



Hearing Transcript

Project:	Five Estuaries Offshore Wind Farm
Hearing:	Preliminary Meeting – Part 1
Date:	17 September 2024

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Five Estuaries_Wivenhoe_17 Sept_Prelim_PT1

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FULL TRANSCRIPT (with timecode)

00:00:05:01 - 00:00:13:11

Good morning everybody. It is now 10:00 and time for this meeting to begin. And can I confirm that everybody in the room can hear me clearly?

00:00:14:27 - 00:00:24:26

I'm getting nods. Um, and could somebody who is online also give an indication by raising their hand or several of you, that you can hear and see what's going on in the room? Yes.

00:00:24:28 - 00:00:26:14

You're coming over loud and clear.

00:00:27:07 - 00:00:27:22

Thank you.

00:00:31:19 - 00:00:37:09

But can I confirm with the case team, uh, that the live stream is working and the recording has commenced?

00:00:42:26 - 00:00:47:05

Thank you, Mr. Johansson. We didn't actually hear what you said, so the mic wasn't on, but.

00:00:49:15 - 00:00:53:11

I can confirm that the live stream and recording has commenced.

00:00:54:12 - 00:00:54:27

Thank you.

00:00:58:06 - 00:01:32:04

I'd like to welcome everybody to this preliminary meeting, which concerns the application made by five Estuaries Offshore Wind Farm Limited for an order granting development consent for the proposed five Estuaries offshore wind farm. My name is Graham Gould. I'm a charter town planner, and I'm an examining inspector with the Planning Inspectorate. I've been appointed by the Secretary of State to be the lead member of the panel comprising examining authority, which will examine this application. Um, I would say that the panel comprises five members.

00:01:32:06 - 00:02:02:08

Unfortunately, one of our colleagues this morning has had a small accident and is hopefully on her way to A&E. Um, because we were unable to get a taxi for her. She is being accompanied by a member of the applicant's team who has driven or is driving her to hospital. Uh, on the basis that there will be no discussion of the case between Mrs. Weber and whoever is assisting from the applicant's team.

00:02:03:08 - 00:02:07:04

I'd now like to hand over to Mrs. Norman.

00:02:08:13 - 00:02:20:21

Good morning. My name is Rebecca Norman. I'm a chartered town planner and an examining inspector. I've been appointed as a panel member of the WSA, and I'll be leading the discussion later on. Agenda items two, six and seven. Thank you.

00:02:22:26 - 00:02:41:16

Good morning everyone. My name is Mark Harrison. I am also a chartered town planner and an examining inspector. I've been appointed as a panel member of the Examining Authority, and today I will be leading the discussion later on. Agenda items three and five.

00:02:44:04 - 00:02:54:26

Good morning. My name is Matthew Herron. I am a chartered town planner and an examining inspector. I've been appointed by as a panel member of the ECA, and I will be leading on agenda item four.

00:02:56:16 - 00:03:38:20

So our role is to examine the application and to report for the Secretary to the Secretary of State for Energy Security and net zero, with a recommendation as to whether or not the development consent order should be made. At this point, I'd also like to introduce the members of the planning Inspectorate's case team who are supporting us today. You may have already spoken to them. We have K.J. Johansson, the case manager for this project and the Milburn case officer. In addition, technicians from the audiovisual company KVS international contracted by the applicant are in attendance solely for the purposes of managing the recording and live streaming for this hearing, and I'll cover some housekeeping matters for those in person can have on please at all devices and phones to silent.

00:03:38:24 - 00:03:49:26

The nearest toilets are located out of the doors to the rear of the room and around the corner to the right. In the event of a fire alarm sounding, please follow the marshal who will be within this room at all times,

00:03:51:17 - 00:04:03:06

and today's meeting is being undertaken both in person and with parties joining us online using Microsoft Teams. And we will make sure that if you are attending online today, you will be given a fair opportunity to participate.

00:04:04:22 - 00:04:15:02

The meeting is being both live streamed and recorded for those people participating via Microsoft teams, in order to minimize background noise and disturbance, can you please ensure that you stay on mute unless you are speaking?

