure consistency of approach.

01:07:46:05 - 01:07:53:24

And as you said, each technical chapter considers the potential cumulative impacts of systems uptake and together with other relevant projects

01:07:55:10 - 01:08:35:15

in line with the renewable UK guidelines for offshore wind farms and the approach to CIA attempts to incorporate an appropriate level of patriotism. So this is demonstrated in the confidence levels applied to the understanding of the projects that are designed or the likely impacts, and particularly those that are known, but currently lack detailed design documentation such as those projects, scope scoping, stage owning only projects which are well described and sufficiently advanced with sufficient detail

available and with which to undertake a meaningful and robust assessment, have been included in all CIA.

01:08:36:09 - 01:08:53:02

And each topic chapter contains a table which screens each project and confirms inclusion in the CIA and fully demonstrating transparency. Screening of the projects has also been discussed in degree with stakeholders via Pre-application consultation.

01:08:54:27 - 01:08:59:09

The standard industry approaches. It is based on residual effect

01:09:01:06 - 01:09:36:26

and any project consented therefore must have acceptable impact. So therefore its effects are either negligible or acceptable and post mitigation either they're not significant and the applicant is not aware of any policy or guidance that suggests such an assessment should be based on unmitigated effects of a project that makes a reasonable assumption that, all considered projects will incorporate any legal minimum requirements. So, for example, contractors will deploy standard pollution prevention mitigation or will adhere to the legal noise limits

01:09:38:13 - 01:10:02:10

and to disregard mitigation when considering the effects of the projects, will likely result in significant overestimation of the potential cumulative impacts. To the extent it would become unrealistic and would require the EIA practitioners to assume that the effects of the other projects would be different from what is stated in the corresponding assessment and to make their own interpretation of what this might be, which which may not be valid.

01:10:04:00 - 01:10:16:28

And I think it is generally acknowledged that CIA does involve a number of uncertainties, including, for example, the robustness of data and assessments of the projects. And I think this has got to be weighed up in balance. Once taken, the assessment

01:10:18:26 - 01:10:59:26

is in line with the Pens advice. Note 17 The assessment should be proportionate to the effect being assessed, and some effects will need only very brief information to indicate that it's being considered a precautionary but pragmatic approach based around the best available evidence has been used where baseline data about the environmental effects for other approved projects are incomplete, and this does require application of professional judgement. So in summary, aside from any unforeseen of projects, needs to be compliant with legislation and policy, and as such, the applicant considers the issue to be robust in respect of cumulative impact assessment.

01:11:01:07 - 01:11:09:13

Okay. Thank you for that. That's formative. And does anyone else have any comments to make on the audit folks? Yes, sir.

01:11:12:06 - 01:11:47:00

I'm Jonathan Betts for the North Norfolk Parishes Movement for an offshore transmission network and. I had a similar concern regarding this, and I think it has been largely covered. Looking at the data, there is reference to what's happened in previous DCO applications and very often the conclusions on a number of impacts on tourism, for example, which is a very important industry for our region, employing over 50,000 full time equivalents.

01:11:47:21 - 01:11:55:27

And in 2019 injected £2.14 billion into the local economy. So it is of real importance

01:11:57:23 - 01:12:39:20

anyway in that evaluation of the cumulative impacts on tourism. And it seemed to me that ultimately it is a subjective assessment based on these other parameters. And once tempted to sort of conclude, well, they all would say that, wouldn't they, since they all seem to end up in no negative, no negligible impact or minor adverse impacts. Anyway, the point I really want to make is that regard to the impact on tourists themselves, I believe that this is a far more important gauge of whether tourists will continue to come on holiday to the area.

01:12:40:10 - 01:13:13:02

The applicant has covered this issue in document 8p277. They refer to report to a report which confirms that the natural environment appears to be the most visited amenity in Norfolk and the coastal beaches and countryside of the top two attractions. So the impact of Stefan debt on these are clearly relevant. The applicant has conducted a desk bound research from a very limited body of evidence relating to the extent to which offshore wind farms impact upon tourists.

01:13:13:24 - 01:13:32:07

Nevertheless, the applicant is able to conclude, apparently, that overall the evidence suggests that offshore wind farm developments generate a very limited or no negative impact on tourist and recreational users during this construction and phases.

01:13:34:09 - 01:14:07:08

I take issue with that conclusion because it's made on a handful of papers which have questionable relevance in my submission to the current application. The majority of the references are ex ante and referred to locations very different from Norfolk. One of the studies was conducted in the USA, another in Spain and another was conducted in Scotland. I would query the relevance of these locations to the expectations of persons holidaying in Norfolk and I submit that in fact they will be quite different.

