

## **Medworth CAH2\_13 April\_PT1**

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FULL TRANSCRIPT (with timecode)

00:00:05:10 - 00:00:06:20

Good afternoon, everyone.

00:00:08:27 - 00:00:41:12

And just confirm that everyone can hear me clearly, please? Yes. Can I also confirm with Stuart Avis that the live streaming and recording of this event is commenced? Thank you. For those people watching the live stream can also advise that should we at any point adjourn proceedings for this afternoon, we will have to stop the live stream in order to give us a clear recording. As a result, at the point at which we recommence the meeting and start the live stream, you will need to refresh your browser page to view the restarted stream.

00:00:41:18 - 00:01:24:08

I will remind you of this again should we need to adjourn? It's now 2:00 and it's time for this hearing to begin. I'd like to welcome you all to this compulsory acquisition hearing. Dealing with compulsory acquisition and temporary possession matters in relation to an application made by with Limited, who we will refer to as the applicant for an order granting development consent for the Bedworth energy from Waste Combined Heat and Power facility. The development proposed comprises the construction operation and maintenance of the energy from waste combined heat and power facility with associated grid connection, CHP connection water connections, access improvements and temporary construction compound.

00:01:25:03 - 00:01:44:02

Thank you all for attending this hearing. My name is Clare Makinson. I'm a chartered town planner employed by the Planning Inspectorate, and I've been appointed by the Secretary of State for levelling up housing and communities to be part of the panel to examine this application. I'm now going to ask my fellow panel member to introduce himself.

00:01:46:04 - 00:02:00:15

Good afternoon. My name is Andre Pinto and am a charter town planner employed by the Planning Inspectorate and have been appointed by the Secretary of State for levelling up housing and communities to be the lead member of the panel to examine this application.

00:02:01:18 - 00:02:33:04

Together, we constitute the examining authority. And we'll be reporting to the secretary of State for Energy Security and NET-ZERO with a recommendation as to whether the development consent order should be made. The case manager for this project is Tracy Williams. Tracy's being supported here today by Ms.. Phoebe Chalice and Mr. Ben Chan. Mr. Attila Bartos is providing support remotely. If you have any queries about the examination process or the technology we are using for virtual events, there should be the first point of contact.

00:02:33:25 - 00:03:08:10

Their contact details can be found at the top of any letter you have received from us or on the project page of the National Infrastructure website. And I'll deal with a few housekeeping matters for those

attending in person. Can everyone please set all devices and phones to silent? The closest toilets are outside of this room through the same door you use to enter the room straight on into the left. There are no fire evacuation tests planned for today, so should the fire alarm sound, please make your way to the nearest fire exit door and make your way downstairs to the right hand side of the building.

00:03:08:16 - 00:03:39:27

The fire evacuation assembly point is by the lamppost with the red and green signs. Today is a blended event, and it comprises an in-person meeting as well as a virtual meeting, virtual event being held on the Microsoft teams platform. For those people observing or participating through teams in order to minimize background noise, can you please make sure that you stay muted unless you are speaking? If you are participating virtually and you wish to speak at the relevant point in the proceedings, please use the hand up function.

00:03:40:25 - 00:04:14:09

Please be patient as we may not get to you immediately, but we will invite you to speak at the appropriate time. I would also like to remind people that the chat function on Microsoft teams has been deactivated, so please don't use this at any point. If you don't manage to ask your question or raise your point at the relevant time, there will be an opportunity at the end of the meeting to raise this under agenda item seven. We will seek to allocate sufficient time to each issue to allow its proper consideration, and we anticipate that we will finish the meeting within an hour and a half.

00:04:14:11 - 00:04:52:26

However, if the discussion goes beyond this timescale, we will review at the time and may take a break if needed. Thank you. We will make sure that however you've decided to attend today, you'll be given a fair opportunity to participate. In addition to the live stream, a recording of today's meeting will be made available on the Med with energy from Waste Combined Heat and Power Facility section of the National Infrastructure Planning website as soon as practicable after the meeting is finished. With this in mind, please ensure that you speak clearly into a microphone stating your name and who you're representing each time before you speak.

00:04:53:16 - 00:05:24:06

For those at the table, you can do that by pressing the large button at the base of the microphone. If you're not at a table with a microphone, there's a roving microphone. So please wait for one of these to be brought to you before you speak. If you're attending virtually and don't want your image to be recorded, please turn off your camera. And for those in the room who don't want to be recorded, there is an area at the very back of the room out of camera shot. So please use that area. Because the digital recordings that we make are retained and published.

00:05:24:08 - 00:06:00:20

They form a public record that can contain your personal information and to which the general data protection regulations apply. Only in the rarest of circumstances might we ask you to provide personal information of the type that most of us would prefer to keep private or confidential? Therefore, to avoid the need to edit the digital recordings, please try your best not to add information to the public record that you would wish to be kept private or that is confidential. If you feel that personal information is necessary, please provide this in a written document that we can redact before publication.

00:06:01:14 - 00:06:30:15

The planning Inspectorate's practice is to retain and publish recordings for a period of five years from the Secretary of State's decision. A link to the planning Inspectorate's Privacy Notice was provided in the Rule six letter. I assume everyone here today has familiarize themselves with this document which establishes how the personal data of our customers is handled in accordance with the principles set out in data protection laws. And please speak to Tracie Williams if you have any questions about this.

00:06:32:02 - 00:06:45:06

This meeting will follow the agenda as published on the 3rd of April 2023. It would be helpful if you had a copy of this in front of you. And the case team are now displaying the agenda on screen.

00:06:46:22 - 00:07:21:02

Just to briefly summarize the agenda for today, item one is welcome introductions and arrangements for this compulsory acquisition hearing. Item two will outline the purpose of the compulsory acquisition hearing. Item three will cover the site specific issues for the applicant. Item four will cover site specific representations by affected persons. And item five will cover funding. Item six will review the issues and actions arising. Item seven is any other business, and item eight is the closure of the hearing.

00:07:22:03 - 00:07:52:09

We will conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to. But if the discussions can't be concluded, then it may be necessary for us to prioritize matters and to defer other matters to written questions. Likewise, if you cannot answer the questions being asked or require time to get the information requested, then please can you just indicate that you need to respond in writing and we will advise you when it will be best to submit your response or issue in writing to us. Thank you.

00:07:53:18 - 00:07:56:26

Does anyone have any questions on what we've just set out?

00:08:00:07 - 00:08:32:02

Okay. Haven't seen any Hands up. So I'll now move to introductions. I'm going to now ask those of you who are participating in today's meeting to introduce yourselves. When state your organizations. Could you introduce yourself stating your name and who you represent and which agenda item you wish to speak on? If you're not representing an organization, please confirm your name, Summarize your interest in the application and confirm the agenda item upon which you wish to speak.

00:08:32:21 - 00:08:35:24

And please, could everyone also state how you wish to be addressed?

00:08:37:27 - 00:08:41:03

Can we start, please, with the applicant and any of their advisors?

00:08:43:17 - 00:09:08:23

Good afternoon. My name is Claire Broderick. I'm a senior associate at Pinsent Masons LLP. Solicitors for the Applicant Bedworth Limited. I'm joined today by members of the applicants team who are now introduce. To my left is Gary Macrae, head of development. To her left is Tim Marks, head of Planning. And to his left is Paul Carey, managing director. Thank you.

00:09:11:16 - 00:09:23:15

Thank you for that. Can we now move on to the organizations and individuals that have given notice of their intention to speak? If a start in the room. I believe we have Helen Penn Teller.

00:09:25:26 - 00:09:27:18

You can introduce yourself, please.

00:09:28:14 - 00:09:30:06

Hi, Helen. Hello.

00:09:30:08 - 00:09:37:27

I'm a business owner on Al Way. I'm here to represent my business and all the other businesses on our goes way.

00:09:40:09 - 00:09:47:03

Can you? Sorry, Helen. Mrs. Pantaleo, if you can let me know what agenda item. Sorry. It was a number four.

00:09:47:06 - 00:09:47:21

Number four?

00:09:47:23 - 00:09:48:29

Yeah. Okay. Thank you.

00:09:49:01 - 00:09:50:15

Thank you very much. Thank you.

00:09:54:15 - 00:10:04:07

Just moving online from people who've notified us in which they would like to speak have. Cambridgeshire County Council. If you can introduce yourselves, please.

00:10:05:25 - 00:10:41:26

Ma'am, good morning. No, good afternoon. What am I thinking? Good afternoon. Andrew Fraser, Urquhart, King's counsel representing Cambridgeshire County Council and Fenland. Although I will have a Cambridgeshire hat on today for the submissions we intend to make. I have other officer members who will introduce, if I may, in turn, as I call on them during the presentation. If they're needed, we will be speaking on agenda item four. Um, obviously primarily dealing with matters along Newbridge Lane and the junction of Cromwell Road and Newbridge Lane.

00:10:44:26 - 00:10:50:28

Okay. Thank you for that. Okay. I also believe we have fenland District council online.

00:10:53:06 - 00:11:01:12

Yes. Good afternoon, all. Mark Greenwood, head of property Assets and major projects of Fenland District Council will be speaking on item four as well.

00:11:05:16 - 00:11:16:06

Thank you for that. While we're talking to online people, can I just see if there's anyone else who's here online today who would speak? If you can introduce yourself, please.

00:11:21:21 - 00:11:23:21

I can't see any more hands up online.

00:11:25:09 - 00:11:36:17

So if can just turn to anyone else in the room today who may wish to speak. If you can, let me know now and again, if you could introduce yourself and let us know on which agenda item you would wish to speak.

00:11:38:02 - 00:11:41:23

Yes. Hand up there. Would you like to come forward?

00:11:50:10 - 00:11:55:09

Keith Gilby, representing Premier Choice on Al Gore's Way, managing director and joint owner.

00:11:57:23 - 00:11:59:00  
Mr. Dolby, did you say.

00:11:59:05 - 00:11:59:20  
It'll be.

00:12:00:19 - 00:12:01:04  
Okay.

00:12:01:06 - 00:12:02:05  
Thank you. Thank you.

00:12:11:10 - 00:12:12:28  
Is there anyone else in the room?

00:12:15:05 - 00:12:20:07  
Okay. Thank you for that. And I'll hand over to Mr. Pinto, who will lead on agenda item two.

00:12:22:26 - 00:12:24:17  
Thank you very much, Mr. Makinson.

00:12:30:15 - 00:12:45:12  
So will then start us on item two purpose of the compulsory acquisition hearing. Let me briefly explain the purpose of this compulsory acquisition hearing and it is to particularly adequately examine.

00:12:46:28 - 00:13:27:18  
The provisions within the draft seeking to authorise the compulsory acquisition of land. And all rights over land access. Assess whether the conditions relating to the land and or rights being required for the proposed development or required to facilitate or being incidental to that development are met. Assess whether there is a compelling case in the public interest for the land to be acquired, compulsorily, compulsorily and for discharge. The examining Authority's duty to hear persons affected by compulsory acquisitions and or temporary possession, which are referred to as affected persons who request to be heard.

00:13:28:08 - 00:14:00:04  
As previously mentioned, an agenda for this meeting was published on the 3rd of April. In today's hearing, hearing will be a structured discussion led by the examining Authority. Please be assured that we are familiar with what you have already submitted to us so you don't have to repeat in length anything that you already put to us in writing. Submissions carry equal weight regardless of the format in which they are put forward to us. If you do refer to any documents this morning, it would be helpful if you could give us the correct examination library reference number.

00:14:00:24 - 00:14:14:19  
Please do try to avoid using any acronyms as people who might be watching in the room might not be as familiar with those terms as you are. Are there any comments that anyone would like to make on item two of the agenda?

00:14:18:23 - 00:14:49:14  
I don't see any hands up online or in the room, so I'm going to move us on then to item three. Such specific issues for the applicant. So in this item, we want to discuss the applicant's case for including several different questions that I have included in my agenda previously. But before I start, it might be

useful for me to mention the key documents that I'll be referring to throughout the hearing, which participants may wish to have access to.

00:14:49:28 - 00:15:23:20

These are the Statement of Reasons App 017 the latest version of the draft development Consent Order, which is revision two in its track version track version rep 1006. And then for the clean version, it's REP 1007 Compulsory Acquisition Schedule rep 1051 Land Plans Rep 1004 Draft Written Summary of the applicants Oral submissions at issue specific hearing number one that will be rep 1057.

00:15:28:28 - 00:15:51:22

The book of reference in clean version that would be wrapped to 004 and it's track changes version, which would be wrapped to 005. The statement of Commonality of Statements of Common Ground version 22016. And finally the status of negotiations with statutory undertakers that would be wrapped 2022.

00:15:57:02 - 00:16:04:11

If that is okay with everyone at the moment, then I would ask my first question, which is directed to the applicant.

00:16:06:01 - 00:16:27:17

In Can first of all, can I just start by asking the applicant to confirm if the latest version of campus requisition schedule, I believe it's rep one rep 01151 lists. As far as the applicant is aware, all of the ongoing negotiations with affected persons at the moment.

00:16:30:28 - 00:16:46:18

Can't project the applicant. Yes. REP 1-051 lists the status of negotiations with all those persons who are affected persons and participating in the examination. And there are.

00:16:48:20 - 00:17:16:25

Some other landowners who are mentioned in Appendix B to the statement of Reasons, which was Dash 017 who have not submitted a representation and therefore are not listed in um, in that particular schedule. Um, and we can provide an update on the status of negotiations, um, with all landowners. If that would be helpful since deadline one.

00:17:17:12 - 00:17:33:04

Yes. So thank you for that confirmation. So in that case, could we please start with the, uh, appendix B? So the, the affected parties that you have mentioned that are not listed, please. Thank you.

00:17:36:02 - 00:17:47:07

Their project, the applicant. And yes. So in appendix B, obviously the first entrance entrance is the land owned by Albury Developments Limited. Where?

00:17:47:15 - 00:17:57:29

Mr. Broderick Sorry, apologies. Can you just confirm just for ease of everyone following the reference of the document before we actually get into the detail of the document, please? Thank you.

00:17:59:23 - 00:18:30:06

Clever. Yes. So the statement of Reasons, which is app Dash 017 and Appendix B lists the current status of negotiations as at the point in time when the application was submitted and the first row lists the land. That is to be for the facility site, which is currently owned predominantly by Albaugh Developments Limited.

00:18:30:08 - 00:19:02:03

And as stated in Appendix B, the applicant has already entered into an agreement, an option for lease with that landowner. That was done in 2019. And so there is no change there in relation to the next entry. The land is owned by the Leech family. This land is required for the water connection, which is plots ten to C to turn three A that are listed there.

00:19:02:05 - 00:19:16:21

The applicant has had a number of discussions with the Leech family and documents are currently with solicitors being negotiated. The applicant is therefore confident the agreement will be reached prior to the end of the examination.

00:19:18:09 - 00:19:33:26

In relation to the next entry. At the point that the application was submitted, the land was owned by a perrin. Since that time, the applicant has now acquired number nine Newbridge Lane and is therefore the owner of that plot of land.

00:19:36:21 - 00:20:11:07

In relation to Fenland District Council, there has been no change to the position. That's listed in appendix B, which confirms that Finland District Council are not willing to enter into negotiations at this time with the applicant. As we've stated in Appendix B and also in the schedule which was rep 1051, the applicant remains willing to discuss the terms of a voluntary agreement with Finland District Council should it change its position.

00:20:11:09 - 00:20:18:09

And those discussions could take place without prejudice to their overriding objection to the project.

00:20:20:03 - 00:20:28:12

The next entry is in relation to the frontage of a property that abuts Newbridge Lane that's currently owned by Wayne Cowling,

00:20:29:28 - 00:20:51:06

and the applicant has had a number of meetings with Wayne Cowling, including a meeting that took place yesterday. Heads of terms have been agreed and solicitors are due to be instructed to negotiate the documents of the acquisition of land so that it can be dedicated as public highway as part of the widening of Newbridge Lane in that location.

00:20:51:08 - 00:21:03:29

And those are sites 11 one B 11 three A 11 three. B 12 one A 12 five A and 12 55B, Correct? Yes, that is correct. Thank you.

00:21:08:08 - 00:21:43:12

The next entry relates to land owned by Well Stream Limited. These are the use of the property known as Number ten Newbridge Lane, where the applicant is seeking rights to install an acoustic fence as part of the mitigation or the proposed development. The applicant had a meeting with the landowners towards the end of February and is waiting for a response on the offer that has been submitted to those landowners. The applicant remains hopeful that agreement will be reached with those landowners prior to the end of the examination.

00:21:43:15 - 00:22:01:23

Right. Thank you for that. Just to give everyone notice now, I will have further questions on the next item on this specific property, but thank you for that clarification now, but just to let everyone know that I will be asking further questions on that specific issue. Um.

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

And believe that we still have some more plots to go, correct?