00:04:16:20 - 00:04:54:08

If you are participating online and you wish to speak at the relevant point in the proceedings, please use the raise hand function. 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 remind everyone that the chat function on Microsoft Teams has been switched off for this event. A recording of today's preliminary meeting will be available on five Estuaries Offshore Wind Farm project page of the Planning Inspectorate National Infrastructure website as soon as practicable after the meeting. With this in mind, please ensure that you each speak clearly into the microphone stating your name and who you are representing each time before you speak.

00:04:55:13 - 00:05:18:04

If you are not at a table with a microphone, there is a roving microphone. So please wait for one of these to be brought to you before you speak. If anyone wishes to use social media, report, film or record during today's meeting or any subsequent hearing, then they are free to do so. But please do so responsibly and with proper consideration for other parties. This must not be disruptive and the material must not be misused.

00:05:19:22 - 00:05:50:27

A link to the planning Inspectorate's Privacy Notice was provided in the rule six letter. This establishes how the personal data of the planning inspector its customers, is handled in accordance with the principles set out in data protection legislation. Please speak to a member of our case team if you have any questions about this. It is very unlikely that the panel would ask anyone to put any sensitive personal information into the public domain, and we would encourage you not to do that. However, if for some reason you feel that this is necessary to refer to information that you would otherwise wish to keep private and confidential.

00:05:50:29 - 00:05:57:25

It should be in a written form, which can then be redacted before being published. Again, please talk to the case team about the best way to do this.

00:05:59:27 - 00:06:30:11

We aim to keep the proceedings focused and as efficient as possible to assist this. We issued annex B to our letter which invited you to this meeting. That's unacceptable. The introduction to the preliminary meeting process. We trust that you have all read this in advance. You will find information about this application on the planning Inspectorate's National Infrastructure Planning website. And we would strongly advise you to familiarise yourself with this website. This is because the examining authority will be using it to communicate with you, and to provide access to documents throughout the examination.

00:06:30:25 - 00:06:34:24

So thank you. I will now pass you over to Mr. Harrison, who will take us through the introductions.

00:06:37:06 - 00:07:09:17

So I'm now going to ask those of you who are planning to speak at today's preliminary meeting to introduce yourselves. Could you please introduce yourself, stating your name and who you represent along with the agenda item or items you wish to speak on? If you are not representing an organization, please confirm your name. Summarize your interest in the application and confirm the agenda items upon which you wish to speak.

00:07:09:29 - 00:07:34:14

Um, and please, could everybody also state how you wish to be addressed i.e. Mrs., miss, miss, Mr., etc.? Um, could we start with the applicant and its advisors, please? If we could hear from whoever will lead the submission today and any others who may be making regular contributions. Thank you.

00:07:35:29 - 00:08:07:07

Morning, sir. Um, my name is Mr. Julian Boswell. Boswell. I'm a solicitor and partner with Burgess Salmon. Uh, we are representing the applicant of five Estuaries Offshore Wind Limited. I will invite the three people sitting to my right to introduce themselves in a moment in terms of items that we're speaking to. We're expecting to speak on one point, on the principal issues and to engage on the examination timetable.

00:08:07:09 - 00:08:20:01

And, um, uh, we're expecting, uh, as you've indicated, a discussion on the North Falls, uh, what you're calling the North Falls handling matter. So I'll ask my colleagues to introduce themselves.

00:08:22:16 - 00:08:27:29

Good morning, sir, I am Paula McGeady, Miss giddy. Um, I am a solicitor and director with Burgess Salmon.

00:08:30:23 - 00:08:41:29

Uh, good morning sir. My name is Diane Miller. I'm the project lead for five estuaries. Um, uh, happy to be called, um, Miss Miller. Thank you.

00:08:44:08 - 00:08:50:03

Good morning sir. I'm Kieran Summers, the senior consents manager for five estuaries. Happy to be called Mr..

00:08:52:11 - 00:09:22:20

Right. Thank you very much. Um could we now move on to the organisations and individuals who have expressed a wish to speak. Again please introduce yourself and tell us which agenda item you wish to speak on. Um, I'll be covering in these introductions those who are both present in the room today and online via teams. Um, so perhaps starting with, uh, Tendring District Council.