01:14:08:05 - 01:14:57:04

Most of the studies consist of surveys of opinion asking about people's attitudes to wind farms and the extent to which their holidays have been affected by offshore wind farms. They do not include questions which set out the context of our concerns. None of the studies appear to address the impact during the construction phase, when tourists are likely to experience negative impacts of traffic delays, noise, dust, etc. And perhaps a more appropriate question for such a survey might be How keen are you to come to a building site for your holiday? Certainly, none of the studies referenced consider the cumulative impact of several large nationally significant infrastructure projects overlapping and occurring over a sustained period of many years.

01:14:58:11 - 01:15:32:17

It is important that we all have faith in the information submitted by the applicant. So I wonder with that the applicant might be asked to provide objective information that we can all have confidence in and to properly justify or amend their conclusions. Finally, I make the observation that the shorter the onshore footprint, the shorter will be the construction phase and the less impact there will be on tourism. The shortest onshore onshore cable path footprint for this project would be from using the grid connection point local.

01:15:32:28 - 01:15:33:13

Thank you.

01:15:35:09 - 01:15:38:19

Thank you. Can I just see if the applicant wants to respond on those points?

01:15:44:07 - 01:15:51:21

If the topic is truly impossible for the applicant, if the topic is. Cumulative effects.

01:15:53:11 - 01:15:59:24

Answer. Just. Just been read out. Didn't seem to me to be particularly on the cumulative effects topic.

01:16:02:07 - 01:16:14:14

I think what we would appreciate a response on briefly is if the cumulative effects of of the different types of adverse effects on different and

01:16:16:00 - 01:16:33:19

receiving environments could potentially lead to affecting the tourism in this particular area. And. I think that aspect of the representation just drove out from these two bits would warrant a response.

01:16:37:02 - 01:16:46:20

I'm going to defer to whatever we've said in the application in relation to cumulative effects on tourism rather than attempt to deal with it on the hoof. Now.

01:16:51:15 - 01:17:23:05

Mr. Pence. I'll just make one particular point that was very helpful, and that is something that you submitted to us in writing as well. What the examining authority can do is examine what's in front of it. So what we have right now is a cable corridor which has been assessed in the U.S., which we have before us. The alternative that you're talking about is not a like for like comparison. So it's very difficult for the examining authority to assess the environmental effects of a cable corridor that has not been assessed at that level of detail.

01:17:23:14 - 01:18:01:09

Having said that, the points that you made at the open floor hearing about these alternatives is not lost on us. We've already made a note of it and in fact we are including several related questions to National Grid to just understand, because while we don't have that option in front of us, assessed in an E is what we do have is the EIA regulations which require the applicant to do an assessment of alternatives and we will test that to the nth degree. So. So it's just a point worth making that that direct comparison is something that we will never be able to make, not in this examination, I think.

01:18:08:00 - 01:18:12:08

Okay. Thank you so much. Mr. Haifa's. More questions on the next section.

01:18:15:17 - 01:18:31:20

Okay, We will move on to draft development consent order. Just in the interest of time. There's a few agenda items that I am going to hold over. Agenda item 13 for my sincerest apologies was included in error, so we're going to skip over that.

01:18:33:11 - 01:18:53:23

Agenda Item 13 three I will defer to written questions. Item 13 finds we covered to some degree in agenda item issue specific hearing one. So I think I'm going to also hold that back.

01:18:59:11 - 01:19:06:29

Yes, I'm going to hold that back. And in fact, there is a related hearing action pointed Ice Age one. So I'm content to hold that back.

01:19:08:19 - 01:19:29:18

And then agenda item 13 seven. We also covered an aspect of this agenda item at is h one. What I was really hoping to go into today was precedence and just, you know, just have a discussion with the application applicant on the implications of food for future applications.

01:19:31:08 - 01:19:43:10

But I will I'll put this in written questions as well. So that leaves us with a limited number of things to deal with today. And I'll start with number one.

01:19:45:04 - 01:20:05:02

And basically, this is about pre commencement of what you've called pre-construction activities. So the definition of commencement article two basically excludes. Several activities. And my question is, can you highlight whether those activities are controlled, monitored and mitigated?

01:20:06:29 - 01:20:43:27

My particular concern is with some activities which can have quite a range of effects, such as diversion and laying of services, the erection of and any temporary means of enclosure or the erection of welfare facilities and creation of sites to accesses. And I'll just give you an example that pre-construction ecological mitigation is set out in the ecological outline. Next logical management plan. And I also see Article 13 two, which requires that no pre-commencement site clearance work may commence until a written ecological manner.

01:20:43:29 - 01:20:51:09

I don't intend to read out the whole thing, but you know what I'm talking about in terms of Article 13 two. So

01:20:52:24 - 01:21:02:22

while you will continue to test this requirement. Set aside, I did wonder if similar controls are secured for other activities that are excluded from commencement.

01:21:06:01 - 01:21:13:12

And as you can understand, Mr. Fuller, my concern is because these will obviously take place before the court of construction practice has been approved.