00:22:09:00 - 00:22:19:03

Claire For the applicant, the remaining plots are relate to land that's owned by statutory undertakers, and we've think we've given the update. Yes, both yesterday and this morning.

00:22:20:24 - 00:22:21:11

Thank you.

00:22:25:21 - 00:22:56:10

In that case. Now, could I actually turn our attention to the compulsory acquisition schedule that we have mentioned before? And as far as practicable, without trying to repeat too much of the lots that we have actually gone through now are there? Um, I would actually like us to go through the outstanding objections that are still remaining on those plots and ask for the applicant to actually provide an update.

00:22:56:12 - 00:23:12:12

I know there is obviously going to be some overlap in terms of the update that you have just given, but I think it is important for us to actually go through them just so that we are sure that we have actually crossed all of them. So if I could ask the applicant to please go through that list. Thank you.

00:23:14:00 - 00:23:49:10

A collaborator? Yes, certainly. I'll go through the list in Rep 1051 and sort of using the the order and the numbering the numbering system in there. And the first entry relates to National Highways Limited and this predominantly land in the verge of the a47 where the grid connection will be located and the water connection and discussions are ongoing for a voluntary easement in relation to the rights required to install the grid connection and the water connection.

00:23:49:12 - 00:24:29:13

And the applicant is also agreeing protected provisions which, as I mentioned this morning, will place restrictions on the use of compulsory acquisition powers being sought on land that's owned by national highways. The next entry relates to Norfolk County Council and. They are the highway authority for the work number eight onwards. And there are ongoing negotiations relating to the use of the street works powers that are being sought in the and potentially protected provisions in relation to works to be located within the public highway.

00:24:29:15 - 00:24:37:20

So all of Norfolk County Council's interests relate to their interests as a the highway Authority.

00:24:39:26 - 00:25:05:01

The next entry is Anglian Water Services Limited. And discussions are ongoing with Anglian Water in relation to protective provisions and some further discussions on technical information relating to the water connection. But the applicant is hopeful. As we stated this morning and yesterday, that agreement will be reached with Anglian Water prior to the close of the examination.

00:25:06:28 - 00:25:40:15

The next entry is a relevant representation made by Sarah Jane Bunning. She is listed as having potentially a subsoil interest in Broadland Road, which is a public highway, and rights are being sought to construct the grid connection. And because its public highway, the applicant does not consider that it needs a property agreement with Ms. Bunning. But she's listed because she has obviously listed as having a subsoil interest in potentially in in the highway and therefore it's necessary to list her in the book of reference.



00:25:40:26 - 00:25:47:14

Is that is that the explanation for the use of the word potentially, because that was something that actually went to some clarification on.

00:25:49:00 - 00:26:24:20

Clear project for the applicant. Yes. The these the land is unregistered and therefore it is assumed in the absence of any other information that the adjoining land owners would have a subsoil interest up to the mid-point of the of the highway on the basis of the legal presumption. But we don't have any documentary evidence to support that. So it's a reputed subsoil interest, but the works here are works within the public highway, so we wouldn't be seeking to reach a property agreement with with this particular individual.

00:26:27:12 - 00:26:53:22

And the next two entries, number five and number six relate to the two drainage board, which is Kingsland Internal Drainage Board and 100 to Wisbech Internal drainage Board. As we mentioned this morning, there's only one point outstanding in relation to the negotiation of protective provisions and therefore we're hopeful that an agreed form of protective provisions will be able to be included within the draft shortly.

00:26:54:23 - 00:27:14:27

Can I just clarify on that specific point? I do have another question. Um. So this entry into number five Kings Lincoln Tunnel Drainage Board and the plot number on the book of reference, it refers plot number 21A in five one. That's the case.

00:27:16:26 - 00:27:19:09

Care project for the applicant. Yes. So.

00:27:20:29 - 00:27:21:24

Okay.

00:27:24:21 - 00:27:27:09

But that that actually clarifies my point. Thank you.

00:27:41:15 - 00:28:16:17

Flatbush if the applicant said yes to continue. The next entry is Cambridgeshire County Council. We discussed the issue specific hearing yesterday, the ongoing negotiations relating to the Section 278 agreement and potentially protective provisions regarding the use of the streets, works powers and other highways powers in the draft. The interests listed in the Book of Reference and the plot numbers there relate to Cambridgeshire County Council's interest as the Highway Authority in relation to those plots of land.

00:28:18:01 - 00:28:19:02

Okay. Thank you.

00:28:20:01 - 00:28:20:16

Uh.

00:28:21:09 - 00:28:33:20

The next entry relates to Wisbech Town council and they are listed in the book of reference as potentially having rights over

00:28:35:12 - 00:28:49:05

plots of land that belong to national highways. And this land forms part of the verge of the a47 as they only have a right and they're not the landowner and the applicant would not be seeking to enter into a property agreement with them.

00:28:52:10 - 00:28:53:16

The next entry

00:28:55:04 - 00:29:22:28

relates to a mr. Graham Stokes. Um, again, they're listed as having potentially a subsoil interest in Newbridge Lane, which is public highway. And this relates to right sort for the grid connection and the water connection and for the reasons that previously stated, we wouldn't be seeking to enter into a property agreement with a potential subsoil interest as the works are taking place in the public highway.

00:29:24:03 - 00:29:24:18

Okay.

00:29:25:06 - 00:29:27:07

Um. Yes. Thank you.

00:29:28:18 - 00:29:38:24

And Entry ten is Fenland District Council who previously mentioned the status. It remains the same. It's the same.

00:29:39:09 - 00:29:40:08

Position, yes.

00:29:43:09 - 00:29:45:04

And 11. Number 11 is Mr..

00:29:45:06 - 00:30:23:13

Wayne Cowling, which I've just provided an update on. Entry number 12 is Network Rail, who we've previously mentioned yesterday. Negotiations are ongoing with network rail for the property agreements necessary and the next. List of entries and perhaps give the explanation at the beginning is that the same explanation will apply to to each of them. So there are a number of parties who have been identified as having an interest, so a right of access.

00:30:24:10 - 00:30:31:06

Um. Inland. Um. Along our way and.

00:30:33:08 - 00:31:11:06

As part of the diligent inquiries that were undertaken since issue specific hearing one and that were previously undertaken, the applicant has sought to list all those persons that they consider might have a right of access in our way. And as we mentioned in our response to the actions from issue specific hearing one which is rep 1-057 in particular the response to H1, a P7.

00:31:13:03 - 00:31:17:23

And SH18. Um.

00:31:20:09 - 00:32:00:20

The applicant has. Taking a fairly conservative approach to trying to identify those persons who might have a property right of access along the adopted section of Al Gore's way. However, it does not appear that many of these rights are registered at the land registry and therefore the publicly available

information. It is therefore limited in terms of the registered information. So when the book of reference was initially submitted with the application, it provided details of those registered rights that applied over that section.

00:32:00:29 - 00:32:10:01

Thank you. Of highway. But we've since tried to add in those landowners that could potentially have an unregistered right about.

00:32:10:03 - 00:32:20:12

Thank you Mrs. Broderick that that is very useful and that will actually link to a question that I had under this item as well in terms of.

00:32:22:22 - 00:32:53:22

Providing a summary of. Your consultation in the works that has been carried out in order to actually target those businesses. As you have mentioned, you do provide some information in writing, which I know was covered as part of the summary of the applicants or submissions on one. So the same references you mentioned where 1057. Nevertheless, this is exactly the reason why I wanted to actually explore that issue.

00:32:53:24 - 00:33:07:09

So would you like to actually explore that issue now or shall we just continue with this list and then you can provide an update in terms of work targeting, consultation, work that has been done to the businesses in Argos. Why?

00:33:09:06 - 00:33:20:18

Let the applicant think everyone else on the list relates to Al Gore's way other than than parties that we've already dealt with. So it probably makes sense to deal with it now.

00:33:20:20 - 00:33:59:15

Deal with it now. Okay. In that case, as I have mentioned, um, on the previous site, um, hearing, we agreed that the applicant was going to conduct some additional work in order to target businesses located along Al Gore's way that expressed that they didn't feel that they hadn't been adequately consulted and involved in the process. So my question would be, can you provide the examining authority with an update on what work has been called? And if you have received any feedback on that work from businesses.

00:34:03:07 - 00:34:23:14

That was it for the applicant. So, yes, in terms of consultation that was carried out prior to the submission of the application, we obviously set out in the response to ISSUE one seven on page 29 of 1-057.

00:34:25:00 - 00:34:55:17

The information that was included at the statutory consultation stage of the project in relation to the use of Al Gore's way. So therefore the applicant feels that it was. Clear in the documentation that was consulted on from the outset that the use of Al Gore's way during construction and the use of Al Gore's way for staff and visitors during operation was set out in the materials prior to submission of the application.

00:34:56:02 - 00:35:08:13

And it also sets out the steps that were taken to notify local communities and those that had been identified as having an interest in land at that stage in the process.

00:35:10:18 - 00:35:40:14

Since ish one The applicant instructed land references Carter Jonas to investigate further those persons that might have an interest, a property interest along the UN adopted section of Al Gore's way. As mentioned earlier, there are very few registered formally registered rights of access, and that's perhaps reflective of the

00:35:41:29 - 00:35:43:19  
perhaps slightly confused

00:35:45:18 - 00:36:32:07  
state of the road that the applicant had originally been seeking to try to clarify when it was originally proposing for the road to be adopted. But obviously Cambridgeshire County Council have since confirmed that they don't wish to adopt this section of the road. So in order to identify any additional persons that might have a right of access along Al Gore's way, the land references looked at the properties that abut Al Gore's way or are located within Europa abut a Europa way and therefore may need to utilize Al Gore's way and using information registered at the land registry as to who the landowners were.

00:36:32:23 - 00:36:46:08  
Those persons were identified and added to the updated version of the book of reference that was submitted. And the latest version of that is version four that was submitted at deadline two.

00:36:48:04 - 00:36:53:01  
Thank you very much for that clarification. And just to confirm.

00:36:55:28 - 00:37:33:18  
From the same documents. So that would be the draft written summary of the applicant's oral submissions at one action point. Steven Page 29 Reference Reb 1057, which is exactly the document that you have been referring to in your response. It states there and I would like to actually go into a little bit more of detail of this and think it's useful to set out the context. It sets in page 32 that following the relevant representation period, this is the last paragraph of page 32.

00:37:33:23 - 00:38:09:04  
Following the relevant representation period, the applicant became aware that there was some confusion amongst local business owners on the industrial estate relating to the applicant's proposals for Argos Way. The applicant issued a letter to businesses abutting algos why dated 10th of February 2023 to try to address the misunderstanding and provide assurances regarding use of Argos during construction and operation of proposed development, which matches the information that you have just kindly provided and confirmed to us.

00:38:09:21 - 00:38:29:06  
Um, I would just and obviously you have also provided to us a copy of the letter that you have sent in appendix C of the same document in light of that work. Could you just confirm to me what sort of response you have had from businesses?

00:38:41:29 - 00:39:15:23  
That project for the applicant following that letter on the 10th of February plus also the further letter that was sent on the 22nd of March and. And also we stated that we would inform those new interests that had been identified of the examination and their ability to become an interested party pursuant to Section 102 of the Planning Act 2008. And copies of those letters can be submitted into the examination at that deadline.

00:39:16:11 - 00:39:16:26  
Yes.

00:39:17:00 - 00:39:19:16

Can I get a deadline for that, please? Thank you.

00:39:19:27 - 00:39:20:12

Um.

00:39:21:09 - 00:39:25:02

An action. Sorry. Not an action for that, please. Sorry. Deadline three.

00:39:25:26 - 00:39:39:14

And as a result of those letters, the applicant has not received any correspondence or had anybody take them up on their offer to discuss the proposals in any more detail.

00:39:39:21 - 00:39:45:21

So following the submission of two different letters at different dates, there has been no communication from the businesses.

00:39:48:05 - 00:39:50:07

Leverage of the applicant? Yes, that's correct.

00:39:51:06 - 00:40:03:17

Okay. Thank you for confirming that situation. Uh, if we could then return back to the compulsory acquisition schedule. And I believe that we were in item 13. James Mitchell, UK Limited.

00:40:15:03 - 00:40:59:00

Collaboratively. Yes. So the because the remaining interests that are listed in that schedule all are identified as having potentially a right of access over Al Gore's way. Um, however, the landowner here is Fenland District Council and therefore any property agreement that's entered into in respect of Al Gore's way will be would be between the applicant and Fenland District Council. There would be no need for individual agreements with those parties who have a right of access over Al Gore's way because the applicant is is seeking to regularise the existing right of access that already exists for the site.

00:40:59:02 - 00:41:02:11

So as we mentioned in um.

00:41:04:10 - 00:41:08:20

The response to one seven And.

00:41:10:09 - 00:41:42:11

We set out there that there has been communications between Fenland District Council and the current landowners who have borrowed development limited in relation to their right of access to use the the site, which is an existing waste and aggregates recycling facility and waste transfer station. So the existing site is already uses Al Gore's way for access and and has done so for over 20 years.

00:41:43:01 - 00:42:02:24

And the. However because of correspondence between Fenland District Council and the existing landowners, the applicant is not confident that a right of access would not be disputed for the proposed development, and that is why the applicant is seeking rights of access along our causeway for its proposed development.

00:42:02:29 - 00:42:15:27

So thank you for that update. If I could actually turn our attention back to the compost requisition schedule and the purpose of that specific document. In light of those comments, I.

00:42:17:25 - 00:42:40:14

I am not 100% clear then in terms of the status of all of the organisations that you have them listed and included from, I would assume from page 11 onwards. I do understand what you have mentioned in terms of rights of access, but.

00:42:42:21 - 00:42:58:27

Taking into consideration the purposes of the compulsory acquisition schedule as set out in the beginning and in the introduction. And the purpose of this document, and I'm a little bit confused in terms of of why those entries are there.

00:43:00:26 - 00:43:37:01

Clare Project, the applicant. Our understanding of this schedule, which is a schedule that's requested on a number of projects, um. By the examining authority is that it's required in order to identify those interested parties who are also affected persons. So those interested parties who have submitted relevant representations but constitute affected persons because they have a proprietary interest or potentially have a proprietary interest or eligibility to make a relevant claim and listed in the book of reference.

00:43:37:03 - 00:43:44:01

It does not only list those persons with whom the applicant is seeking a voluntary agreement.

00:43:44:03 - 00:44:03:19

That's that's very helpful in that is actually the purpose and what I would have expected you to submit as part of our request. My suggestion then in that case is, is it possible to make that a little bit clearer within the compulsory acquisition schedule for the next version, please?

00:44:05:08 - 00:44:18:19

To the app? Yes. Of course we can. We'll divide it between between those affected persons with whom we are seeking a voluntary agreement and those who are technically affected persons, but with whom we don't consider a voluntary agreement to be required. Thank you.

00:44:19:12 - 00:44:22:00

And get an action for that as well, please. Thank you very much.

00:44:40:01 - 00:44:57:04

And can I now ask if anyone else in the room has any questions that they would like to pose on this specific item? Before I move us on to the item four, which is site specific representations by affected persons.

00:45:01:01 - 00:45:05:16

And then ask if there is anyone online that would like to pose any questions.

00:45:12:26 - 00:45:29:06

But in that case, if no one else has any further points that they wish to raise under item three, I would suggest that we actually move on to item four, please Site specific representations by affected persons. So.

00:45:31:16 - 00:45:32:14

First of all.

00:45:34:12 - 00:46:00:11

I would like. I know that this was covered today as well and asked earlier, but would the applicant please in brief terms, again, just to explain very generally the strategy and criteria for determining whether to seek powers for compulsory acquisition of land, compulsory acquisition of rights or temporary purchase of land. Just to set the context in terms of what we're going to discuss on a side by side basis.

00:46:04:12 - 00:46:05:20

Apposite for the applicant.

00:46:07:17 - 00:46:43:18

And I'd refer parties to Section six of the Statement of Reasons, which is app Dash 017, and also appendix A to that same document which sets out the rights, the land rights and temporary use powers being sought and the reasons for and the purpose of those powers. And as an overriding principle, the applicant has sought in accordance with the guidance to only seek to acquire the minimum amount of land and rights necessary to deliver the proposed development.

00:46:44:29 - 00:47:32:14

The applicant has only sought to acquire the freehold of land, which is considered to be the most onerous power where it is necessary to do so. And it has not been possible to deliver the proposed development using either the acquisition of rights or temporary use powers only. And those relate to those aspects of the project, which are set out in section 6.2 of the statement of reasons, and that includes the facility site itself, the land at well-spoken substation required for the applicant substation and those parts of Newbridge Lane and the access improvements where land needs to be acquired so it can be dedicated as public highway, as only the owner of the land is capable of dedicating land in that way.