00:09:28:08 - 00:09:34:28

Good morning. My name is Eleanor Storey. I'm here representing Tendring District Council. I'm happy to be referred to as Eleanor. Thank you.

00:09:37:02 - 00:09:37:17

Okay.

00:09:41:11 - 00:09:44:00

And for Essex County Council.

00:09:45:17 - 00:10:11:11

Good morning, sir, and good morning to the rest of the panel. Uh, my name is Mark woods. I'll spell it for you. W w o d g e r and I can refer to as Mr. or Mark r your wish. Um, I'm a charter town planner, and my role as its county council is. I'm a principal planner at dealing with national strategic infrastructure projects. And I'll just pass across to my my colleague on my left, if I may. Thank you.

00:10:13:24 - 00:10:23:13

Good morning sir. My name is Claire Wilkinson. I'm an insight officer for Essex County Council, and I'm a chartered town planner. Uh, I'm happy to be called Claire.

00:10:23:17 - 00:10:24:04

Thank you.

00:10:31:08 - 00:10:40:00

Anybody else from Essex County Council? Okay. Um, and could I just check which agenda items you might be wanting to speak on.

00:10:41:18 - 00:10:50:17

Thank you sir. The principal issues I'd like to comment on if I see need to do so would be items three, four and six. Thank you.

00:10:52:20 - 00:10:53:05

Okay.

00:10:54:25 - 00:11:00:25

Sorry. Just going back to Tendring District Council. Same question as a particular agenda item that you might want to speak on.

00:11:01:12 - 00:11:04:29

But if I'm going to let Essex County pick most of this up for us today.

00:11:05:01 - 00:11:06:09

Thank you. Okay. Thank you.

00:11:08:00 - 00:11:11:01

Okay. And uh, for Suffolk County Council.

00:11:12:24 - 00:11:51:18

Thank you sir. My name is Michael Bedford King's council. Um, Mr.. Is perfectly acceptable. Um, I'm instructed by, uh, Suffolk County Council, and I'm also joined today, and they may need to speak, but

it depends how we go by two of the, um, national infrastructure project team within the county council. To my immediate left, that's Mr. Isaac Nunu, double N, and he is a senior planning officer in CIPs within the county council.

00:11:51:20 - 00:12:16:21

And then to his left is Mr. Graham Gundy who is the national infrastructure manager for the county council. Thank you sir. And in terms of agenda items, we are, um, likely only to want to react to what other people say. But of the things that might give rise to comment from us, it would be agenda items three through to six.

00:12:20:24 - 00:12:21:10

Thank you.

00:12:25:22 - 00:12:34:28

I think I think next on my list, uh, and looking online, um, have we got people online from National Highways?

00:12:43:11 - 00:13:04:06

Yes, sir. Um, my name is Sarah Marshall. Happy to be referred to as Sarah Marshall or Mrs. Marshall. I represent National highways. I'm a solicitor, and we will be speaking on agenda item three. We may also need to react, um, to matters that may arise, but at the moment. Agenda item three. Thank you sir.

00:13:05:10 - 00:13:28:06

And also for National Highways. Uh, my name is Jeremy Bloom. Uh, I'm a consultant that I am leading, um, on engagement with this project for National highways, and I'm happy to be called Jeremy or Mr. Bloom. Um, and as Sarah just said, um, the, um, agenda item that we're most likely to want to speak to his agenda item three.

00:13:31:24 - 00:13:33:10

Right. Thank you very much.

00:13:36:17 - 00:13:42:05

I think also joining us online. The Port of London Authority.

00:13:46:18 - 00:14:17:03

Yes. Good morning sir. Um, my name is, uh, Mrs. Vicky Fowler and I'm a partner and solicitor at Gowling Wlg. And as you say, I'm representing the Port of London Authority, um, abbreviated to the PLA. Um, I'm joined by, um, Miss Lucy Owen of the PLA. Um, but I will be leading discussions today, and we're interested and may, may want to make representations on items three and five. Thank you.

00:14:18:23 - 00:14:25:15

And good morning, sir. I'm Lucio, in from the Port of London Authority. Happy to refer to be referred to as Lucy or Miss Owen. Thank you.