01:21:16:17 - 01:21:21:28

Unlawful for the applicant of seaboard. One of the requirements that is in my list

01:21:23:27 - 01:22:04:07

that the additional requirements that I would highlight to you are requirement 15, which is the traffic and transport requirement, but that states that any access is required for Pre-commencement obstacle investigations requires a traffic management plan for the access of the city. Under Climate 15 four there are additional and there is an additional requirement under requirement 18. Onshore archaeology is a scheme of investigation of presuppose that those must include pre-construction programs, archaeological alteration.

01:22:09:22 - 01:22:15:05

Those are the in addition to what you've already highlighted, those are the key requirements.

01:22:17:14 - 01:22:40:25

It hasn't been felt at this stage that anything extra was was needed in the in the in the d c I drafting the definition of commence as you've set out identifies those pre-commencement activities by exclusion and that there's plenty of precedent for where that has been done in two previous. Offshore wind farms most recently. It's a an approach to

01:22:42:15 - 01:22:46:15

that in terms of that to the definition just to highlight that.

01:22:48:23 - 01:23:00:28

We don't use. But there was a need for a separate definition for Pre-commencement works as the discos can't be drafted because that term is not used in the in the draft scope.

01:23:03:16 - 01:23:13:04

And I think the other point that is in the agenda item is the reference to potential therefore for an accompanying pre-commencement management plan.

01:23:15:04 - 01:23:25:08

As I've already mentioned, that's not going to be necessary as it's felt that they pre-commencement activities are sufficiently controlled by other requirements that we have.

01:23:28:08 - 01:23:51:24

Can I just invite the local authorities, particularly on matters that are not covered by the requirements, such as the name of services division and legal services and erection of enclosures and welfare activities, and whether you feel that the any adverse effects with these are adequately controlled, given the lack of a management plan that would control them when these activities take place.

01:23:54:16 - 01:23:59:13

Miss Curtis and Miss coaches. I think you might be the only one here now.

01:23:59:24 - 01:24:25:28

I've got some Gatorade. Thank you, ma'am. Take her to South Norfolk and Broadland Council. I think from my point of view, we have to consider what work can be carried out without the need for planning permission. First in terms of playing of service, service system and docks, etc.. So it's what level and level that constitutes.

01:24:27:16 - 01:24:28:26

And then in terms of the.

01:24:30:25 - 01:24:57:22

Construction compounds. I mean, there all details provided it's within the documentation and that we have a full understanding of what those are. And there will be measures put in other parts of the plans in terms of the control of those, in terms of noise and disturbance, etc.. So I have I don't have any strong. Or objections to what's actually being provided in front of us at the moment.

01:24:58:27 - 01:25:19:05

Because the controls that are currently provided will not be in place because this is all in Pre-commencement has been excluded from the definition of commence. So you may not have that control as you feel you do unless Ms.. Fuller tells me that my assumption is wrong.

01:25:20:19 - 01:25:51:02

Okay. What I was referring to with that is that is the controls that you would have it in terms of in the noise and noise. And because the construction traffic, the construction management plans, etc., that side of things is referring to. Because again, I would step back and say that developers are able to provide temporary construction compounds without necessarily a crime planning permission under normal planning application.

01:25:51:04 - 01:26:08:01

So we haven't raised any objections in that sense because I think the mechanisms are there. But there are other documentation to satisfy us that the amenities of neighbours and interested parties of those natures are protected.

01:26:08:24 - 01:26:31:17

And thank you, Ms. Curtis. If I could just ask you one question just to confirm this. The assumption that I just made, which is that the erection of any enclosures in both the facilities and the divisional Lagos offices can take place without the code of construction practice being approved, the final code of construction practice being approved. Isn't that correct,

01:26:33:18 - 01:26:34:03

ma'am?

01:26:37:02 - 01:26:43:24

Requirements says that no phase the two works next month. So I take your point. But

01:26:45:29 - 01:26:57:02

that doesn't that's that's the next phase of the work. Commence until the code of construction practice. Which of the is the that I could practice that phase that approved.

01:26:58:22 - 01:27:04:12

It's that I appreciate that you're what you're suggesting that there is a timing issue in.

01:27:07:03 - 01:27:35:27

It is, obviously. Within the applicant's control to submit the appropriate point in time. Bearing in mind that the construction practice, as you've pointed out, covers all various elements relating to two to various activities that are excluded under the definition of Pre-commencement. I suggest that I will take that way for some further consideration, but I understand your point that you're making.

01:27:37:13 - 01:28:11:15

Thank you. So it's the timing point. And I think what would be helpful is I have picked out what I believe are excluded activities from the definition of comments, which I feel could have adverse effects which do need control and monitor. But it would be helpful for local authorities to identify any other of these activities, which they feel is not going to be controlled under any management plan because of the timing issue, as Ms. Fuller highlighted. So this is perhaps a hearing action, just especially given that Mr.