00:47:34:07 - 00:48:11:08

As we mentioned before, nine Newbridge Lane has since been acquired by the applicant and Section 6.3 sets out the compulsory acquisition of new rights and the imposition of restrictions. And this primarily relates to rights of access rights for the grid connection and rights for the water connection and rights to put in place the mitigation measures, including the acoustic fence. At number ten, Newbridge Lane, the right sort are considered to be the minimum amount of rights necessary to deliver the project and are therefore proportionate and reasonable.

00:48:11:13 - 00:48:25:29

Where land is only required during construction, temporary possession powers are being sought and that relates to the temporary construction compound and also some layby on the a47 which are acquired during construction only.

00:48:26:09 - 00:48:44:08

Thank you. Now would like us to actually look at ten Newbridge Lane and if I could ask the case team to perhaps share the land plans. I believe that this address can be more easily viewed from sheet nine of the land plans. Please.

00:48:47:14 - 00:48:52:04

Apologies. I don't think it's actually sheet nine. It might be. Um.

00:48:55:19 - 00:48:58:01

Apologies that project for the applicant sheet.

00:48:58:03 - 00:49:02:28

1111, please. If I could ask the case team. Thank you.

00:49:05:12 - 00:49:39:24

Exactly. Thank you very much. Um, could I, in that case, now ask the applicant to please, in light of the explanation that you have just provided in terms of your strategy, to please explain how that strategy actually apply specifically to number ten Bridge Lane and what considerations and alternatives were, um, taken on board in order to make the decision that you have made, which, as you have explained, is to um, not compulsory purchase and not compulsory acquired property.

00:49:43:00 - 00:50:32:00

Double check for the applicant? Yes, as part of the environmental statement. The applicant assessed the noise impacts on nearby receptors, including number ten, Newbridge Lane. And the outcome of that assessment was that mitigation measures would need to be put in place in order for the impacts of the proposed development to be acceptable. It was considered that suitable mitigation in the form of an acoustic fence could minimize the noise impacts on temporary ten Newbridge Lane to an acceptable level and therefore it was considered appropriate to only seek new rights to acquire and to put in place and maintain that acoustic fence.

00:50:32:02 - 00:51:05:24

And there was no justification to acquire the entirety of the property as a form of mitigation in the same way as number nine, Newbridge Lane. Number ten, Newbridge Lane is an agricultural property. It has a residential property there. But the use of that property from a planning perspective is restricted to an agricultural tenant. So the use of the land is primarily agricultural and it was therefore felt that the acoustic fence would provide suitable mitigation.

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

So it is your understanding at the moment that primary purpose and primary use of that property is not residential?

00:51:13:21 - 00:51:30:18

Claire Kent. There is a house which has residential usage, but the property can only be used by an agricultural agricultural tenant of that land. We can provide a copy of the planning permission at deadline three.

00:51:30:20 - 00:51:51:04

Nevertheless, the use of the house would be as a residential, regardless of what activity the individual that occupies the premises might or might not have. So you'll have to be someone with links with agricultural activity. I understand that, but that person will be residing there and that will be a residence.

00:51:52:12 - 00:51:56:01

Claire project. The applicant Yes, that's correct. It would be. It's a residential property.

00:51:57:17 - 00:52:06:02

Um, in that case, and going back to the answer that you provided us earlier. Um, considering that actually.

00:52:06:04 - 00:52:06:29

It is.

00:52:07:04 - 00:52:27:27

A residential property, in considering the magnitude of the potential effects on that specific residential property, it's the applicant's view that the assessment that you have just explained to us and interventions that you are suggesting will adequately um.



00:52:31:08 - 00:52:39:21

Will will adequately address the concerns and the usage of that property.

00:52:41:07 - 00:53:03:00

Collaborate with the applicant? Yes, it's the applicant's position that an acoustic fence will provide suitable mitigation. We don't have our noise expert at this particular hearing, but if there was if noise is going to be on the agenda for the environmental issues, specific hearings, then obviously further technical detail can be provided on.

00:53:03:25 - 00:53:04:25

Yes, we will.

00:53:04:27 - 00:53:26:08

We will definitely look look into that. I'm just trying to actually understand not so much the impact itself, but actually how that impacts inform the strategy in terms of compulsory acquisition and temporary possession. So my question is not linked with noise is how noise and other issues were taken into consideration as part of your decision making process.

00:53:27:24 - 00:53:43:03

Clare project. The applicant? Yes. As stated, obviously compulsory acquisition of land is considered to be a last resort and where other measures can be put in place that would therefore not necessitate the acquisition of the freehold of the land, then those are to be

00:53:44:19 - 00:54:04:15

taken as the preferred option. And here for number ten Bridge Lane, it was considered that the provision of an acoustic fence would suitably mitigate the impacts of the proposed development, and it was not therefore considered necessary or proportionate to seek compulsory acquisition powers over the entirety of the land.

00:54:05:14 - 00:54:22:11

Thank you for that response. I now would like to refer us to well streams limited, relevant rep and rep to submission. So a deadline to submission and that was relevant to EP 057 and the deadline to submission 069.

00:54:25:12 - 00:55:00:23

And first of all, can I, um. And actually, this is this is a point of clarification before we actually go into this, the specific context of these reps. And can I just ask the applicant to confirm if we actually know at the moment who the Occupier of the property is? Ask this because the book of reference just states the occupier. And I just wanted to check if because I noticed that Well Stream Limited is listed as the owner of the property, which I understand, but there is an occupier or there might be an occupier, which is my question.

00:55:00:25 - 00:55:10:29

So my first question is there or there isn't an occupier. And if the occupier is not the owner and is not well stream limited, then do we know who the occupier is?

00:55:19:04 - 00:55:42:20

People check for the applicant. The applicant has understands that there is an informal arrangement between well stream Limited and the occupier, but the applicant has not been provided with the name of the occupier by well stream limited, and that is why it is that a name is not provided in the book of reference because we have not been provided with that information.

00:55:42:22 - 00:56:01:17

Certainly in that case, my concern has got to do with the involvement of the occupier of the property in part of the process. So is there any information or evidence that you can provide us that demonstrates that this person, the occupier of this property, has actually been involved in the process and engaged.

00:56:02:05 - 00:56:26:21

Project for the applicant? Yes. So the occupier would have received notification at statutory consultation by way of a letter being received in the post. Once the application was accepted by the Planning Inspectorate, they would have received notification pursuant to section 56 of the Planning Act, again by way of letter through the post, and therefore would have had the opportunity to submit representations.

00:56:26:26 - 00:56:35:21

I understand they would have received a letter potentially and would have potentially the opportunity to participate. My question is, have they participated?

00:56:37:04 - 00:56:43:16

Pet project for the applicant? Not to my knowledge, no. They're not listed as one of the parties who've submitted a relevant representation.

00:56:44:16 - 00:56:45:01

Um.

00:56:45:22 - 00:56:51:15

In that case, in revisiting my first question in terms in terms of the impact, um.

00:56:53:22 - 00:57:27:00

In considering how how significant potentially the effects of the proposal are, um, in terms of how this person, this affected person will actually be affected by. But proposal, what applicant, what strategy would the applicant suggests that deploys in order to make sure that this person is aware and there is some evidence that this person has is actually aware and understands the nature of the proposal and the nature of the changes.

00:57:36:27 - 00:57:51:00

A pull carry for the applicant. We've had meetings with the directors of Wealth Stream. The owners of the property who have told us that they are in contact with the resident there, but we've not had direct contact with the resident.

00:57:52:04 - 00:57:53:24

And I understand that.

00:57:53:26 - 00:57:54:11

Um.

00:57:54:18 - 00:58:07:11

But as I have highlighted previously in my question, my concern here is that wealth stream is the owner of the property. But I believe and now I think that the information is actually shared.

00:58:07:13 - 00:58:08:10

With.

00:58:08:25 - 00:58:55:14

The applicant in terms of information that I have just received from you, that it is very likely that the occupant of the property is actually not your property and therefore it is the occupant that the occupant will be one of the affected persons by the proposal. As such, um, we would like to actually see evidence that this person has been engaged with the process, considering the magnitude of the changes. This is, um, as we saw in the land plans, this is a proposal, this is a residential property which we have now is considered a residential property that is located right in front of the proposed entrance to your site.

00:58:55:16 - 00:59:34:26

And therefore, um, considering the human rights and enjoyment of the property of this person, I really need I really would like to press the applicant in terms of trying to come up with a strategy that will be able to offer some reassurance that the occupant of this property is understands the nature of the proposal and its implications, and contacting the owner of the property who did not reside there does not really satisfy, in my view, at this point in time unless you clarify me otherwise otherwise that requirement.

00:59:36:15 - 00:59:37:20

Clever trick. The applicant.

00:59:41:00 - 01:00:30:21

My my slight concern with your with your suggestion, sir, is that obviously the applicant has a statutory duty under the Planning Act to carry out notification of its proposed development, both at the Pre-application stage and when the application has been accepted. There are prescribed measures the applicant needs to take to notify both affected persons and the local community and it's complied with those. Those do not extend to ensuring that persons who have received a notice adequately understand the content of that notice and will be reluctant best that the applicant applicant has a duty to ensure that people have received that notice, which has been in compliance with the statutory procedures.

01:00:31:03 - 01:00:51:22

Um, have have read those documents or necessarily understand its content. I'm not sure how the applicant, if somebody has not decided not to participate in the process and has been written to how the applicant can provide evidence, as you've requested, that that person has read those.

01:00:51:24 - 01:00:57:00

Documents, think that that is the issue, is that there is no evidence of participation or not participation.

01:00:57:28 - 01:00:59:00

I think I think.

01:00:59:02 - 01:01:00:27

That that's exactly the question.

01:01:00:29 - 01:01:18:17

But that is not a requirement of the process. I mean, the applicant will have a will take the point away and consider whether there is any further steps that the applicant can take in terms of writing and. To the occupier. But other.

01:01:18:19 - 01:01:19:07

Than that, do.

01:01:19:09 - 01:01:46:21

Understand what are the requirements of the applicant and the requirements of consultation? I am not debating that issue. I'm actually just trying to understand fully what efforts have been made to actually contact this person because of the nature of the location of the property and the nature of the property itself. I And that is. The origin of my questions.

01:01:49:03 - 01:02:28:07

Yes, we understand the point. I would reiterate that we do consider that the landowner to be the appropriate person to liaise with. As we said, this is an informal occupation arrangement, um, and therefore may be transient and the occupier may change over time and therefore the applicant considers that the owner is the appropriate person with which to discuss the mitigation measures and whether the mitigation measures are suitable for the property and discussions have been taking place in relation to the location and specification of the acoustic fencing with the landowner who the applicant considers as the appropriate person to be having those discussions.

01:02:28:09 - 01:02:41:13

But we will take the point away and provide an update in our written summary as to whether there are any other steps that the applicant considers are appropriate with which to try and contact the the occupants.

01:02:41:15 - 01:02:42:00

Thank you.

01:02:42:02 - 01:02:44:09

And can we please register that as an action?

01:02:52:20 - 01:03:23:11

Um, still on ten. Um, we have actually received a representation from well stream which we as we establish is the honor. And that was, as I mentioned before, originally relevant rep 057 and then deadline to submission 0692069 and arising a series of concerns in relation to ten new bridge line and the effects of the construction of the acoustic fencing and how changes to the access of the property would be accommodated.

01:03:23:13 - 01:03:31:16

Can the applicant please provide either a response to this issue or clarify how it proposes to address the points raised and how these will be addressed?

01:03:33:19 - 01:04:03:28

Paul Carey for the applicant. I've spoken directly to the directors of Wealth Stream and asked them to confirm their requirements for the fence and the entrance. I'm waiting on a reply, but I've assured them that we can accommodate their requirements from what they discussed when we met them on site a few weeks ago. So I'm waiting for them to just provide me with their requirements and I'm quite confident that we could satisfy them.

01:04:04:07 - 01:04:04:22

Right.

01:04:04:28 - 01:04:08:10

If an agreement is reached and when that agreement is.

01:04:08:12 - 01:04:09:04

Reached.

01:04:09:11 - 01:04:24:08

The examining authority would really welcome a confirmation of that from the applicant's parts and if possible, from um, well stream as well. If that is the party that which you are in contact with.

01:04:25:05 - 01:04:29:23

Don't care for that. As soon as we have that confirmation, I'm sure we can pass it on to you.

01:04:30:10 - 01:04:31:06

Thank you very much.

01:04:35:17 - 01:04:36:02

Um.

01:04:36:27 - 01:05:09:06

I would now like us to look at. Potted plants property in the book of reference. The book of reference. 20004. Batch 7778. And I'm afraid that the book of reference appears to reference to the occupiers of this property as well as the non occupier. So again, a similar point in terms of, um, what has the applicant done in order to engage with the actual occupiers of the property?

01:05:11:19 - 01:05:21:22

And and anticipating the answer. I do understand that you have provided them notice according to the regulations. My question to clarify would be, is.

01:05:21:24 - 01:05:22:09

There.

01:05:22:19 - 01:05:24:02

Have you taken any other.

01:05:24:04 - 01:05:25:10

Initiatives.

01:05:25:17 - 01:05:27:05

To contact?

01:05:44:22 - 01:06:00:18

Their project, the applicant the owner occupier of of the property known as potted plants is listed in the Book of Reference. It's a mr. Bruce Bell. The applicant has spoken to him on a number of occasions and is led to believe that he does not wish to participate in the process.

01:06:02:09 - 01:06:19:20

The land is is owned both by there's two entries for potted plants. There's Bruce Burl, and then there is also the executors of the late Edward Roland Alexander. So they were they were joint owners. But the actual person who resides there is Mr. Bruce Bell.

01:06:20:09 - 01:06:40:14

Right. Okay. Thank you for that clarification. In that case, can I ask for page 77 of the book of reference and the point six Occupy is category one, where it says a non occupier for that to be either updated or explained, because that is what original confusion.

01:06:53:20 - 01:07:16:18

To project the applicant believe the unknown reference in there is because there may be other interest where it's not known. In addition to where the land is unregistered, we often put in an unknown entry

because we don't have complete confirmation as the fact that all of the interests have been listed. But but Mr. Bell is listed there. The unknown is a

01:07:18:03 - 01:07:28:15

is a conservative approach because it then necessitates the the placing of site notices. So it's a way of capturing unknown interests where land is unregistered.

01:07:28:24 - 01:07:29:26

Okay. Thank you.

01:07:29:28 - 01:07:33:02

That actually clarifies the position. Thank you very much. That's very useful.

01:07:38:24 - 01:07:46:13

But I believe that we also had some people that have registered an interest on this specific item. Um.

01:07:48:28 - 01:07:55:10

And ask Cambridgeshire County Council if they would like to intervene now.

01:08:01:13 - 01:08:04:13

I believe that we had online. Mr. Andrew Fraser Urquhart.

01:08:08:27 - 01:08:12:04

Sorry. Forgive me, sir. Just momentarily away.

01:08:16:09 - 01:08:17:00

Thank you.

01:08:19:19 - 01:08:22:01

So could you just repeat the last couple of sentences you said?

01:08:22:18 - 01:08:46:14

Certainly. Just. We have reached the end of the questions that I had prepared, at least at this point in time. And the item four. And I wanted to now give Cambridgeshire County Council an opportunity to ask questions. And this item is requested. I believe that you mentioned that you would like to speak under item four.

01:08:47:06 - 01:08:48:09

Um, so.

01:08:48:20 - 01:08:49:28

If I would.

01:08:51:25 - 01:08:53:03

But ask you to then.

01:08:53:27 - 01:08:55:03

Make your submission.

01:08:55:18 - 01:09:26:09

Thank you very much indeed, sir. Yes. Um, the. There are two, uh, discrete matters that we wanted to put before this session today. The first is a think in primarily an administrative matter, which is that

there are a number of small inaccuracies in the book of reference, which we wanted to bring to yours and to the applicant's attention. I'll do that, if I may. Later through one of my officers.

01:09:26:11 - 01:09:34:05

But the second and the fundamental point that we raise is that the.

01:09:36:29 - 01:10:25:11

Order obviously secures compulsory acquisition of land for the purposes of bringing about this development. We contend that in two vital areas, that's first of all on new bridge lane itself and then at the area where the junction between Cromwell Road and the A14 sorry and new bridge lane are whether there's to be a new Signalised junction. We contend that in both of those areas, the land which is to be acquired through this order is insufficient to bring about the development which is necessarily required for the purposes of the development.

01:10:26:00 - 01:10:48:02

Mean basically the bottom line is we say they're not taking enough land to bring about successful development of the highway and the junction to the necessary standards. I'm going now that's that's the the outline I'm going to turn over now, if I may, to.

01:10:51:19 - 01:10:53:12

Uh, Nigel. Um.

01:10:54:29 - 01:10:55:21

Edgar Higa.

01:10:56:05 - 01:11:10:08

Yeah, I think is is old. I don't have the assurance of being able to turn around and look at it, but I believe he is on the call. So if he can come on to Cameron now, he will take us through the detail of the case. The counselor answers.