00:14:30:29 - 00:14:43:10

Thank you very much. Um, I think turning back to the room, um, do we have a representative for Cobra Mist Limited?

00:14:46:04 - 00:14:47:21

Yes. Uh.

00:14:50:03 - 00:15:04:05

My name is Nicolas Gold. I represent Cobra mythos limited. I am the owner and director of it. Um, I am concerned with the lesser black black gull situation and the compensation area. You can refer to me as Mister Nicholas.

00:15:06:19 - 00:15:07:26

Or are you there?

00:15:12:05 - 00:15:16:19

Thank you. Um, was there a particular agenda item that you wanted to speak on.

00:15:17:05 - 00:15:21:20

As anything arises? Okay. Thank you. Thank you.

00:15:24:06 - 00:15:30:23

Um. And do we have, um. Lewis fell in the room

00:15:32:13 - 00:15:33:09

or online?

00:15:35:13 - 00:15:45:21

Hello? Yes. It's, um, Lewis fell at Lewis. Um, I'm representing. Um. You actually see me? Can you?

00:15:46:15 - 00:15:47:06

Yeah. Yeah, we.

00:15:47:08 - 00:15:47:23

Can see you.

00:15:48:19 - 00:16:08:14

Uh, I'm resisting, uh, representing Stratton Parker Farms Limited and Leelanau Enterprises, who are freeholders and farmers on a large stretch of the, uh, land affected by the proposals. Uh, and I'll be talking on items three and six, please.

00:16:10:24 - 00:16:14:25

Happy to be referred to as Louis. Straightforward. Okay.

00:16:16:12 - 00:16:16:27

Thank you.

00:16:19:00 - 00:16:24:09

Um, do we have Marianne fellows, uh, joining us online?

00:16:32:01 - 00:16:32:22

Thank you, sir.

00:16:34:17 - 00:17:12:06

Um, so my name is Marianne Fellowes. I'm happy to be referred to as either Mrs. Fellowes, Mrs. Fellowes, or Marianne Fellowes. Your convenience. I'm attending as a member of the public. Uh, with previous experience of national infrastructure projects and. But specific interests in the mitigation work for with colleagues at Cobra. Missed and offered partnership with the LBB. I think we've shortened it to lesser backed black to girls uh, mitigation land, which is close to Aldeburgh, where I live.

00:17:12:15 - 00:17:48:24

Um, but also in general, to assist yourself and your colleagues, uh, in terms of effective stakeholder participation within these proceedings. And I have submitted in detail the agenda items and questions I wanted to ask when we were asked to register. So I really do hope you've had the opportunity to see that. I'm concerned that you're asking again for that. I won't go into great detail, but say that I would like to speak at your convenience on items three, 4 or 5 and depending on what comes up on item six.

00:17:48:26 - 00:17:50:00

Thank you so much.

00:17:50:07 - 00:18:01:25

All right. Thank you. And yes, I can confirm that we've seen your detailed representation. And we're just asking people to reconfirm for the meeting which items you are interested in.

00:18:02:10 - 00:18:04:12

Thank you. Yeah.

00:18:06:12 - 00:18:12:22

And I think do we do we have a Jason Usher here?

00:18:17:25 - 00:18:24:05

Either. Um, do you have a particular agenda item that you might want to speak on? Okay.

00:18:26:27 - 00:18:27:24

Okay. Thank you.

00:18:32:04 - 00:18:34:28

Um, and, uh, Mr. Morris.

00:18:36:01 - 00:18:36:16

In the room.

00:18:39:10 - 00:18:40:15

Okay. Thank you very much.

00:18:49:17 - 00:19:14:05

So I think unless the case team waves out me to say, um, anything else? I think they were the names of who we were expecting. Um, but could I just check before we move on from introductions? Um, is there anyone else present? Um, in person, in the room today who may wish to speak during this meeting?

00:19:18:06 - 00:19:30:05

I don't see any hands up. Um, And just to double check, um, there's nobody else, uh, joining us online today who, uh, who have missed out on the introductions.

00:19:33:24 - 00:20:01:18

Right. So I'm not seeing any virtual hands up. So thank thank you everyone. Um, if anybody else decides that they wish to speak during the course of the meeting, for example, to make comments in response to representations made by other parties, um, you may do so. Please raise your hand either physically, um, or using the function within Microsoft Teams if you wish to speak.