01:28:11:17 - 01:28:16:00

Faulkner and Mr. Line are not present. Ms. Curtis, I see you're line.

01:28:16:16 - 01:28:27:00

And yes, Curtis of Norfolk and Portland Council. Is that something that we can do, as you say, through perhaps a written response so that we can have a fuller

01:28:28:17 - 01:28:34:15

understanding of the actual implications of what what you are raising and then respond to?

01:28:35:08 - 01:28:39:27

Yeah. Yeah. No, that's absolutely fine. Thank you. And.

01:28:44:25 - 01:28:47:05

Okay. I am very happy to swiftly move on

01:28:48:23 - 01:28:57:13

to the explanation of what the definition of phase of the proposed development as defined in Article two.

01:29:00:06 - 01:29:10:17

Can you just explain what the words section, part or stage of the authorized development in the definition, what they are referring to?

01:29:12:15 - 01:29:13:00

But

01:29:14:20 - 01:29:49:25

for the applicants, yes, the section party or state are in effect alternative ways of saying, well, to face is so I mean, for example, the ordinary meaning of the word face in addition to various dictionary definitions, I've picked out a couple just as an example is, for example, a stage in a process or think period or stage in a series of events, one part in a series of events. So they're really intended to be a description of what may be considered a phase,

01:29:52:00 - 01:30:16:24

but phase generally is to be taken to given its ordinary meaning here or the rest of the. That definition of you will see will event links across to the planet nine in the phasing plan just to identify what is meant by those phases that would be set out in the written statements, setting out the phases of construction or into a phasing plan.

01:30:22:07 - 01:30:57:23

I'm looking at record nine, and that's the reason for my confusion, because requirement nine does not refer to part stage. So the third word section, part or stage, it only refers to a phase equally if you go into the yes, the is mostly talks about phases as well. So why have you felt the need to include section part stage? And the reason I'm slightly confused and vary is because for Norfolk Borealis, those words held a very specific meaning in the DCO.

01:30:58:12 - 01:31:04:22

And so if they're not required here, then can you justify why you have them in?

01:31:07:22 - 01:31:42:12

Asked about North Coast opinion. I'm aware of the drafting he referred to When we looked at whether or not to put the definition in, we we just thought it might be helpful. If it is not helpful, then I it we can remove it from from the drafting because space here is intended to have its ordinary meaning it in terms of the DCO, it doesn't have a special meaning like it did for example in brief where I think they were talking about whether or not the onshore works and offshore works, they had very specific definitions for single onshore phase.

01:31:43:21 - 01:32:17:26

We don't have that here In terms of the S phase is used to refer much more to those overarching phases that are important for assessment purposes in terms of the construction phase for the operation and maintenance phase and the decommissioning phase. So if that is causing some confusion, then I. I suggest we could take the approach that has been taken on other discos, such as the latest Hornsea Project three where there is a specific definition for phase.

01:32:17:28 - 01:32:23:08

It's considered unhelpful and therefore have it take a is looking at meeting.

01:32:24:24 - 01:32:40:27

So if I understood you correctly, you were using these words interchangeably. And if that is correct, then I would suggest you take that away and tighten the definition to just be quite consistent. That's my view. And.

01:32:45:15 - 01:32:46:28

Okay. I'm.

01:32:54:00 - 01:32:56:12

We're going to move on. Three.

01:33:02:00 - 01:33:07:23

I'm gonna try to six now. Um, I'm just going to ask about

01:33:09:11 - 01:33:39:12

the applicant's rationale for using a 14 days notice period for Article 16 relating to the authority to serve investigates man, especially given the nature of work to make trial homes and dig trenches. Do you think that's adequate? 14 days notice period for a farming operation, for instance, to wind up and prepare for you to come in and survey land by making trawl horns and digging trenches?

01:33:41:12 - 01:34:03:27

Mom, Laura for the kids just to highlight that that 14 days is is obviously a minimum requirement. It's at least 14 days notice. In terms of the drafting. What I would say in terms of the rationale behind that is that this is very well precedented. It is very much in line. In fact, it is exactly in line with drafting in other recent offshore wind farm orders.

01:34:05:26 - 01:34:36:16

I think we've we've covered those, but thank God for North Dakota as well as orders for other types of DCO projects. Certainly what we have in this system is not novel drafting in that context. I'd also like to highlight that it's very much in line with the the equivalent statutory powers that would be available to the applicant simply under sections 170 2179 of the Housing and Planning Act and such, and 53 of the Planning Act 2008.

01:34:38:01 - 01:34:46:14

So so on that basis, we we are comfortable that that is that is an acceptable approach and.

01:34:48:24 - 01:34:57:20

We wouldn't expect to to include anything different in this disco to what has come before and to what is already in the in other legislation.