01:11:10:19 - 01:11:18:18

I'm here, Sir Nigel Edgar for the council. I'm the highway development manager for Cambridgeshire. I trust you can hear me.

01:11:19:27 - 01:11:33:13

Yes, we can hear you perfectly. Thank you very much, Mr. Fraser. Mr. Edgar, if you would like to then. Provide us with some further information on the point that was just highlighted, please. Thank you.

01:11:33:24 - 01:11:52:22

Okay. I myself will have to deal with the Cornwall or Newbridge line sorry element, and I'll probably hand our hand over to my colleague Jess Tuttle, in relation to the Junction, which is more of his area, my share of screen.

01:11:54:29 - 01:11:55:14

So.

01:11:58:04 - 01:12:02:14

Um, we can't see any screen being shared at the moment by.

01:12:02:16 - 01:12:04:07

You may share a screen.

01:12:10:04 - 01:12:11:29

I think. Nigel, go ahead and see what happens.

01:12:12:01 - 01:12:12:26

Okay, We'll do it.

01:12:12:28 - 01:12:14:01

Still can't see it?

01:12:14:05 - 01:12:17:03

No. So I will. I will share.

01:12:18:20 - 01:12:19:27

I think Mr. Evans was asking.

01:12:19:29 - 01:12:20:14

If you could.

01:12:20:19 - 01:12:21:17

Try. That's why.

01:12:23:07 - 01:12:44:02

It's doing it now. But if we just appear to have we almost got it, I think. And then we lost it again, I'm afraid. And I was going to suggest it maybe. Mr. Andrew Fraser, if you could turn off your camera now, that might also, I don't know, it might actually help the situation. Thank you.

01:12:46:04 - 01:12:50:08

What we're Sir Nigel. What we're keen to steal.

01:12:50:10 - 01:12:56:06

Are not just just to inform you that we still cannot see any information being shared.

01:12:56:13 - 01:13:00:09

That's curious. Very curious. It says it is, sir.

01:13:01:21 - 01:13:08:05

Their project could perhaps be confirmed if. If a document that's before or submitted into examination is being shared.

01:13:08:13 - 01:13:09:08

And then we.

01:13:09:10 - 01:13:11:15

Can actually see it now. Thank you very much.

01:13:11:17 - 01:13:12:08

Thank you.

01:13:14:09 - 01:13:50:15

So. Okay. What we're keen to ensure, sir, is that there is sufficient land on particularly on the south side of Newbridge line, to ensure that the works are in fact deliverable. Um, typically if you're going to build a carriageway which at the moment the, the wide highway stops around sort of this sort of



point, you can see my mouse moving. Um, you need to put in a kerb beam which has a concrete bright brace to it and then you need to put in a sufficient subbase beneath that curb beam to restrain and support the curb beam.

01:13:51:01 - 01:14:24:14

Typically, it might look like this, although it's not a not a marvellous representation, but you can see outside the edge of the carriageway line itself, you need other infrastructure to be able to build the carriageway. We are just keen to ensure that there is sufficient land within the such that the applicant can deliver this work. So hypothetically, there would be another line potentially in these areas that you would need to excavate and construct beyond what would appear to be the the boundary.

01:14:24:25 - 01:14:57:19

Um, you might this to your boundary. Yes, that's right. Yes. So if we were to look at. These elements particularly, it gets very, very close. And you're probably going to need to affect alterations to the embankment or at least take it out, cut the box to put the put the subbase in in the in the carriageway infrastructure and replace the, um, replace the embankment. So we're just keen to ensure that the sufficient land because the ditch and the drain won't form part of the public highway and they're not in the.

01:14:58:23 - 01:15:12:16

Okay. So we're keen to ensure that there's enough land in those areas. To facilitate these works. If I've got the right one, there's the second one. And now 11. It's that one.

01:15:14:12 - 01:15:15:09

Similarly.

01:15:16:24 - 01:15:45:29

On this sort of area along here where you've got the ditch and the carriageway edge comes in closely. Again, we're just very keen to ensure that there's enough space to construct this because you would need consent from the internal drainage board for alterations to the ditch and the drain. The ditch and the drain would be in themselves assumed to be in the riparian ownership of the adjacent landowner. So we as it's just trying to ensure that this is deliverable.

01:15:46:29 - 01:15:52:22

That's very useful. Thank you very much, Mr. Agar. May I ask the applicant to respond, please?

01:15:54:00 - 01:16:19:17

Cap budget. The Kent and Mr. Marks will respond to the technical points. Just from a procedural perspective would obviously be very helpful if the reference numbers could be provided. If somebody is going to be allowed to share on the screen that they provide the reference numbers for the examination, because we're not entirely certain that the document, other than the line plans that the documents being showed, are.

01:16:19:19 - 01:16:20:09

I understand.

01:16:20:21 - 01:16:21:06

Documents.

01:16:21:08 - 01:16:21:23

Or documents.

01:16:21:25 - 01:16:36:00

I understand. I understand that is that is fair. Mr.. Can I please ask you to confirm the reference, the library reference of both the documents that you have just shared?

01:16:37:01 - 01:16:38:04

To please if.

01:16:38:15 - 01:16:39:24

That is at all possible.

01:16:41:02 - 01:16:53:03

Nigel Leggett For the Council. I believe that these might be actually a subsequent iteration, but they're actually of benefit to the inquiry. I don't know if you've actually submitted them as the applicant may. Sorry.

01:16:54:01 - 01:17:05:14

In that case, actually, for the sake of then in that case of everyone else, just to make sure that we have access to the same information. Could I please ask you to actually show to the examination the.

01:17:05:16 - 01:17:06:04

Cover.

01:17:06:25 - 01:17:13:18

Of the documents that you are referring to so that at least we will know the date and title of those documents?

01:17:15:08 - 01:17:22:24

Can you can you see that, that you are sharing that? It says operational access Newbridge Line sheet two of 2nd November 2021.

01:17:22:26 - 01:17:23:16

Update.

01:17:24:06 - 01:17:34:07

And there is a reference there and similarly the applicant to confirm that they are happy that those documents are documents that they have produced.

01:17:36:14 - 01:17:57:04

Their project for the applicant. They are documents that the applicant has produced, but we are not able to confirm at this moment that they are the version that was submitted as part of the application because they don't contain the relevant key information. So all of the plans in the SO for chapter three have got

01:17:58:19 - 01:18:25:05

references to the application in the key which isn't here so mean. It's definitely a plan that's been provided to Cambridgeshire by the applicant. We were just a bit confused as to which one it was. It it largely aligns with the plans that we were reviewing in this morning session, which was, um, figure 3.19 little two and little three that we, that we had up on the screen. But yeah, it's a slightly different Okay version.

01:18:25:11 - 01:18:32:06

So just a little. We were just trying to make sure that what was being shown was, was an application or.

01:18:32:08 - 01:18:33:22  
A subsequent document in.

01:18:33:24 - 01:18:48:03  
In submission. But think we can move on to discuss the technical point and perhaps it's a point that we can pick up with with Cambridgeshire after the hearing and clarify in the in the written summary, just to make sure that that they.

01:18:48:05 - 01:18:52:17  
Are referring to application plans in their submissions.

01:18:53:00 - 01:19:05:24  
Right. Thank you very much. I was going to suggest if can in that case get an action for um, the applicant to get in touch with Cambridgeshire County Council in order to.

01:19:05:26 - 01:19:07:17  
Just ensure.

01:19:07:19 - 01:19:09:04  
Which version of the plans.

01:19:09:06 - 01:19:11:00  
It is and then, um.

01:19:11:11 - 01:19:23:05  
Just stretch that action and I'm going to ask the applicant to then in that case, on that presumption, as Ms.. Broderick has highlighted, if you would like to answer now, if you are able to answer to that question, please.

01:19:23:07 - 01:19:23:22  
Thank you.

01:19:24:03 - 01:19:40:22  
Tim Marks for the applicant. Just to say, sir, we have a meeting with Mr. Tuttle at 4:00 today to discuss the matter that he's just raised. And I believe the other matter that he will be about to raise it. The Cromer well, Newbridge Lane entrance.

01:19:41:15 - 01:19:42:14  
Thank you very much.

01:19:43:15 - 01:19:45:27  
Mr. Kerry. Would you like to intervene now?

01:19:46:02 - 01:20:02:09  
I just want to pull Kerry, um, with the applicant just to assure me, stake out that I'll take part in that meeting as well. I'm a chartered civil engineer like you might well be, sir, and I'm sure we can come to an agreement on how these work should be built.

01:20:02:21 - 01:20:09:23  
Thank you. Uh, Mr. Eggar, can I just confirm to you if that is acceptable to you?

01:20:10:14 - 01:20:39:10

It is entirely Sir Nigel for the council. Thank you. It's just to note that the purpose of identifying these particular drawings is in relation to the ones submitted with the which didn't have immediate access to. They actually have increased information. So in terms of showing you where ditches and drains are, they have topographical survey shown on them, whereas the drawings do not. So in terms of referring to where ditches and embankments may be, they're of a greater sort of asset to yourself to understand the the issue.

01:20:40:11 - 01:20:41:12

Thank you, Mr. Jagger.

01:20:44:09 - 01:20:45:25

Mr. Andrew Fraser. Cut.

01:20:47:20 - 01:20:49:06

Yes. Just come on camera. Really.

01:20:49:08 - 01:20:49:28

Just a cure.

01:20:50:02 - 01:20:50:20

So.

01:20:51:14 - 01:20:59:27

Yes. Just to queue up our next witness, Mr. Tuttle, who's going to speak about the junction aspect of this particular problem.

01:21:01:10 - 01:21:02:05

Mr. Tuttle.

01:21:04:07 - 01:21:12:05

Good afternoon, sir. My name is Jess Tuttle from Cambridgeshire. Can to council. I am the transport assessment manager for Cambridgeshire.

01:21:14:06 - 01:21:31:08

And in vain to that which has just been discussed by Mr. Agar. I'd like to share a a drawing. This is a drawing which has been submitted to the County Council by Woods. Previously. I will try and share that now.

01:21:46:01 - 01:21:47:07

And we go.

01:21:48:13 - 01:21:59:23

Mr. Tuttle, while we're waiting you for you to actually shed the document, can just confirm if, um, similar to previously, if you could actually just confirm.

01:22:00:00 - 01:22:00:26

The date.

01:22:00:28 - 01:22:10:04

And possibly if you have the reference, the library number reference of the document, if it is part of a document that has been submitted to examination?

01:22:10:28 - 01:22:32:00

Yeah. This was part of the, the transport assessment chapter of the EIA. I will just try and find it, but my web browser is being a bit difficult at the moment. Should be under developers application I believe.

01:22:34:13 - 01:22:38:11

It's volume. 6.4.

01:22:42:03 - 01:22:53:16

But in traffic and transport. Volume 6.2 is chapter six Traffic and Transport published second of the eighth 2022.

01:22:54:20 - 01:22:55:20

I can just thank you.

01:22:55:22 - 01:22:58:00

Very much for that confirmation. That's very useful.

01:22:59:16 - 01:23:31:04

Um, so this was a drawing submitted as part of that. This shows the, the Signalised junction which they are proposing. We um, have looked at this signalized junction from a technical perspective, and we feel that it's not a junction which we could approve in its current form because of various, um, geometric and safety issues that have been picked up by our signals experts.

01:23:31:28 - 01:24:07:20

Um, and we have a scheme already as part of what we call the Wisbech access study, which. Submitted a technically sound. Um, signalised junction. Now I can share that document, but I'm conscious that it's not been submitted as part of the evidence in this inquiry. Therefore would have to leave it to the inspector's discretion so as to whether you'd allow me to, um, share this drawing just for the purposes of the explanation.

01:24:08:18 - 01:24:14:12

Uh, could I ask you just for some more information in terms of the drawing, So I understand.

01:24:14:26 - 01:24:15:11

Um.

01:24:16:00 - 01:24:28:18

The reason why you are asking to submit that, but can I just clarify with you who actually produced the document in the drawing? So the.

01:24:28:20 - 01:25:09:00

The drawing was produced by Cambridgeshire County Council on behalf of Fenland District Council as part of the Wisbech Access Study. Um, and it was a one of a number of schemes which I think may have been pointed towards in this, um, in this inquiry already. Um, and in the same vein as with the um, points made by Nigel Edgar, we have concerns that there is not enough land around the junction area to deliver an acceptable form of Signalised junction.

01:25:09:02 - 01:25:32:04

And the reason why I would like to just quickly share this drawing is to show the junction which we feel is acceptable, and you will be able to see the difference in landscape between the two. But I will leave it to the discretion of the inspector as to whether they will allow me to share that, so won't share it if that's not in accordance with protocols.

01:25:34:12 - 01:25:57:01

Uh, Mr. Tuttle, I would suggest that perhaps if there is additional information on this point that you think will assist the examination on this specific issue, then I would perhaps suggest that you submit that to us as part of your post hearing submission. Uh, the written representation of the oral case in deadline three, and that would be Tuesday 25th of.

01:25:57:03 - 01:25:57:23

April.

01:25:57:25 - 01:25:58:18

2023, if.

01:25:58:20 - 01:26:00:21

That would be acceptable.

01:26:00:29 - 01:26:23:08

That's absolutely acceptable to me. That's no problem at all. It was just simply to make a comparison. But in in in essence, we have the same concerns that the proposed junction um, requires or a to get an acceptable junction in that location. It will require further land take than perhaps the applicant is currently thinking.

01:26:25:28 - 01:26:40:16

Thank you for that point. Can I ask the applicant to respond to Mr. Tuttle's point in terms of confidence that the Lent intake proposed for that specific junction is adequate?

01:26:42:25 - 01:26:57:07

Pet project for applicant. The applicant's position at the moment is that sufficient land is included within the order limits to deliver both the lane junction and also the new bridge lane access improvements. However, as Mr. Marks.

01:26:58:06 - 01:27:00:04

Explained earlier, a meeting, a more.

01:27:00:06 - 01:27:02:07

Technical meeting is taking place.

01:27:02:09 - 01:27:04:02

Later today, and ongoing technical.

01:27:04:04 - 01:27:16:00

Discussions will take place between the applicant and Cambridgeshire County Council in order to arrive at a conclusion on this particular point. But at the moment the applicant believes it's designed at scheme and.

01:27:16:02 - 01:27:16:20

That scheme can.

01:27:16:22 - 01:27:17:13

Sufficiently.

01:27:17:28 - 01:27:18:13

Exist.

01:27:18:15 - 01:27:20:02

Within the current order limits.

01:27:23:15 - 01:27:45:19

They have a poor carry for the applicant. You've asked for the drawing to be submitted to you as the next response. But if in view of the meeting we have this afternoon, if the gentleman from Cambridgeshire could email it to us in advance of that meeting, it would help us this afternoon. So it's just a request more to the gentleman rather than to yourself, sir. But, um, if that's possible, it would help facilitate these.

01:27:46:11 - 01:27:47:06

The applicant.

01:27:47:08 - 01:27:51:14

Is free to communicate with him, which normally not the.

01:27:51:16 - 01:27:52:05

Request.

01:27:52:18 - 01:27:55:18

Obviously, my request is dealt with the examination.

01:27:55:20 - 01:27:59:03

So I think I think that that is the best.

01:27:59:05 - 01:28:03:03

And obviously, you know, the applicant can contact Cambridge County Council.

01:28:04:00 - 01:28:04:15

Um.

01:28:04:19 - 01:28:11:17

Mr. Tuttle, can I can ask you if you would like to add anything else at the moment on this specific issue.

01:28:13:00 - 01:28:30:09

Um. Jez Tuttle. Cambridgeshire. Um. No, sir. Not at the moment. We are having discussions, ongoing discussions with the. The applicants and their consultants. Um, as with, as Nigel ah, alluded to in his presentation.

01:28:32:19 - 01:28:53:13

Uh, thank you very much, Mr. Turtle. Um, I would perhaps now refer back to Mr. Andrew Fraser Urquhart and just ask if there is any other points that you would like to raise for on behalf of Cambridgeshire County Council. Um, on this specific item of the agenda.

01:28:53:24 - 01:29:26:23

Thank you, sir. Yes. Um, as you've seen, we've put before you what our concerns are, and that's been very helpful. Thank you for giving us the opportunity to do so. Obviously there are discussions. If they're productive, this may be an issue which will disappear if they're not productive or issues remain. Obviously we can come back to them later in the examination, as I'm sure you'll facilitate. So

did mention when I opened this section of our submissions that there were some minor corrections, minor errors on the book of reference.

01:29:27:03 - 01:29:36:23

Um, if it's helpful, we'll get Mr., uh, Dan Ashman up on the screen just to deal with the details of those.

01:29:38:21 - 01:29:42:11

Um, I would perhaps suggest that if it is.

01:29:42:21 - 01:29:45:23

Um. Minor amendments.

01:29:46:14 - 01:29:53:21

Um, that perhaps you submit those in writing as part of your pursuing submission as well at deadline three.

01:29:54:02 - 01:30:00:25

Yeah, perfectly happy to do that, sir. I'm sure they are just administrative matters, so there's no need to waste inquiry time. Um.

01:30:01:18 - 01:30:02:03

Now, I.

01:30:02:08 - 01:30:05:13

Would think that that would be very helpful. Thank you.

01:30:06:08 - 01:30:07:10

Thank you, sir. Yeah.

01:30:08:10 - 01:30:21:05

For the applicant. Just to add that the applicant has been informed of those lots where concerns have been raised. It's relating to the alignment of the public highway boundary and.

01:30:21:07 - 01:30:24:25

Ah, the applicant's land References. Cottage owners are currently.

01:30:24:27 - 01:30:27:28

Investigating whether any amendment seemed to be made to the book.

01:30:29:27 - 01:30:38:12

Where land has been described as not being public highway, whether it is in fact a public highway, it's just to do with the the the.

01:30:38:14 - 01:30:40:22

Transference of the mapping detail from.

01:30:40:24 - 01:30:42:29

Cambridgeshire County Council's highway.

01:30:43:01 - 01:30:46:02

Maps onto the mapping database used by.



01:30:46:04 - 01:30:47:17

The land. References.

01:30:47:28 - 01:30:53:17

Apologies, Mr. Baldrick. But now I'm a little bit confused to you is that in response to Mr. Tuttle's submission?

01:30:54:29 - 01:30:59:03

Uh, in response to the comments that Theresa Urquhart.

01:30:59:05 - 01:31:02:28

Made, those points had already been raised, I believe, in one.

01:31:03:00 - 01:31:04:14

Of their Cambridgeshire County Council's.

01:31:04:16 - 01:31:06:13

Written responses at Deadline two.

01:31:06:15 - 01:31:09:22

So it was just to let you know the applicant is already looking into this point. Okay.

01:31:10:03 - 01:31:12:06

Thank you very much for that. Thank you.

01:31:14:25 - 01:31:20:21

Thank you, sir. That that concludes the matters we wanted to put before you for Cambridgeshire today.

01:31:21:21 - 01:31:22:07

Okay.

01:31:22:15 - 01:31:29:18

Thank you very much for that, Mr. Andrew Fraser, And thank you for everyone from Cambridge County Council who participated.

01:31:30:18 - 01:31:31:03

Um.

01:31:33:11 - 01:31:46:23

I have one final question that I would like to make as well, but before I do, can just ask if there is anyone else joining us online. It would also like to intervene in this point.

01:31:51:18 - 01:31:56:01

I can see one hand twice from Mr. Greenwood, I believe.

01:31:57:01 - 01:32:00:13

Yes. Thank you very much, Mr. Greenwood. Good afternoon.

01:32:00:15 - 01:32:09:10

Before before you start, can I just ask Mr. Andrew Fraser, if you could just turn off your camera now, please, if you have finished your submission. Thank you.

01:32:09:12 - 01:32:10:07

Very much. Yes, thank you, sir.

01:32:10:19 - 01:32:12:22

Everyone prefers it when I turn my camera off.

01:32:14:08 - 01:32:17:05

Thank you, Mr.. Thank you. Mr. Greenwood, please.

01:32:17:26 - 01:32:19:09

Yeah. So, Mark Greenwood.

01:32:19:11 - 01:32:23:18

For Fenland District Council. Just a point of clarification, if I may. Um.

01:32:24:00 - 01:32:29:10

The the plans show the Al Gore's way road as a compulsory acquisition.

01:32:30:03 - 01:32:42:21

Excuse me, but from the discussions this morning and during this afternoon session, I think that may now have changed in that the applicant is now looking to acquire rights of way over that road rather than to actually acquire it.

01:32:42:25 - 01:32:44:00

Could we just confirm that?

01:32:44:04 - 01:33:00:00

So the road is owned by Fenland District Council. It's not a public highway. It's actually owned and maintained by us as our number of the services and sub structures, including the drainage. So just want to be clear on which way we're going with that, whether it's the, you know, what the intentions there are now. Thank you.

01:33:02:01 - 01:33:03:03

The applicant, please.

01:33:04:08 - 01:33:12:25

Claire Broderick. The applicant? Yes. Updated land plans were submitted at deadline one, and that's Rep 1-004.

01:33:13:04 - 01:33:15:09

I don't know if it would be of assistance, um.

01:33:15:15 - 01:33:23:15

To put the lamb plan on the OR to share that. I don't know if PIMs is able to do that, but that shows that.

01:33:23:17 - 01:33:25:00

The Al.

01:33:25:02 - 01:33:28:14

Gore's way, the stretch of Al Gore's way that's currently on adopted.

01:33:28:16 - 01:33:31:21

Is predominantly now shown as blue, where the.

01:33:31:23 - 01:33:37:07

Applicant is seeking a right of access, with the exception of a small section.

01:33:37:16 - 01:33:38:01

Where.

01:33:38:03 - 01:33:43:09

The new sort of the newly located site access for staff and visitors.

01:33:43:11 - 01:33:43:26

Into the.

01:33:45:23 - 01:33:47:14

Facility site is located.

01:33:47:16 - 01:33:49:04

So there is a small section.

01:33:49:06 - 01:33:51:05

Of pink freehold.

01:33:51:07 - 01:33:52:00

Land.

01:33:52:21 - 01:33:55:00

Where that access is located.

01:33:55:02 - 01:33:58:27

But the remainder of Al Gore's way, only rights are now being sought.

01:33:58:29 - 01:34:00:07

Following confirmation.

01:34:00:09 - 01:34:00:25

By Cambridgeshire.

01:34:00:27 - 01:34:03:29

County Council that it did not wish to adopt this section of road.

01:34:05:04 - 01:34:11:04

Thank you. Thank you for that. Uh, Mr. Greenwood, does that clarify your question?

01:34:11:17 - 01:34:13:27

That's absolutely fine at this moment in time. Thank you very much. So.

01:34:15:03 - 01:34:17:00

Thank you very much. Thank you.

01:34:20:20 - 01:34:26:10

Is there anyone else joining us online that would like to ask a specific question on this item?

01:34:30:10 - 01:34:30:29

No.

01:34:31:16 - 01:34:50:06

I can't see any hands. Right. Therefore, I will actually ask one final question from the applicant on this specific item before I move as to the next item, item five, but I will come back to the room if there is anyone else that would like to ask questions on.

01:34:50:08 - 01:34:50:29

This.

01:34:51:01 - 01:34:56:13

On this point. Ms.. Would you like to intervene on this specific point?

01:34:58:20 - 01:35:01:03

And I can hold my final question.

01:35:01:05 - 01:35:05:12

So, yes, if you would like to take to to sit and please.

01:35:06:28 - 01:35:07:18

Addresses.

01:35:08:03 - 01:35:08:23

Thank you.

01:35:09:24 - 01:35:25:06

Um, I'd just like to say that the businesses weren't aware the last point that was made about it being changed. We've not been told that. So what I've got to say today may or may not be as relevant. I'm not sure. But.

01:35:25:23 - 01:35:26:24

Um. Okay.

01:35:27:08 - 01:35:34:00

We spent a little before before we start, actually. Apologies. This is one of those procedural things. But if I could possibly ask you to.

01:35:34:02 - 01:35:35:12

Confirm your name. Yeah, sure.

01:35:36:08 - 01:35:40:00

So, um, thank you. Business owner on Alcoa's way. Thank you very.

01:35:40:02 - 01:35:55:09

Much for that confirmation. And now a question in terms of the point that you have just made. Just to clarify, you actually mean the changes in the land plan. So the fact that the applicant is now no longer proposing.

01:35:55:11 - 01:35:55:28

To.

01:35:56:06 - 01:36:02:02

Do compulsory acquisition of a specific stretch of Argos? Yeah, we don't know.

01:36:02:04 - 01:36:03:25

We've not been made aware of that.

01:36:04:01 - 01:36:06:15

That is that's what I want to clarify. Thank you very much.

01:36:06:17 - 01:36:08:09

For that clarification. Um.

01:36:09:18 - 01:36:15:14

If I could just pin that now for the time being, and then I'll come to the applicant for.

01:36:15:21 - 01:36:16:14

Just.

01:36:16:19 - 01:36:20:23

Any comments on that that they might have. But if you'd like to address just.

01:36:20:25 - 01:36:21:13

Not least.

01:36:21:16 - 01:36:53:14

A little piece to read. I'm a business owner and I'll go this way. And I've followed the project for three years and attended many initial consultations. Not once was the compulsory purchase that causeway mentioned at these consultations or in the plans in November 2022. It was drawn to my attention by my neighbour, who is a solicitor that had made an additional submission regarding compulsory purchase of our causeway, which was accepted on the 11th of November 2022.

01:36:54:11 - 01:37:33:03

The end of the council station period was the 7th of July and then additional submission was made on the 26th of August. Had my neighbour not told me, I would not have known and I would not been able to alert all the other businesses. None of us at this stage had been contacted by at all. We were obviously concerned and therefore one of the business owners contacted me to query the plans. This query then prompted me to apparently send a letter to all businesses on the 10th of February 2023, a full six months after it was provisionally submitted.

01:37:34:10 - 01:38:09:00

At yesterday's meeting, the planning inspector asked if they had consulted any of the businesses on our causeway, and as a business owner, I can categorically confirm they hadn't until concerned businesses contacted them. The letter they sent was only prompted by them being contacted by a business owner on our causeway. A letter wouldn't have been sent if they hadn't been challenged. Incidentally, my business didn't receive a letter, nor did many others. Also at yesterday's meeting said they had met only one business.

01:38:09:02 - 01:38:40:04

There are at least 50 businesses on this date. The only reason they met with that one business is because the owner requested it when he spoke at the last hearing here at the boathouse, and he only knew about the compulsory purchase because I told him once again, we are not forthcoming in contact in any businesses with vital information. They've only reacted once concerns are raised. We are not looking on the planning website on a daily basis and we should be contacted directly as this affects our livelihoods.

01:38:40:18 - 01:39:15:05

All companies are now going away, are concerned how any compulsory purchase would affect their business. Would our right of way be revoked in the future? Will the road be closed for essential works? Meaning access is denied and deliveries can't get through? We found it quite unbelievable that categorically did not contact any business until concerns were raised to them, despite what they have told you. I also noted yesterday that Mr. Kerry said the traffic to and from the incinerator will not use our causeway except for the construction period.

01:39:15:14 - 01:39:45:14

Does he not think that a four year construction period is significant to all the businesses? And does he not realise the upheaval it will cause? There's a total disregard to the businesses concerned as a result of any compulsory purchase could then do what they like with the road for the next four years at the expense of many businesses in the town. Many businesses need 24 hour access due to twilight shift and night deliveries. So road closures at night would also be out of the question.

01:39:45:18 - 01:40:17:18

Why is there a need to compulsory purchase our causeway and hold our businesses to ransom when we could construct an access road for construction traffic straight away? Is there really a compelling case in the public interest for the land to be acquired compulsorily, or is it just so the MP can be in control of the road and all the businesses on it? Finally, when speaking about the compulsory acquisition of our goods yesterday, Ms. Broderick is just a privately owned track.

01:40:17:25 - 01:40:40:09

Does she not realise it is not a track, It's one of the main roads on the town's industrial estate and serves many businesses to refer to it as a privately owned track is not only insulting, it also highlights have no clue about our town or the roads they are referring to and intend to compulsory purchase. Thank you very much.

01:40:40:11 - 01:40:41:05

Thank you very much.

01:40:41:07 - 01:40:43:07

For that submission. Thank you, Mr. Pentland.

01:40:45:01 - 01:40:45:16

Um.

01:40:52:00 - 01:40:57:03

I think there are a couple of points that I would like to ask the applicant to cover here.

01:40:57:18 - 01:40:58:03

Um.

01:40:59:17 - 01:41:02:05

Following Mrs. Pantaleo intervention and.

01:41:05:10 - 01:41:30:10

I would first of all like to actually talk about consultation, obviously, with the businesses. And I know that we have actually touched upon that specific issue in today's hearing. But in light of the information that we spent a lot just shared with us on behalf of the businesses in Al Gore's way and also in light of the response that was given to the examining authority earlier by the applicant, I think.

01:41:30:12 - 01:41:31:03

It will be.

01:41:31:05 - 01:41:32:27

Appropriate to actually ask.

01:41:33:12 - 01:41:33:27

The.

01:41:33:29 - 01:41:36:08

Applicant again to comment on this specific issue.

01:41:37:24 - 01:41:38:09

I.

01:41:39:13 - 01:41:42:25

To the applicant and thank you to Ms..

01:41:42:27 - 01:41:56:06

Pentel over for her submissions. Think it's it's clear. Obviously there is a degree of misunderstanding relating to what the applicant is proposing here and what what powers are being sought in the application.

01:41:56:11 - 01:42:00:21

And the reasons for those powers. And the and the applicant, as mentioned, did.

01:42:00:23 - 01:42:04:03

Send a number of letters trying to address these.

01:42:04:05 - 01:42:05:03

Concerns and.

01:42:05:05 - 01:42:10:14

To point the business owners to the relevant.

01:42:10:16 - 01:42:11:24

Documents and where those could be.

01:42:11:26 - 01:42:14:12

Found on the Planning Inspectorate website.

01:42:14:22 - 01:42:15:23

However, we do appreciate.

01:42:15:25 - 01:42:18:24

That there are vast number of documents that constitute the.

01:42:19:02 - 01:42:22:08

Application, and it's not always easy to identify.

01:42:22:10 - 01:42:37:11

The correct documents or to be able to track how they change throughout the process. Um, before I get onto the consultation point, do think it might be helpful if if PINS could put the most recent version of the land plans, which is one.

01:42:37:13 - 01:42:45:18

Of the documents that you mentioned would be referring to, which is rep 1-004 onto.

01:42:45:20 - 01:42:47:01

The screen so that I'll.

01:42:47:03 - 01:42:48:17

See if that is possible to arrange.

01:42:48:20 - 01:42:49:05

So that.

01:42:49:07 - 01:42:50:04

Those who.

01:42:50:06 - 01:42:54:15

Are here in the room can see the latest version of the plans, which.

01:42:54:17 - 01:43:10:19

Certainly. Mr. Broderick, if I can just ask you to, then in that case, just bear with us for a second. Um, can I please ask the case team if it is possible to share that specific document and believe that within that those land plans, um, the page that will be most relevant to be 13.

01:43:10:27 - 01:43:11:19

I believe.

01:43:14:27 - 01:43:20:11

And if we could all in that case, just give us a moment to try and see if we can.

01:43:20:13 - 01:43:22:01

Arrange this in.

01:43:22:03 - 01:43:23:20

Order to facilitate examination.

01:43:23:22 - 01:43:24:15

Of this issue.

01:43:36:28 - 01:43:37:20

Thank you very much.



01:43:37:22 - 01:43:47:01

For the team for doing this. I believe that this is the most relevant, probably one of the most relevant sheets and plants that you are referring to.

01:43:52:29 - 01:43:56:21

Very collaborative with the applicant. Yes, that's correct. So following.

01:43:56:23 - 01:43:57:22

Issues specific.

01:43:57:24 - 01:44:01:17

Hearing, one Cambridgeshire County Council confirmed that.

01:44:01:19 - 01:44:02:10

It did not wish.

01:44:02:12 - 01:44:05:05

To adopt the currently uneducated.

01:44:05:07 - 01:44:07:00

Section of our causeway.

01:44:07:02 - 01:44:13:10

And in response to that confirmation, the applicant reduced.

01:44:13:24 - 01:44:14:29

The compulsory.

01:44:15:01 - 01:44:15:16

Acquisition.

01:44:15:18 - 01:44:17:01

Powers that it was seeking.

01:44:17:03 - 01:44:25:24

Over Argos Way. So originally it was only seeking to acquire our causeway so that it could dedicate Argos Way as public highway.

01:44:25:26 - 01:44:28:15

And therefore have it adopted by Cambridgeshire County Council.

01:44:28:17 - 01:44:31:21

It's not possible to dedicate land unless you are the owner.

01:44:31:23 - 01:44:32:22

Of that land.

01:44:32:29 - 01:44:43:28

So that was the reason why it was originally included as a compulsory acquisition of land, which would have been the pink colour. But following that confirmation by Cambridgeshire County Council that it did not.

01:44:44:00 - 01:44:45:14  
Wish to adopt that section.

01:44:45:16 - 01:44:59:04  
The applicant changed the powers being sought and now it's coloured blue. And the reason for the colouring blue signifies that the applicant is seeking a new right over that section.

01:44:59:06 - 01:45:00:08  
Of our causeway.

01:45:00:10 - 01:45:05:14  
And that is a new right for the applicant.