01:35:00:02 - 01:35:18:11

Just on that point. While 14 days might be quite common, is the type of work that you that you're suggesting to think for the authorities to survey and investigate and common as well in that context of a 14 day notice period.

01:35:20:08 - 01:35:34:18

My my and my lawyer. My understanding is that that is the case. There may be others in the team that would wish to comment on that at Mr. Boswell. I think that.

01:35:36:19 - 01:35:46:09

Julian was looking at these these words for exactly within the scope of Section 172 of the Housing and Planning Act

01:35:48:02 - 01:36:07:17

2016, which provides for 14 days. That's obviously quite recent, where Parliament brought together a whole range of survey powers on a unified basis. So it would include targets and so on. So, yes, it is consistent with that.

01:36:09:01 - 01:36:10:28

Thank you, Mr. Boswell. Ms.. Staples.

01:36:18:05 - 01:36:52:22

Factory staples from the National Farmers Union and the Land Interest Group. Just a few points that I wanted to raise on this article, just in regard to the question you've raised there about the 14 day notice, we do accept that that is the standard notice period. But what I would like to raise is whether it would be possible to agree some wording that if there is an environmental scheme in place that 28 days notice is given and whether this could be secured through the agricultural liaison officer.

01:36:54:27 - 01:37:16:22

So that's my first point. Secondly, I think there's some wording missing that we normally see under this article, which normally would be point three, and normally that wording would say the notice is required under paragraph two and it must indicate the nature of the survey and or investigate that the undertaker intends to carry out.

01:37:18:18 - 01:37:22:14

So we're missing that which is normally agreed and seen.

01:37:28:01 - 01:37:48:02

And then I just wanted to raise. If we could have an explanation, please. It's the first line of 16 one. So we have the standard wording of the undertaker made for the purpose of his order. Enter on any land within the order limits. That's fine. But now we have the wording of all which may be affected by the authorized project.

01:37:50:01 - 01:37:55:18

Please, can we have clarification of. Exactly. What that means back.

01:38:00:08 - 01:38:38:06

Just before handing over to the applicant. Actually, Ms.. Lewis has covered some of the points that I was going to cover as well. So if I can just add a couple more points to that. One was the one point that I was going to make is, you know, if the notice is going to include the nature of the work and whether the two drafts should include that. Second was Article 16, Paragraph five is it says that after completion of activities being undertaken pursuant to this article and you parties must be removed as soon as possible and land must be restored to its original condition, just the meaning of as soon as practicable.

01:38:39:04 - 01:38:42:05

And if this you feel that this can be specified

01:38:43:24 - 01:38:52:13

further. So. I think it. In the interest of time, you could cover both mine on this. Take this questions together.

01:38:54:07 - 01:39:08:05

During those lockdown can I think we don't really have anything to say on as soon as reasonably practicable. I think it means what it means that it would be given its its natural meaning. Forgive me, I couldn't quite follow the point you were asking just prior to that.

01:39:10:15 - 01:39:19:00

I was just adding to the point that my staples made that would the notice include an indication of the work that is required when you.

01:39:19:18 - 01:39:28:03

Will consider that? It's my knowledge that that sounds reasonable, doesn't it? So I will consider that and pick that up in writing.

01:39:29:14 - 01:39:43:29

The Staples. Can I clarify if you were asking for the notice to include the indication of work and for the draft DCO to specify that the notice must include the nature of the work, Can you just. Oh, no, no, thank you.

01:39:44:01 - 01:39:54:25

Yes. Louis Staples from the nephew. Yes, I'm. I think the the DCO itself needs to include the point and then the notice will also state what the nature of the survey is.

01:39:55:12 - 01:39:55:27

Thank you.

01:39:59:22 - 01:40:01:20

Is that okay? Mr. Foster.

01:40:02:26 - 01:40:09:24

Yes. Well, I mean, it sounds reasonable, doesn't it? We'll consider it and. And. And come back in writing.

01:40:15:05 - 01:40:19:20

Just given that you have a specified number of days for the notice period. I think

01:40:21:22 - 01:40:31:02

as soon as practicable. Is it is isn't there an argument to be made for there to be a specified number of days when that will be restored?

01:40:35:09 - 01:40:35:24

I

01:40:37:12 - 01:40:37:27

think

01:40:39:07 - 01:40:39:22

this.

01:40:43:00 - 01:41:09:02

I think it relates to restoration of the land after temporary works. And therefore I think the reason it doesn't have a specified time is because there may be reasons why if you imposed a time timeline, actually that was good reason because of the time of year or the condition of the site that it didn't make sense to do good work then. And therefore, it's giving some flexibility in the context of what the practical position on the site might be.

01:41:17:26 - 01:41:22:16

Okay. I'm happy with that. I have a feeling that there was another point that Ms.. Staples made that you have to be.