01:45:05:16 - 01:45:06:22  
To access.

01:45:06:27 - 01:45:14:28  
This facility site. And that right is a right that is in common with all other persons that have a.

01:45:15:00 - 01:45:16:17  
Right to use our causeway.

01:45:16:19 - 01:45:34:20  
So the applicant is not seeking to extinguish anybody's existing right over our causeway. It is seeking to give itself a right to use our way. Now it's important to note, as I mentioned earlier, that the land here, that the land shown colour pink, which is plot 13.

01:45:34:28 - 01:45:40:25  
To a is currently being used as a.

01:45:41:12 - 01:45:54:22  
Waste transfer and waste recycling and aggregates facility. And therefore there is already an existing usage of Argos way by vehicles including HGVs.

01:45:54:27 - 01:45:59:23  
Along Alborz way, and the applicant is seeking a right for.

01:45:59:25 - 01:46:06:27  
Itself to utilise Argos way in the same way that the current owners of this plot already use our.

01:46:06:29 - 01:46:07:22  
Causeway.

01:46:09:23 - 01:46:17:18  
They're in to give a bit more information about the current usage in rep. 1-036.

01:46:17:29 - 01:46:18:14  
Um.

01:46:19:13 - 01:46:22:20  
That which is called Appendix 9.2. The applicant.

01:46:22:22 - 01:46:31:14

Provided some further information on the typical vehicular usage during construction and how that compares to the.

01:46:31:16 - 01:46:34:05

Existing usage of Al Gore's way.

01:46:34:07 - 01:46:35:03

By the.

01:46:35:15 - 01:46:38:08

Existing waste and aggregates recycling facility and.

01:46:38:18 - 01:46:40:01

Waste transfer center.

01:46:40:03 - 01:46:40:18

And.

01:46:40:20 - 01:46:51:17

Demonstrated that the construction of the proposed development would result in a similar number of movements as currently use the existing facilities site there.

01:46:52:06 - 01:46:53:07

And so therefore.

01:46:53:09 - 01:47:04:20

The use of Al Gore's way during construction of the proposed development will be the same as the number of movements more or less than is currently.

01:47:04:29 - 01:47:06:18

Accessing the site. Obviously, once.

01:47:06:20 - 01:47:36:24

The site has been constructed, there will be no movements along Al Gore's way and therefore there will be a significant reduction in the number of movements using Al Gore's way. In terms of the concerns that have been raised by the residents of Al Gore's way during the relevant representation and the businesses that surround alagoas way during the relevant representation period and during the open floor hearings, the applicant made a number of changes.

01:47:36:26 - 01:47:38:03

To some of the management.

01:47:38:05 - 01:48:00:04

Plans that have been submitted. These are outline management plans and they are secured in the draft development consent order and they put in place restrictions and obligations on the applicant as to how it needs to carry out the development. Mr. Marks can provide some more details, but provisions were added to the outline construction.

01:48:00:06 - 01:48:01:02

Environmental management.

01:48:01:04 - 01:48:03:12  
Plan and the outline construction traffic.

01:48:03:14 - 01:48:04:15  
Management plan.

01:48:05:07 - 01:48:08:11  
Relating to the specific concerns that have been raised.

01:48:08:13 - 01:48:10:19  
By the businesses on our way.

01:48:10:21 - 01:48:14:13  
And the ways we've tried to provide some comfort that there won't.

01:48:14:15 - 01:48:16:26  
Be disruption to access to the businesses.

01:48:19:04 - 01:48:20:01  
Comments that.

01:48:20:03 - 01:48:23:19  
Information can be found and that that the.

01:48:23:21 - 01:48:25:02  
Commitments to deliver that.

01:48:25:04 - 01:48:35:21  
Are contained in the development consent order in the requirements and there is a legal obligation to comply with the requirements and failure to comply with the requirements is.

01:48:35:23 - 01:48:37:07  
Automatically a criminal offence.

01:48:37:09 - 01:48:38:24  
So wanted to make it clear.

01:48:38:26 - 01:48:39:18  
How important.

01:48:39:21 - 01:48:41:05  
Compliance with these documents.

01:48:41:07 - 01:48:42:11  
Is for the benefit of.

01:48:42:13 - 01:48:44:05  
Those who are not familiar with the regime.

01:48:45:23 - 01:48:47:11  
Mr. Marcus, Would you like to?

01:48:48:13 - 01:48:49:06

Explained further.

01:48:49:19 - 01:48:52:13

Tim Marks for the applicant. Yes. I'll just.

01:48:52:15 - 01:48:58:15

Draw your attention to three outline management plans that have been prepared and which have been updated following the.

01:48:58:17 - 01:48:59:05

Open floor.

01:48:59:07 - 01:49:44:09

Hearings where we heard the local concerns from the business users down our causeway. So one of these documents is the outline Construction Environmental Management plan document reference 1024. And there we've added in a section or expanded on the section at paragraph 3.5.20, which highlights that or well, it reinforces the fact that a local liaison group will be established and we would invite local businesses, including those on our Causeway, Europe Away Anglia Way and others, to join that so that during the construction and operation of the facility, the local businesses are engaged.

01:49:44:23 - 01:50:24:09

Then one of the next documents is the outline construction Traffic management plan document ref rep 1011. And we've updated this in a number of places since receiving the comments at the open floor hearings. And I'll draw your attention to paragraph 3.3.3, which explains the vehicle split that Ms.. Roderick mentioned earlier between Al Gore's way and new bridge lane, and then at 4.6.2 and especially figure 3.1 would draw your attention to these are the access route restrictions.

01:50:24:12 - 01:50:56:18

So this talks about how vehicles will travel to the the construction site and how and the routes that would be they would be prevented from using. We'd also draw your attention to Section 6.3, where we've we've included additional reference to the Highway authority securing the agreement of the highway Authority to these proposed plans that we're we're talking about today. And are secure through requirements which Ms.. Broderick mentioned earlier. We also talk about ten Newbridge Lane, which came up earlier today.

01:50:56:20 - 01:51:52:11

There's reference there at 7.2.3 and about the mitigation around that and also reducing the speed along Newbridge Lane from from the national speed limit to 30 miles an hour at 7.26. Also, it talks at 7.4.29 of the advance notifications that we will issue to the local businesses and residents in the local area. So they are aware of what is happening during the construction period. The last document I'd just like to refer to is the outline operational Traffic management plan revision two and the document reference here is 1-025 and here we've expanded the section following feedback during the examination to reconfirm and reinforce the route restrictions, the monitoring strategy for the route restrictions, how that will be reviewed and how we will comply with it.

01:51:52:13 - 01:52:00:18

So I would draw your attention to Figure 2.1 in that document as well, which graphically displays the route restrictions. Thank you.

01:52:01:26 - 01:52:34:13

Um, thank you for that submission. Um, Miss Broderick. Um, if I would like to, um. Investigate this issue a little bit further because do accept what you have just said. But if I understood the submission

that we have just received for from Ms.. Pantaleo is that the consultation in those letters might have been issued. But clearly we have businesses stating that they have not actually received those letters.

01:52:34:15 - 01:53:10:23

I believe that that was what Mr. Brodrick has actually stated. And I do understand what the point that you have made in terms of the land plans into confusion that might have occurred there. And that subsequently to the first issue hearing, we have updated the plans to be a little bit more accurate and more accurately reflect the current intentions of the applicant. Nevertheless. It does not change the fact that there there an issue in terms of consultation and how the businesses have been have.

01:53:10:25 - 01:53:12:22

Been engaged.

01:53:13:23 - 01:53:38:00

Is valid. One thing is the content and the other and the other thing is how the businesses have been engaged. And if I understood the representation that we spent, a law has actually highlighted is that it is she would she would like clarification on both from the applicant on this. So I do accept. But the point that you have made. But I do think that there is another issue.

01:53:38:02 - 01:53:39:09

Here that needs to be addressed.

01:53:40:12 - 01:53:44:08

The applicant. Yes, I take the point and I will answer that. I know that just before I do.

01:53:44:10 - 01:53:46:07

Mr. Kerry just wanted to add something on.

01:53:46:12 - 01:53:47:24

On the previous point of that.

01:53:47:26 - 01:53:48:11

Okay.

01:53:48:13 - 01:53:49:18

Certainly, Mr. Kerry.

01:53:50:09 - 01:54:08:24

Paul, Kerry for the applicant. So my colleagues have given a very clear but very technical and somewhat confusing, I think, for some explanation of what we've tried to do and the changes that we've made. And if I may, through you, address Mrs. Pezzullo directly more than happy you can address me.

01:54:09:03 - 01:54:09:18

If you.

01:54:09:20 - 01:54:10:05

Don't mind.

01:54:10:07 - 01:54:47:01

And you may indeed. But for Mrs. Pendulum's benefit, I'm more than happy to come back to Wisbech and sit down with her and explain in more simpler terms what it is we're proposing to do and what the impact of this may or may not be, because I'm quite sure we can satisfy her that the impacts will not

be what she fears. And if she wants to invite other members of her business community from way along, that would be perfectly fine too. But we'd be more than happy to sit down with her face to face and discuss those, to reassure her that her concerns are unfounded.

01:54:48:00 - 01:54:54:11

And I understand. Thank you for that offer, Mr. Kerry. But considering.

01:54:54:13 - 01:54:54:28

Um.

01:54:55:21 - 01:55:08:17

Considering what we have heard today in considering the role of the applicant, um, I would ask if the applicant believes that it would be appropriate to take that initiative.

01:55:12:07 - 01:55:26:21

The project. The applicant the applicant considers as appropriate to for it to try and assist interested parties and affected persons navigating the great volume of information that is part of this process. So to the extent that we can help.

01:55:26:28 - 01:55:27:24

Point people in the right.

01:55:27:26 - 01:55:32:08

Direction of documentation, I don't see any concerns in us doing that.

01:55:32:10 - 01:55:38:11

And think that's what Mr. Kerry was, was trying to achieve is to try and show where all of this information can be.

01:55:38:13 - 01:55:40:18

Found in the documents. Because whilst.

01:55:40:20 - 01:55:41:24

We appreciate we've given all of the.

01:55:42:00 - 01:55:43:22

Various reference numbers and.

01:55:43:24 - 01:55:45:03

Paragraphs, it is still quite.

01:55:45:05 - 01:55:45:24

Difficult if you're not.

01:55:45:26 - 01:55:47:03

Familiar with the process, to.

01:55:47:05 - 01:55:47:29

Understand.

01:55:48:01 - 01:55:50:05

Where the information is contained and how it all.

01:55:50:07 - 01:55:54:26

Relates to one another. So I think that's what Mr. Kerry was seeking to offer to provide.

01:55:55:11 - 01:55:56:06

I understand.

01:55:56:08 - 01:55:59:25

That, considering that.

01:56:02:15 - 01:56:35:21

The issue of consultation is an issue that was actually raised on the first. On the first issue, specific hearing as well. And we had a series of actions that we actually went through early in this hearing to try and mitigate that. And um, businesses have now expressed their concerns in terms of the effectiveness of those, of, of those measures. I would ask the applicant to then consider what are the steps besides the measures that has already been taken, could be taking the order to engage with the businesses.

01:56:38:03 - 01:56:39:27

How much of the. Yes, the applicant.

01:56:39:29 - 01:56:43:00

Can can take that point. Think in terms of consultation.

01:56:43:15 - 01:56:47:19

I did previously refer to the response to.

01:56:48:00 - 01:56:59:16

ISSUE one AP seven. The action point, which is in rep 1-057, which sets out as a as explained earlier.

01:56:59:28 - 01:57:06:27

Where information on the use of Al Gore's way was contained in the documentation that was consulted.

01:57:06:29 - 01:57:07:21

On up.

01:57:07:23 - 01:57:31:07

Here. And there are further details provided both in that response and in the consultation report on the steps taken to engage with affected persons, but also with the community generally, both in terms of announcements in the local press, advertisements and local media project websites, mail shots to the local community, which includes businesses within Al Gore's way posters.

01:57:31:09 - 01:57:32:03

Exhibitions.

01:57:32:05 - 01:57:33:19

Etcetera. And.

01:57:35:22 - 01:57:39:09

The applicant considers that it has complied with its duty.



01:57:39:11 - 01:57:40:08

To consult.

01:57:40:26 - 01:57:46:24

With members. It cannot comment on why specific individuals are saying they didn't receive any.

01:57:46:26 - 01:57:48:18

Of the if any of the information.

01:57:48:20 - 01:57:57:18

But information was sent and notification was given across a range of different sources.

01:57:57:20 - 01:58:00:05

About the statutory consultation and the statutory consultation.

01:58:00:07 - 01:58:33:12

Materials did include information about the use of Al Gore's way during construction, and we referred in that response to action point seven, the relevant paragraphs in the in the preliminary environmental information report, which state about the use of Al Gore's way and how rights to use the road for access would be sought as part of the DCO. So the applicant's position is that that information was available during consultation and that persons were notified of the.

01:58:33:14 - 01:58:34:01

Consultation.

01:58:34:03 - 01:58:37:11

Event. Obviously it can't comment on whether particular individuals.

01:58:37:13 - 01:58:39:05

Received those letters or not.

01:58:40:11 - 01:59:01:09

Thank you, Mrs. Broderick. I would, in light of what we have just discussed, I would request an action, please, for the applicant to provide at the next deadline an update in terms of initiatives that proposes to conduct in order to engage with.

01:59:01:11 - 01:59:02:05

Businesses.

01:59:02:27 - 01:59:11:24

And then to also report to the examining authority results of any engagement of of those proposals.

01:59:12:18 - 01:59:13:26

If that's acceptable.

01:59:15:03 - 01:59:23:01

Uh, for the applicant. Yes. I would just reiterate that the applicant has offered by way of a letter on two separate occasions to meet with the.

01:59:23:03 - 01:59:29:28

Businesses and Al Gore's way, and Mr. Kerry repeated that offer. Now, obviously, people don't want to take up that.

01:59:30:00 - 01:59:32:13

Offer, that there isn't too much the applicant.

01:59:32:15 - 01:59:36:11

Can do about that. But we've reiterated that offer to meet with people, and that was made.

01:59:36:13 - 01:59:37:21

In two separate letters that were.

01:59:37:23 - 01:59:42:02

Sent. But the applicant will will consider the issue again and provide a.

01:59:42:04 - 01:59:45:29

Response in our in our written summary. But I just wanted to make.

01:59:46:01 - 01:59:46:18

It clear that the.

01:59:46:20 - 01:59:48:29

Applicant has offered on a number of occasions.

01:59:49:13 - 01:59:50:19

And to that point.

01:59:50:21 - 02:00:05:11

Is noted, Mrs. Broderick. But I do believe that, as I have highlighted, I think that an action on this point would still be needed in order to satisfy the examining authority that throughout the process those measures have actually been taken.

02:00:07:09 - 02:00:08:01

Thank you.

02:00:11:19 - 02:00:14:28

And yes, I will now hand over to Mrs. Makinson, please.

02:00:17:18 - 02:00:50:19

Just in the similar vein, could ask the applicant just to clarify what engagements being held with Fenland District Council subsequent to the change of the powers that you're requesting on Al-Ghazali. Just following Mr. Greenwood's submission today that he was unaware that you were no longer seeking to compulsory acquire the land on Argos Way. If I could just ask for a bit of clarification on the liaison that you've had with Fenland District Council since then.

02:01:04:29 - 02:01:09:19

And clear project for the applicant and the applicant has regular engagement with Fenland.

02:01:09:21 - 02:01:11:27

District Council across a.

02:01:11:29 - 02:01:12:20

Wide range of.

02:01:12:22 - 02:01:14:05  
Different matters relating to this.

02:01:14:07 - 02:01:38:18  
Application. Regular meetings and so on. So the applicant it's is uncertain why Mr. Greenwood was not particularly aware of the particular change here. However, in terms of discussing voluntary property agreements, the applicant has been led to believe in written.

02:01:38:20 - 02:01:39:14  
Correspondence.

02:01:39:16 - 02:01:40:01  
On a number of.

02:01:40:03 - 02:01:41:25  
Occasions that Fenland District Council.

02:01:42:07 - 02:01:46:01  
Does not wish to engage further and therefore the applicant has left it that it is.

02:01:46:03 - 02:01:47:24  
Willing to discuss.

02:01:47:27 - 02:01:50:15  
The terms of voluntary agreements with Fenland District.

02:01:50:17 - 02:01:51:03  
Council should.

02:01:51:05 - 02:01:52:20  
It wish to. But at the moment.

02:01:52:26 - 02:01:56:07  
Fenland District Council does not wish to do so and therefore.

02:01:56:09 - 02:02:02:00  
Engagement is carrying on with officers in relation to other planning related matters. But from a property.

02:02:02:02 - 02:02:07:04  
Perspective, our understanding is that Fenland District Council does not wish to engage. Obviously if that position.

02:02:07:06 - 02:02:16:19  
Is different and Mr. Greenwood wants to clarify that position and the applicant would be more than happy to enter into discussions in relation to.

02:02:16:21 - 02:02:18:01  
Property related matters.

02:02:19:03 - 02:02:24:19  
But in terms of being aware of documents submitted into examination, the applicant.

02:02:24:21 - 02:02:27:07

Considers Fenland District Council to be an active.

02:02:27:09 - 02:02:29:00

Participant in this examination.

02:02:29:22 - 02:02:30:21

Thank you for that.

02:02:32:11 - 02:02:35:14

I don't know if Mr. Greenwood would like to come back on this matter.

02:02:39:03 - 02:02:40:13

Yeah, that's fine.

02:02:40:15 - 02:03:08:18

The position of the District Council in respect of land acquisitions, land rights remains as previously stated as the applicant has just said, that we do not wish to engage at this time in terms of the change of status from being an acquisition to a request. Obtain rights overall goes away. I will take that up with other internal officers who have been engaged with the applicant and see why that information wasn't passed on, but it certainly wasn't passed on to myself.

02:03:11:13 - 02:03:12:02

Thank you.

02:03:16:21 - 02:03:18:24

If I can just hand back to Mr. Pinto, please.

02:03:19:27 - 02:03:21:27

Thank you, Mr. Magnusson. Um.

02:03:25:20 - 02:03:39:23

Can I ask if there is anyone else in the room that would like to intervene on this point? Yes. Have. I see one hand raised. And if you would like to approach us and.

02:03:42:27 - 02:03:51:20

Put your point across, please. Thank you very much. And if I could ask you to please confirm your name and your organization, if you're representing any organization for the record, please.

02:03:51:22 - 02:03:52:12

Thank you.

02:03:53:03 - 02:03:54:02

Okay. Can you hear me?

02:03:57:10 - 02:03:58:27

At. Not now. You're going to have.

02:03:58:29 - 02:04:01:18

Yes. Okay. So Keith Gilbey.

02:04:02:04 - 02:04:31:28

Myself and my partner owned premier choice, that is on our goals way and about squeezing them. Elaine Now we have four entrances onto Causeway and one onto Wisdom Lane. We have 155 employees. We own the site freehold. Therefore, we have a fairly vested interest in making sure that if anything was to affect the freehold value of our property or our assets or our employees that we would.

02:04:33:18 - 02:04:34:20

Be all over that and.

02:04:35:13 - 02:04:38:22

Look a little bit closer to your microphone, your fighting in slightly.

02:04:38:24 - 02:04:39:09

I would like.

02:04:39:11 - 02:05:34:10

To think that given the fact that we own the property of the site freehold and the site is substantial given the fact we have a 50,000 square foot factory with a much larger plot of land over and above that, we've not received any correspondence whatsoever from these people in any way, shape or form. Now, I cannot believe that they've been so arrogant and assumptive to believe that people like myself would ignore these alleged letters that have been sent out. I would ask, Were these letters sent out, recorded delivery or were they just sent out on the basis that they've got no proof that they were ever sent or received? Because if I was looking to do this and I cared about the environment and cared about the people I meant to be working with, which are the people on Al Gore's way and area adjacent, you thought you've sent letters by recorded delivery, so you've got some actual record that the letters were actually received.

02:05:34:12 - 02:06:11:27

Now, we've not been engaged in any way, shape or form. If anyone spent any time in any way, shape or form looking at Al Gore's way, you don't have to have more than three brain cells to work out that come rush hour, anything beyond 4:00. The road is a horror story. There are parts along the road it's not safe. There were school children who had who every day walked down Al Gore's way to the gymnasium. There's accidents in Causeway. In fact, there's one right outside the other day, our office where a car pulled out behind a lorry because the lorry was parked there and didn't see something on coming.

02:06:11:29 - 02:06:42:27

The roads destroyed. HGVs will do nothing for that. We've got 100 people with motor cars on sites that come in and out of the site at certain times of day and we have vehicles delivering and we have our own vehicles receiving goods. I cannot believe that this company thinks that it's acceptable to treat people in such a miserable, arrogant, dismissive manner and not engage with us in any meaningful way.

02:06:42:29 - 02:07:13:15

And it's wholly acceptable that this matter be railroaded through as they're attempting to do without engaging with people like ourselves that actually own property and their property could be devalued. But they don't seem to be concerned about that. And there and therefore, I just wonder whether these mythical letters were actually posted or whether it's just convenient we've not received them. Other people haven't received the letters and would ask what proof have they got? These letters were actually sent out in the first place.

02:07:14:01 - 02:07:29:16

Thank you very much for that. If I could ask the applicant to comment on, I believe, two key points. Two key points that were actually made just now, I believe, around consultation and also access via algos while please.

02:07:30:27 - 02:07:52:19

A clear budget of the applicant and it would be useful if we could just confirm we've just been trying to check, but we understand that the business that was just being discussed is located adjacent to the. The northern end of our causeway. So the adopted abouts the adopted section of our goals where it would.

02:07:52:29 - 02:07:55:00

Be useful just to have that confirmed, because.

02:07:55:02 - 02:07:55:17

Obviously.

02:07:56:15 - 02:07:59:24

Whilst we take on board the concerns that have been raised. Today's hearing is a.

02:07:59:26 - 02:08:03:26

Compulsory acquisition hearing relating to affected persons.

02:08:03:28 - 02:08:10:20

And we've obviously spoken before about making sure that the book of reference includes all persons who are affected persons.

02:08:11:00 - 02:08:16:19

Be useful to understand whether Mr. Gilbey and his business are.

02:08:16:21 - 02:08:30:14

Affected persons or whether they are interested parties, um, for the purposes of this examination, because obviously it does make a difference in terms of notifications and the requirements in terms of consultation. So if.

02:08:30:16 - 02:08:31:15

He was able to confirm.

02:08:31:17 - 02:08:42:05

That, you know, just ask the gentleman that just intervened. If if first of all, can I just ask if you are aware, um, if your business is referenced within the book of reference.

02:08:42:07 - 02:08:42:22

Which is a.

02:08:42:24 - 02:08:47:12

Document that we have referred to at several points during the examination.

02:08:50:11 - 02:08:51:12

And in that.

02:08:51:26 - 02:09:04:02

In that case, can I just ask the gentleman if he would be willing to provide with some further information in terms of the location of the business that he is representing?

02:09:07:06 - 02:09:12:02

If I could just ask someone to bring the gentleman a microphone, please, so that we could.

02:09:19:02 - 02:09:45:01

We are at the top end of Al Gore's way that abuts Wiesner LANE And as I said, we have four access points onto Al Gore's way, one onto Wisdom lane, and that is where the the construction traffic will be coming down, as I understand it. And it's extremely busy, dangerous, congested, and there is not enough free access down that road at any given time. Never mind about a shedload of further construction traffic.

02:09:45:06 - 02:09:52:28

In relation to the question, in terms of distinguishing between and and does that answer your question, Mr. Broderick?

02:09:53:00 - 02:09:55:03

Yes, for the applicant. Thank you very.

02:09:55:05 - 02:09:56:07

Much. Thank you.

02:10:03:09 - 02:10:06:02

I'm just I'm just going to ask the.

02:10:07:18 - 02:10:16:14

I'm just going to ask the applicant to reply now to the comment and then will ask and I'll take further questions from people in the audience. Thank you. In the in the room today.

02:10:16:16 - 02:10:17:02

Thank you.

02:10:19:01 - 02:10:21:02

Uh, project The applicant? Yes.

02:10:21:04 - 02:10:23:25

On the basis of the information and the confirmation.

02:10:25:07 - 02:10:28:20

We believe that Mr. and his premises are.

02:10:29:04 - 02:10:31:12

Adjacent to the adopted section and.

02:10:31:14 - 02:11:19:09

Therefore are not within the order limits in terms of the areas where compulsory acquisition powers are being sought, and therefore they are not technical sense and affected person, which has a very strict legal meaning for the purposes of these hearings and not an infected person, and therefore they would not have received notification of the acceptance of the application as a as a person with an interest in land. However, as we described before, we did set out the measures that were taken during statutory consultation in terms of local community consultation relating to nail shots and press adverts via the project website, etcetera, and terms of compliance with the statutory consultation.

02:11:19:11 - 02:11:49:00

But for the purposes of this specific hearing, whilst all of the concerns have been noted and traffic is going to be an issue that's discussed, assume one of the later environmental hearings and we can address those. But in terms of the concerns from the perspective of an infected person for this hearing, we don't believe we have admitted to consult with this particular landowner because they're not an infected person.

02:11:49:02 - 02:11:50:15

For the purposes of those sections.

02:11:50:17 - 02:11:51:12

Of the Planning Act.

02:11:51:27 - 02:12:23:02

I understand. Thank you very much for that response. And may I just take this opportunity now to actually confirm that I would request that Mr. Gilbert, who has just intervened and all the people that have made an intervention today to please also submit a written representation on the on the next deadline. That will be deadline three, which will be Tuesday, the 25th of April, and confirming their submission that has been made today.

02:12:23:04 - 02:12:29:05

Please. I would just like to reiterate that point. Now, I will reiterate this point before we close the hearing.

02:12:29:07 - 02:12:30:07

Anyway, I.

02:12:30:09 - 02:12:51:12

Can see that we had one we had two more hands raised. First of all, the gentleman in the blue shirt that you have raised your hand can ask you to actually come closer to a microphone. And if you could please confirm your name and what organization you represent if you're representing an organization, obviously.

02:12:51:14 - 02:12:52:15

Thank you. My name's.

02:12:52:27 - 02:13:03:16

John Taylor. I'm part of a family business or businesses where landlords land. Landowners, Business owners of tailors.

02:13:03:18 - 02:13:08:11

Ray Claims Limited on Argos Way. We've been there 35 years.

02:13:08:24 - 02:13:16:23

Um, also my father's business director, um, which is also been there for 35 years, which is Fmw.

02:13:16:28 - 02:13:17:28

Taylor Limited.

02:13:18:03 - 02:13:20:22

And also property developer.



02:13:20:24 - 02:13:21:09  
Um.

02:13:21:17 - 02:13:22:28  
Have investments.

02:13:23:15 - 02:13:27:02  
Also been down there for the last.

02:13:27:22 - 02:13:30:21  
17 years With that business.

02:13:31:03 - 02:13:33:06  
We own more than a dozen.

02:13:33:08 - 02:13:45:15  
Properties as landlords. We manage the properties ourselves. Um, and we've had no correspondence whatsoever, um, from the applicant, um.

02:13:45:29 - 02:13:48:19  
Having, uh, as we.

02:13:48:21 - 02:13:50:13  
Own a dozen businesses.

02:13:50:15 - 02:13:51:22  
You would expect that.

02:13:51:24 - 02:13:53:23  
Or a dozen properties, you would.

02:13:53:25 - 02:13:58:11  
Expect that there would be more than a dozen chances that we would have received.

02:13:58:13 - 02:13:59:01  
A letter.

02:13:59:20 - 02:14:03:28  
Um, and you would expect it to come to the landlord and not to the tenant.

02:14:04:09 - 02:14:04:25  
Um.

02:14:05:27 - 02:14:07:22  
Easily found on land registry.

02:14:08:09 - 02:14:08:24  
Um.

02:14:09:13 - 02:14:14:14  
It was also mentioned there that, um, we are midway along.

02:14:14:16 - 02:14:15:08

Our goes way.

02:14:15:10 - 02:14:23:01

So we could or could not be. We do not know if we're um, part of the acquisition, um, because we've had.

02:14:23:03 - 02:14:24:01

No correspondence.

02:14:24:03 - 02:14:37:12

So we've heard rumors, we've listened to other people who have said we may or may not be in there and we just do not know. Um, as we've had no correspondence.

02:14:38:02 - 02:14:41:10

Um, in the 4 or 5 years since, it's.

02:14:41:12 - 02:14:47:18

Um, just rumors, so. The. We should have been consulted.

02:14:49:00 - 02:15:12:15

Thank you very much, Mr. Taylor, for that intervention. Can I ask the applicant to comment on this? On this specific issue, but quickly doing a search on the book of reference, I seem to have found reference to Mr. Taylor.

02:15:12:27 - 02:15:13:12

Um.

02:15:14:23 - 02:15:20:10

As part of a Category one and category two person if that also assists in terms.

02:15:20:12 - 02:15:20:27

Of.

02:15:21:16 - 02:15:23:29

Replying to Mr. Taylor's concerns.

02:15:27:19 - 02:15:29:05

Yes, we believe that.

02:15:30:16 - 02:15:35:25

The interest is listed in the book of reference in relation to plot 14.

02:15:35:27 - 02:15:46:03

One A Um, there are, um, there's an entry for Mr. Taylor himself and then also an entry for.

02:15:47:21 - 02:15:50:04

Evan Taylor with the Beach Contractors Limited.

02:15:50:06 - 02:15:51:11

Which I believe.

02:15:51:18 - 02:16:09:06

One of the companies, and that sets out the addresses and the registered address for the company. And the address on that would have been found for Mr. Taylor and where correspondence would have been set sent. Obviously, we can check with Mr. Taylor outside of the hearing.

02:16:09:08 - 02:16:11:12

That the address that we have for him is correct.

02:16:11:14 - 02:16:15:22

But communication would have been sent to those address details.

02:16:16:02 - 02:16:46:07

And I understand that. But as you have mentioned, actually, Mr. Taylor, is features within Category one and Category two. And actually there is several entrances with I believe it's the same address in the book of reference. So I am finding particularly odd that considering the response in the number of letters that you have actually sent to Category one and Category two persons that we. Mr.

02:16:46:09 - 02:16:49:23

Taylor claims that there is no reception of any of those letters.

02:16:50:12 - 02:16:51:11

Clairvoyant of the applicant.

02:16:51:13 - 02:16:53:24

So in terms of statutory consultation.

02:16:54:24 - 02:16:56:16

Those letters are not.

02:16:57:04 - 02:17:00:12

Sent by any form of registered post.

02:17:00:18 - 02:17:05:25

Because that's not a requirement of the Planning Act. However, as part of the Section.

02:17:05:27 - 02:17:07:26

56 notification.

02:17:07:28 - 02:17:10:00

Process, because of the certificates that are.

02:17:10:02 - 02:17:11:03

Required to be submitted.

02:17:11:05 - 02:17:15:19

Confirming that process has been done. Those letters were.

02:17:16:06 - 02:17:17:17

Sent out by.

02:17:17:20 - 02:17:34:13

Recorded delivery so the applicant can look into that matter. We should have confirmation that those letters were received, but we don't have we aren't able to check the records in this hearing at the moment, but we can check with the land references to provide confirmation that the letters were received.

02:17:34:15 - 02:17:40:20

Yes. If you could please confirm that information by the next deadline, if I can get that in action, please.

02:17:45:26 - 02:18:01:03

Had one. Yes, there is one more person in the room with us that would like to if you would like to join us here, please. And then as. All other previous interventions if you would be so kind as to confirm your.

02:18:01:05 - 02:18:02:16

Name and your.

02:18:02:18 - 02:18:04:03

Organization for the record.

02:18:06:15 - 02:18:09:10

Thank you. My name is Mervin, Sergeant.

02:18:09:22 - 02:18:11:00

I'm the owner.

02:18:11:02 - 02:18:11:17

Of a salon.

02:18:12:19 - 02:18:15:11

If you could speak a little bit closer to the microphone. My name is.

02:18:15:13 - 02:18:49:16

Mervin, Sergeant. I'm the owner of How Old UK Limited. And I can confirm with the last speakers. As a resident for 20 years, that goes way that I was unaware until some of the colleagues told me what was going on. I had no idea that this was being planned. And then what I did find out, I come to some of the meetings, um, and I take it Ms.. Broderick realizes or she said that everybody's in the book of reference is affected.

02:18:49:18 - 02:19:22:24

But when I came to one of the last meetings, I wasn't on their radar at all. And yet my premises are directly opposite. Um, as an infected person, I can confirm I've had no correspondence other than one hand-delivered letter which came very late on. I've had no secondary letters posted. And again, I think as other people have said, it's because it's being railroaded through in such a way that, yes, these have gone out. But in actual fact, most people down there are unaware of any letters going out.

02:19:22:26 - 02:19:59:00

So as far as the actual road being used for construction, it would be a complete nightmare. As I've already put in writing to you and confirmed, our causeway is not suitable for construction traffic. It hardly contends with the amount of traffic that's going down there at the moment. And you know, I can see there would be many problems and many accidents that would occur. If this road is used for construction, it would cause a tremendous amount of inconvenience to the businesses.

02:19:59:15 - 02:20:40:24

And as I said, I have no idea what they're planning as far as the amount of lorries, the times, the amount of disruption that we would receive. And as a business that's dealing with people that come to see us that are ill and sick, they have no way of getting to us other than an a vehicle. If that vehicle is stopped from actually coming down to see us, that means they won't be able to see us. And therefore, they're they're undergoing cancer treatment and hair loss. One of the things that they need is the product that we supply, which is wigs, which probably doesn't sound much to people, but to them it's a it's a lifesaver for them because they become normal again once they have their hair after chemotherapy.