01:41:22:18 - 01:41:30:12

Able to point you're thinking of. Madam, if I can jump in. Was the 20 at the request for 28 days? If there's a scheme in place, can we consider that and come back?

01:41:37:11 - 01:41:38:03

The staples

01:41:39:18 - 01:41:49:28

like Hillary Staples from the nephew. There was a further point as well, which was the second part of the wording in the line at 16.1.

01:42:00:20 - 01:42:10:01

Madam, if I may, this is that which may be affected by the waterfront project, particularly given the time. Can we can we. Can we pick up that one in writing as well, please?

01:42:12:00 - 01:42:13:05

I'm satisfied with that.

01:42:16:13 - 01:42:17:01

Okay.

01:42:19:01 - 01:42:22:27

We've got this from Goodwill's.

01:42:25:17 - 01:42:43:25

Butler from Bidwell is representing landowners. I think Louise has taken the wind out of my silence, rather, because that was my question. But I think it is very important to understand exactly what this means. Authorized projects, because this right, this is a blight on the land, as I say, in perpetuity.

01:42:45:11 - 01:42:50:29

I don't know whether you were. The applicant agrees with that. And therefore landowners have a right to know. Exactly.

01:42:52:14 - 01:43:04:11

What they are looking for, especially the adult development land nearby or other uses planned, which they can't do because of this survey access. So I think this point really does need to be addressed.

01:43:05:04 - 01:43:14:28

Mr. Bidwell, do you think you can specify which landowners will be affected by that, by the survey and the survey accesses in the way that you've just described?

01:43:15:16 - 01:43:18:14

I can do it without the written written representatives.

01:43:18:16 - 01:43:41:27

And so I think this is a general point that I'm going to make, which is that if you feel that somebody is getting affected by the proposed development while you represent many landowners, it would be very helpful to understand quite specifically which landowner, and I think it will help the applicant as well to respond to those specific cases rather than a blanket concern across the board.

01:43:42:07 - 01:43:43:29

That's fine. Thank you.

01:43:45:08 - 01:43:46:01

Thank you much.

01:43:47:17 - 01:43:48:02

She.

01:43:59:23 - 01:44:02:27

I'm going to move on from this agenda item and.

01:44:06:02 - 01:44:12:01

Just very quickly, agenda item eight. Given that requirement, one seeks that the time limit.

01:44:14:15 - 01:44:28:16

For commencing the authorized development should be seven years from the date on which the order comes into force. And is there a risk that surveys, findings and conclusions and environmental statement might be out of date by then and therefore unreliable, reliable?

01:44:37:13 - 01:44:47:01

I think that from our perspective, the point here is that there's once you got to five years, everything's out of date anyway. So going to seven years doesn't make it any different.

01:44:58:00 - 01:45:06:24

Okay. We'll move on from that. I have a put a follow up questions and written questions. I will hand over to Mr. Rennie for the final point.

01:45:09:11 - 01:45:20:17

Thank you. The relevant representation from the Defence Infrastructure Organisation, the DIO Safeguarding Team will represent the Ministry of Defense indicates that there might be some matters pending

01:45:22:08 - 01:45:43:01

pending resolution in relation to requirements 1027 and 28. The examining authority is looking for an overview of any updates that the applicant might be able to provide at this time, noting that the DIO relevant representation commented on the need for necessary assessment and necessary mitigations. Can you provide this update please?

01:45:45:20 - 01:46:15:25

There and therefore the applicant. And if I could just take those requirements in turn for you. So requirement 28 actually relates to primary surveillance radar and the relevant stakeholder there is not. I note that nuts have submitted a relevant representation, and although they don't specifically cite anything with regards to the drafting of the DCO, I have an e mail from August last year where we shared that drafting with them and they agreed to that.

01:46:16:24 - 01:46:55:02

We are working with Nats on a statement of common ground. We hope to submit that a deadline. One for you. In terms of the mou d equally we engage with them pre-application and fight in earnest to agree a form of wording prior to submission. It tends to be the Moody's approach to a a submission to be made before they them in their holding objection and in terms of requirement 27 And that wording relates to the air defense radar which we recognize we have an impact on, and that's been agreed with the Moody.

01:46:56:05 - 01:47:21:16

That wording is reflective of accepted wording on other previous speakers. So whilst we haven't had a direct agreement from the Mod on that form of drafting, we suspect and hope it's acceptable. The one caveat to that is that the air defense radar Trimmingham is due to be relocated to a location and need to head. Prior to application we

01:47:23:18 - 01:47:54:20

asked the MOD to undertake a re analysis of whether. And still have an impact on the radar at its new location and meters head. And they confirmed that we do still have radar on line of sight. And so we recognize that that drafting is going to need to be updated to accommodate the radar being either at Trimmingham or at Nature, said. And again, we are engaging with the committee. We had an email back yesterday acknowledging that we are entering. A statement of common ground with them.