02:20:40:26 - 02:21:12:00

If that's interfered with with our business, it will be a disaster for them. And I know next door to me, I spoke to to Oliver McCall and he said that he was out of the country and he couldn't attend the meeting. But he, too, is very concerned. He, too, has not had any letters and he, too, has a business which has been there. He purpose built the same as I did. Um, and he has 24 hour access because he's fresh food going in and out.

02:21:12:18 - 02:21:47:08

And again, I think it would get to the stage where he would find it very difficult to trade. So my take on this is if this flawed application does go through, then it should be stipulated that no traffic to construct it goes down will go his way, and any traffic needed to construct it has to go through a purpose built road at the beginning before so that none of the tenants, none of the people down there have to suffer any problems with their business. There's a lot of businesses suffering at the moment without the need for lots of lorries going down there and causing havoc.

02:21:47:10 - 02:21:49:16

So that's just my opinion on it.

02:21:50:01 - 02:21:56:20

Thank you very much for that intervention. Mr. Sergeant, before before you go, can I just confirm that, um.

02:21:58:04 - 02:21:59:06

The hearing today.

02:21:59:08 - 02:22:28:18

Is, as I have explained it to the beginning of the hearing, is a hearing on compost requisition. And I would actually urge the points that you have made in relation to traffic management and access points that we are likely to actually pick up in subsequent issue specific hearings where we'll actually be discussing transport issues. So I would also, if I would also urge you to perhaps if you can, to actually raise.

02:22:28:20 - 02:22:29:12

Those issues.

02:22:29:14 - 02:22:43:12

Then, because I think that that would be the appropriate forum for us to actually discuss that in greater detail in terms of how access is going to be guaranteed or not. But I would actually ask the applicant to reply to Mr. Sargent's.

02:22:43:21 - 02:22:44:08

Point.

02:22:44:10 - 02:22:45:07

Particularly.

02:22:45:28 - 02:22:46:13

In.

02:22:46:15 - 02:22:49:28

Relation to compulsory acquisition and consultation of the.

02:22:50:00 - 02:22:50:24

Businesses.

02:22:50:26 - 02:23:23:20

Yes, I think the the other thing would like to know is I can't see how well limited shown in the book of reference in any way, shape or form unless that's been altered since I first looked at it. And in fact when I spoke to at the last meeting, when I spoke to Mr. Kerry and some of his colleagues, they didn't even know that I was there. And yet, as I said, the premises are directly opposite where they're going to build. So maybe they can explain why I'm not showing on there. And then maybe they can explain how the business will be affected going forward.

02:23:24:19 - 02:23:48:29

Thank you very much. So if we could actually get confirmation in terms of Mr. Sargent's reference in the book, in the book of reference and and where Mr. Sargeant is actually specified and included within the book of reference and then the consultation issue. And in relation to traffic management, as I have explained to you, I would encourage you to actually raise that in.

02:23:49:01 - 02:23:52:15

The specific hearing when we actually look at traffic issues. Thank you.

02:23:52:17 - 02:23:53:02

Thank you.

02:23:59:28 - 02:24:01:07

Project for the applicant?

02:24:02:12 - 02:24:05:00

Yes. To confirm that for the reasons.

02:24:05:02 - 02:24:06:22

That we stated.

02:24:07:05 - 02:24:08:00

Earlier.

02:24:08:06 - 02:24:10:20

On when the applicant.

02:24:10:27 - 02:24:11:20

Was.

02:24:12:24 - 02:24:16:20

For the book of reference that was submitted at the point of application, the interest.

02:24:17:01 - 02:24:17:20

Was.

02:24:17:25 - 02:24:20:25

Not included because the applicant was not aware.

02:24:20:27 - 02:24:21:18

That.

02:24:21:20 - 02:24:22:29

Interest since.

02:24:23:13 - 02:24:23:28

Issue.

02:24:24:00 - 02:24:25:09

Specific hearing one and.

02:24:25:11 - 02:24:28:09

The various comments that were raised at that hearing and the open floor.

02:24:28:11 - 02:24:29:06

Hearing as.

02:24:29:09 - 02:24:31:05

Mentioned earlier, further.

02:24:31:12 - 02:24:32:08

Land referencing.

02:24:32:10 - 02:24:38:05

Work was undertaken to include rights of access for all those businesses that.

02:24:38:07 - 02:24:38:22

Are but.

02:24:38:24 - 02:24:40:10

The UN adopted section of A1.

02:24:40:12 - 02:24:42:17

Gore's way as opposed to just those.

02:24:42:19 - 02:24:46:27

Businesses that had a registered right of access. So only those registered.

02:24:46:29 - 02:24:48:27

Rights had been included.

02:24:48:29 - 02:24:56:20

In the application version of the book of reference, because that was the information that was publicly available.

02:24:56:27 - 02:24:57:26  
Since then.

02:24:57:28 - 02:24:59:13  
As, say.

02:24:59:15 - 02:25:01:06  
An exercise was undertaken.

02:25:01:08 - 02:25:01:28  
To.

02:25:02:09 - 02:25:03:08  
Try and establish.

02:25:03:10 - 02:25:03:25  
Other.

02:25:03:27 - 02:25:05:10  
Businesses that may have a.

02:25:05:12 - 02:25:08:16  
Right to use. The UN adopted section of Al Gore's way.

02:25:08:18 - 02:25:09:03  
And the book.

02:25:09:05 - 02:25:13:24  
Of reference was updated. And my understanding is that Mr. Sargent's interests are.

02:25:13:26 - 02:25:16:14  
Now listed in the book of reference that was submitted.

02:25:16:29 - 02:25:19:09  
Following that hearing, and we can give the.

02:25:19:11 - 02:25:22:02  
Reference number which.

02:25:23:12 - 02:25:23:28  
Have me.

02:25:40:06 - 02:25:46:23  
I believe that the latest version of the book of reference, as I have mentioned on my speaking notes earlier.

02:25:47:06 - 02:25:48:02  
Um, there.

02:25:48:04 - 02:25:50:05  
Is a clean version and a tract version.



02:25:50:07 - 02:25:51:03

The clean version.

02:25:51:06 - 02:26:01:02

Is wrapped to 004 and detract. Um, the track changes version is web 2005.

02:26:02:25 - 02:26:07:18

Therefore the applicant. Yes. Thank you. And we were just trying to find the relevant plots.

02:26:08:19 - 02:26:09:09

That his interest.

02:26:09:11 - 02:26:12:16

Was listed against in the book of Reference for ease.

02:26:13:06 - 02:26:14:12

We've identified.

02:26:14:26 - 02:26:18:09

Two of the plots, which is 13 for Sea Little two.

02:26:19:02 - 02:26:20:09

And 13.

02:26:20:11 - 02:26:21:06

For D.

02:26:21:10 - 02:26:28:06

14 one A, but we will confirm those in writing as part of the written summary so that it is clear.

02:26:28:21 - 02:26:32:18

Which interests, which interests over which plots are listed.

02:26:33:07 - 02:26:39:09

Thank you for that confirmation. And, Mr. Sergeant, as I have mentioned before, uh.

02:26:39:21 - 02:26:40:27

We would be the.

02:26:40:29 - 02:26:49:10

Examining authority would be grateful if you could actually submit a written representation at deadline three following your oral representation of this specific issue.

02:26:50:23 - 02:26:52:05

Um, is there anyone.

02:26:52:07 - 02:26:57:09

Else present today that would like to intervene on this specific item?

02:27:01:03 - 02:27:05:01

I can't see any hands raised. Mr. Kerry. Yes.

02:27:05:20 - 02:27:28:19

Port Kerry for that APPLICANT Just want to correct Mr. Sergeant. Um, in one thing that he said that we have had contact with J. Michael. Otherwise known as Michael Apples, I'm not in the business of disclosing the nature of those discussions, but I was in contact with Oliver Mackle just yesterday. Even so, Mr. Sergeant, is his information is out of date.

02:27:29:06 - 02:27:29:23

Thank you.

02:27:30:24 - 02:27:40:12

If no one else has any other question on this specific point, I will then move us on to item five.

02:27:41:11 - 02:27:43:15

Um. Apologies.

02:27:43:17 - 02:27:55:28

Before I do, I did mention before that I had one additional question, and I would really like to actually pose this question to the applicant in Sichuan Action 0.2. The applicant was requested to engage with Miss Angelina.

02:27:56:00 - 02:27:56:21

Smith.

02:27:56:24 - 02:28:15:11

In relation to potential ownership of land impacted by the development proposal. I know this was covered in the draft written summary of the applicant's oral submission at Sichuan. That would be rep 1057. But can the applicant confirm if there has been any progress in relation to.

02:28:15:13 - 02:28:16:02

This issue.

02:28:16:04 - 02:28:19:01

In any resolution following your submission from Deadline.

02:28:19:03 - 02:28:19:18

One?

02:28:20:21 - 02:28:22:00

A clever project. The applicant.

02:28:22:06 - 02:28:25:03

The applicant has been in communications.

02:28:25:11 - 02:28:30:00

With Miss Smith regarding the points she raised at the issue.

02:28:30:02 - 02:28:36:08

Specific hearing. The applicant is trying to arrange a date to.

02:28:36:10 - 02:28:46:03

Meet with Ms.. Smith so that she can identify on the ground the land that she is referring to. She didn't feel able to mark up.

02:28:46:05 - 02:28:47:19

A handwritten plan.

02:28:47:21 - 02:28:49:05

So the applicant has is.

02:28:49:07 - 02:28:57:13

Trying to meet her in person to identify the land that she's referring to as it stands at the moment. The applicant has.

02:28:57:15 - 02:29:07:18

Not been provided with any evidence to suggest that the information contained in the book of reference is incorrect. But obviously it's waiting to meet with the Smith to.

02:29:07:20 - 02:29:10:23

Understand her concerns. But we're fairly.

02:29:10:27 - 02:29:12:12

Confident that the land that.

02:29:12:14 - 02:29:13:02

She is.

02:29:13:04 - 02:29:15:07

Referring to is not the land that's within the order.

02:29:15:09 - 02:29:15:27

Limits.

02:29:16:24 - 02:29:26:01

Thank you for that confirmation. If I could get an action then from the applicant to update the EXI on the next deadline, following that specific.

02:29:26:03 - 02:29:30:15

Meeting with Mrs. Smith would be really useful. Thank you. Um.

02:29:32:01 - 02:29:36:28

If there are no further points on this item, I'll move us on to item five funding.

02:29:39:11 - 02:29:44:28

I can't see any hands raised virtually or in the room, so I'll move on to item five funding.

02:29:45:27 - 02:29:56:12

Just to confirm, think our understanding for agenda item five is site specific issues from statutory undertakers. Believe we dealt with funding this morning.

02:30:08:03 - 02:30:10:08

Yes. Apologies. Yes.

02:30:10:10 - 02:30:10:25

Um.

02:30:11:11 - 02:30:31:11

Such specific issues from city and state. Yes, I am mindful that we have. Avert some of the issues that we're supposed to cover here and the hearing and actually early this morning. But I would like the applicant to I would like.

02:30:31:28 - 02:30:33:25

To ask the applicant if there is any.

02:30:34:04 - 02:30:38:29

Further information that would like to provide to the examining authority on this specific issue.

02:30:39:01 - 02:30:41:11

Particularly considering.

02:30:41:13 - 02:30:49:23

Any outstanding concerns in relation to compulsory acquisition and or temporary possession of land that is owned or.

02:30:49:25 - 02:30:50:29

Occupied.

02:30:51:05 - 02:30:53:05

By statutory undertakers?

02:30:55:14 - 02:30:57:00

It if the applicant know.

02:30:57:02 - 02:30:57:25

The applicant.

02:30:59:02 - 02:30:59:29

Has provided an.

02:31:00:01 - 02:31:02:06

Update on discussions at just by way.

02:31:02:08 - 02:31:04:15

Of summary, the applicant is.

02:31:04:22 - 02:31:05:10

In ongoing.

02:31:05:12 - 02:31:05:29

Discussions.

02:31:06:01 - 02:31:09:22

With the various statutory undertakers that are affected by.

02:31:09:24 - 02:31:11:05

The proposed development by.

02:31:11:08 - 02:31:17:08

Compulsory acquisition powers, and the applicant is confident that agreement will be reached prior to the end of the examination.

02:31:18:01 - 02:31:30:07

Thank you for that update. Is there anyone that would like to ask questions on these specific points on site specific issues from statutory consultation from statutory undertakers? Pardon?

02:31:37:03 - 02:31:50:09

I can't see any hands raised either in the room or online. So if there are no further questions on this specific point, I will then move us on to 0.6 review of issues and actions arising.

02:31:52:02 - 02:32:03:09

Um, so we have been making notes of the actions mentioned following today's meeting. I don't intend to go through them now, but we'll be writing those up and publishing them as soon as possible and practical.

02:32:03:20 - 02:32:05:06

And if everyone.

02:32:05:24 - 02:32:26:04

Agrees on that point, there are no further questions on item six review of the issues and actions arising, then I would like to propose that we move on to item seven and that would be any other business. So first of all, I would like to ask if the applicant would like to raise any other business on this point.

02:32:27:11 - 02:32:28:28

At a project for the applicant.

02:32:30:25 - 02:32:33:24

Whilst not directly related since.

02:32:33:26 - 02:32:34:19

We had the.

02:32:35:12 - 02:32:38:25

Issue specific hearing yesterday, the applicant has received an update.

02:32:38:27 - 02:32:41:26

From the Environment Agency on the environmental permit and we thought.

02:32:41:28 - 02:32:43:00

It might be helpful.

02:32:43:07 - 02:32:44:08

To provide you with that.

02:32:44:10 - 02:32:45:05

That update.

02:32:45:18 - 02:32:46:17  
Now just so that you have.

02:32:46:19 - 02:32:47:04  
The latest.

02:32:47:06 - 02:32:47:27  
Information.

02:32:49:24 - 02:33:18:24  
Two marks for the applicant. Yes. Following think previous sessions. We've mentioned that we submitted some further information to the Environment Agency for them to consider duly making our application could confirm that that information was received back on the 23rd of March, and they have now duly made our application dated the 23rd of March and they are just arranging internal arrangements for consultation and we should receive the duly made confirmation next week.

02:33:19:13 - 02:33:20:06  
Thank you.

02:33:20:18 - 02:33:25:16  
When the applicant gets confirmation from that, I would ask the applicant to.

02:33:25:18 - 02:33:26:14  
Inform.

02:33:26:16 - 02:33:30:23  
The examining authority of that confirmation and subsequent.

02:33:30:29 - 02:33:31:24  
Deadline.

02:33:31:26 - 02:33:33:00  
Once that confirmation is.

02:33:33:02 - 02:33:35:28  
Received. Absolutely. Thank you.

02:33:36:23 - 02:33:39:22  
Uh, any other business from anyone else in the room?

02:33:44:00 - 02:33:50:02  
Can I ask if there is any other business that anyone would like to raise online from the people joining us online?

02:33:56:17 - 02:34:21:01  
I don't see any other hands raised. So just I would just like to remind everyone before I close the hearing, move on to item eight. I would just like to remind everybody of the next deadlines and also the next set of hearings. So following today's hearing, um, the next deadline will.

02:34:21:03 - 02:34:21:20  
Be.

02:34:21:26 - 02:34:36:10

Tuesday, the 25th of April 2023, and that will be deadline three. And documents that are expected to be submitted at deadline three and have been confirmed, according to our Rule eight letter.

02:34:37:26 - 02:34:58:04

And then we also are going to have a complete site inspection and. On Thursday the 11th of May 2023. That date is reserved as if required. But confirmation of this.

02:34:58:06 - 02:34:58:27

Issue.

02:34:58:29 - 02:35:06:07

And panel decision on this issue will be issued shortly. And then there is going to be three.

02:35:06:14 - 02:35:08:24

Specific issue hearings.

02:35:08:26 - 02:35:27:17

On Tuesday, the 16th of 16th of my Wednesday, the 17th of my and Thursday the 18th of my on environmental matters. And those hearings as confirmed on the previous hearing rules 13 letter are proposed to be virtual only.

02:35:31:07 - 02:35:35:06

Are there any questions on any of the things that have just explained?

02:35:38:11 - 02:35:49:07

In that case, I'll move us to item eight closure of hearings. So thank you very much all for contributing and for a very useful meeting. We will consider all the submissions made.

02:35:49:09 - 02:35:49:29

Carefully.

02:35:51:19 - 02:36:02:26

And the time is now 1635 and the compulsory acquisition hearing number two format with Energy form.

02:36:03:17 - 02:36:05:20

Limited is now closed. Thank you.