01:47:54:29 - 01:48:21:26

And we have a meeting that we're hoping is going to be scheduled for a week after the next. And just in terms of requirement ten, can I clarify there you refer to requirement ten or if in fact you refer to condition ten of the DMO, which relates to aviation safety. The also cites the ICAO safeguarding as a as a yes.

01:48:21:28 - 01:48:38:22

I mean, we're going to mandate and I think the MOU you mentioned is requirement ten. And we we're look to see your your opinion on that because that seems to respond. Talk about design detail. I wasn't sure how applicable that one was. Maybe that's the case.

01:48:39:04 - 01:49:10:15

Yes, there's this there's two things here. Condition ten of the DMS for the generating assets and relates to aviation safety and the Mod are an approving body under that those conditions. Again, that drafting is typical of other offshore wind farm discos and marine licenses that have been already approved. So we haven't had a direct response from Moody's, but we hope that that wording is acceptable to them.

01:49:11:26 - 01:49:20:08

And in terms of requirement ten detailed design parameters onshore. The amended would typically be a consultee in that respect.

01:49:21:17 - 01:49:25:01

Could I just ask about timings for these agreements? The ability.

01:49:27:01 - 01:49:28:07

When these could be expected.

01:49:30:00 - 01:49:30:20

You can.

01:49:34:29 - 01:49:39:17

I think it would be best we come back to you on that in writing once you've had the meeting the week after next, if that's okay.

01:49:40:21 - 01:50:06:19

Okay. Thank you. Just one more thing on that matter. Well, this is probably much for later when I'm all fundamental queries have been resolved, but I'm just looking for comment on the draft and with the DCO, should the definitions in requirements 27 set requirement two and 23 be included in the definitions in Article two?

01:50:17:11 - 01:50:26:14

The law firm. Can I just clarify which definitions and requirements to and three, which was the other one it says was 20.

01:50:28:28 - 01:50:29:13

Eight.

01:50:30:29 - 01:50:35:24

28.3 and four. 27 two.

01:50:40:24 - 01:50:51:24

Those definitions have been included in. The requirements because they are definitions that are very specific to. Those requirements.

01:50:56:09 - 01:50:59:18

That is why that I felt to be happy that

01:51:01:23 - 01:51:12:05

I can take that away for further consideration. But that is certainly why they are included. That is what has been done in other places.

01:51:14:14 - 01:51:15:15

Okay. Yes. Thank you.

01:51:28:17 - 01:51:35:11

It just looked to come across to Mr. Hope for a for the next section. Thank you.

01:51:37:12 - 01:51:42:15

Mr. Anything. Mr. Staples has a hand up, so just. Any final points, then?

01:51:45:13 - 01:51:54:07

Thank Hillary Staples for the National Farmers Union and the Land Interest Group. I just wanted to raise two further points in regard to the draft eco, please,

01:51:55:26 - 01:52:00:18

which is first of all is one is in record to requirement one at a time limit.

01:52:03:02 - 01:52:35:02

We are still not really convinced that Ecuador should be given seven years for their time limit. Normally a DCO is only gives seven years. It has to be a very exceptional circumstance and I'm not sure that we've yet been given enough reasons that they need seven years. I think it's giving them too much flexibility and allowing them just to have too much time and then it has a much bigger impact on the landowners.

01:52:36:01 - 01:53:04:00

And my second point is that we believe they do not need to be given their rights in perpetuity, which they are still requesting on all the other schemes. We have managed to get the rights being limited to 99 years. And as they now under the 2008 act, they should only take the rights that they need. And so far, we've been given absolutely no reason why they need their rights in perpetuity.

01:53:04:18 - 01:53:05:25

Thank you.

01:53:06:21 - 01:53:40:28

Thank you, Ms.. Staples. I think the second point is Morris point. So we I'd request you to put that to us in responses to written questions which will be included there. Just one thing about the seven years. You're absolutely right that this has to be exceptional circumstances and we'll take that forward in written questions. But what we'll look from you is to understand what the effect of this in London is, is going to be. And as I've said previously to Mr. Bond, if you can specify which particular landowners are affected by that and in what way, that will help us greatly.

01:53:42:06 - 01:54:01:00

So while we'll ask the applicant to understand what those exceptions circumstances are, which they have done in part in some parts of their application, it would be really helpful to understand how this is of detrimental effect. So ultimately it's about understanding the two sides of the argument, so how that has a detrimental effect to landowners.

01:54:01:29 - 01:54:03:20

Thank you. No, that's fine. Thank you very much.

01:54:04:17 - 01:54:05:21

Okay. Thank you.

01:54:07:22 - 01:54:08:07

Just.

01:54:12:27 - 01:54:15:27

Any response from the applicants on any of those points?

01:54:18:01 - 01:54:24:12

At this stage in the day, I would prefer not to respond verbally. Thanks.

01:54:26:08 - 01:54:47:18

Just on the final point with the Ministry of Defence, while it's absolutely fine to wait for your written note after the meeting, it would be very helpful to understand in that note, what are the implications? Should you not have that approval from Ministry of Defense before? On the wording, before we close this examination, what are the implications of that for the examiners? Pretty

01:54:49:11 - 01:54:56:12

good. So we're not going to adjourn now and we're not going to read out the actions because there are roughly 30 odd.

01:54:56:14 - 01:54:57:07

Actions or.

01:54:58:07 - 01:55:00:23

32 actions like we've said before.

01:55:11:26 - 01:55:18:12

As we've said before, a number of these actions, if appropriate, we will include in our written questions.

01:55:22:05 - 01:55:25:17

Just before closing, I just have a couple of final points to make.

01:55:27:03 - 01:55:36:20

So the examining is what he is looking at, the examination timetable. We're looking to confirm the examination timetable and preparing for potential hearings in March of 2023.

01:55:38:22 - 01:56:14:02

The benefits of hearings, as everyone knows here, is to seek views from different parties all at once and for us to be able to have a back and forth between ourselves and different parties on a topic so we don't have to wait for different deadlines to get responses. So in that regard, if I can just emphasize that there are two things that will help us greatly to make the most of the hearings in March and the first, it'll help us to know who's actually able to attend and when in advance. So for that, we're very grateful to the applicant, to the parties who were present here, and particularly also to the local authorities

01:56:15:27 - 01:56:51:08

who were present on all three days. We are thinking how we can have a clearer understanding of attendance from some other key parties. While we cannot compel anyone to come knowing early if they attend, intend to attend, it can influence the agenda, the length of the hearing, and even the format of the hearing. So it just makes better use of the time of the people who are actually in the room. We will explore that with the case team and with other parties, how we can get that understanding from specific parties before we actually issue an agenda.

01:56:51:15 - 01:56:55:08

And indeed, even before we issue the Rule 13 notification for those hearings.

01:56:58:16 - 01:57:16:02

The second point is that it is a bit concerning to the examining authority that in light of some of the questions that we've asked today, the immediate response has been to say that questions will be responded to in writing. So we do value these hearings as a tool to test this evidence,

01:57:18:03 - 01:58:03:10

the evidence that the applicant has presented and others presented. And it just what's helpful is to allow a bit of back and forth. So rather than guessing your responses in writing and then thrusting through right back to you about testing that evidence, we would like to be able to do at least some of that at the hearing itself. So while there will inevitably be occasions where additional notes will be provided through post hearing actions, can I ask that for future hearings participants, especially given that the agendas are fairly detailed when they're issued, that all participants come prepared to answer questions on the day rather than defer to written responses when prompted? Is that understood? Are there any responses to that?

01:58:05:11 - 01:58:06:05

Mr. Swan?

01:58:06:18 - 01:58:11:26

Julian Possible, yeah. And just on your point about the hearings in March,

01:58:13:13 - 01:58:22:09

at the moment, an awful lot of people have got two weeks blocked out, which is an awful lot. A diary that's only two months away. And

01:58:23:25 - 01:58:55:04

the sooner, I mean I think the sooner we have an indication of how many of those things you're actually intending to use and how you're going to use them, the better in terms of planning for today's

attendance on the basis that today was. Today and Wednesday, we're going to be strategic. We actually found that quite challenging to prepare for in terms of how you are going to approach lots of the questions we've been asked. They were really quite detailed questions.

01:58:55:06 - 01:59:16:06

And so one of the reasons that not everybody is in the room, which we've now learned today, isn't particularly effective. So we're very keen with our speakers are in the room because that allows us to, to give you better answers to to some to some points. The more indication we have of what what topics you're covering.

01:59:18:16 - 01:59:46:27

Well, in an ideal world, there would be a sort of dialogue with the case officers as to what what particular experts you were hoping to to be present. The more indication we have of that, the better. And stems of terms of being able to to to get the most out of the day. But in terms of the studio, we know which days you want. There are going to be things on and what they are the better from that perspective

01:59:48:16 - 01:59:49:10

that's understood.

01:59:49:25 - 02:00:10:07

And our effort is absolutely to get that out to parties as soon as possible. The agendas, the agendas are fairly detailed. It is unlikely we can have them any more detailed to give a certain flexibility for how that the discussion happens on the day

02:00:11:23 - 02:00:35:18

and they are published at the point where we've been able to digest the information that's in the examination. But as far in advance as possible, in order for you and all the parties to prepare for it. But all those points are taken on board, and I just hope you will take the points that we've made on board as well. But unless there are any other points.

02:00:40:18 - 02:00:53:22

I have now proceed to close this hearing. Thank you very much for participating today. The time now is 6 p.m. and I will close the second issue specific hearing. Thank you very much. Thanks.