00:20:03:10 - 00:20:38:20

Okay. Um, so moving on to the, uh, agenda and purpose of the meeting. This meeting will follow the agenda as set out in annex A of the, uh, essays rule six letter, uh Reference PD 006. Um, as varied by the amended agenda, which we issued in our procedural decision letter of the 30th of August 2020. For uh reference EV one uh 001.

00:20:40:00 - 00:20:56:00

Um, it would be helpful if you have a copy of the amended agenda in front of you. Um, I'll also ask the applicants team now if they were able to display the amended agenda on screen.

00:21:03:10 - 00:21:34:18

Whilst that that was coming up. Um, so the purpose of today's meeting is to focus on the way in which this application is proposed to be examined. On that basis, we will only be inviting discussion about the procedural aspects of this examination in this meeting. The purpose of this meeting is not to discuss either the merits or any concerns that you may have regarding this application.

00:21:34:20 - 00:22:17:29

The merits or concerns can only be considered once the examination of the application begins, which will happen following the close of this preliminary meeting. Um, timings wise, we will be looking to take a short break mid-morning at a convenient point, and we expect to finish this meeting by no later than 1 p.m.. Um, because as you all know from, um, the examination timetable will be, um, holding a compulsory acquisition hearing, um, this afternoon, Commencing at 2:30 p.m..

00:22:18:27 - 00:22:26:22

Just before we move on. Um, are there any other comments anyone wishes to make under this first agenda item?

00:22:30:27 - 00:22:52:20

So, um, if not, that concludes this item of the agenda. Thank you all. Uh, we can now move on to item two of the agenda, which is the examining authority's remarks about the examination process. I will now hand over to my colleague, Mrs. Norman, to lead this item.

00:22:55:06 - 00:23:17:18

Thank you very much. Um, so, turning to the examination process, in order to streamline the running of this event in annex B of our rule six letter, we provided an introduction to the preliminary meeting and an outline of the examination process, explaining how it will be conducted and how you can participate. For expediency, I'm assuming that everyone has read this, and therefore I don't propose to spend time reading it out now.

00:23:19:28 - 00:23:50:14

Fantastic. Thank you. So there are some more general observations that I'd like to make about the examination process. In the interest of ensuring that it's as productive and efficient as it can be. The process is primarily a written one, supplemented where necessary by various types of hearings. The main body of evidence informing judgments and recommendations will come through the written representations. Responses to written representations, local impact reports submitted by local authorities, statements of common ground, and answers to the written questions.

00:23:50:19 - 00:24:20:24

There is also scope for several different hearings open for hearings. Any interested party may request an open floor hearing, and an open floor hearing has been scheduled for the week commencing 28th of October, 2024. Um, no requests from IPS were received by pre examination procedure. D deadline D which was the 9th of September 2024 to attend in our FH. Um, so accordingly, an hour will not be held during the week commencing 28th of October. I realize I've contradicted myself slightly.

00:24:20:26 - 00:24:57:07

Our apologies. Um, issue specific hearings. So it's for the Exa to decide whether to hold issue specific hearings and what topics they should cover. Hearings will be held if the Exa decides it's necessary to ensure adequate examination of an issue, or to provide an interested party with a fair chance to put its case, which is, um, section 91, one A and B, parties should not assume that an issue will be held on a particular topic, and should ensure that full submissions are provided in writing for any hearings, the expectation is that the Exa will ask the questions and that an agenda will be published about a week in advance.

00:24:58:05 - 00:25:35:19

The questions may be broad or specific. If if, exceptionally, we consider that cross examination may be necessary, the relevant parties will be notified of that in advance. Two issue specific hearings have been scheduled for this week. Issue one concerning a number of environmental matters, which will be held tomorrow, Wednesday, and continue during the morning of Thursday if required. Issue two, covering the Draft Development Consent Order will be held on Thursday afternoon, commencing at

230. The draft timetable includes time allocated for further issue specific hearings in the week commencing 28th of October and 13th of January 2025.

00:25:36:03 - 00:25:59:22

The subject matter for any future issue specific hearings will depend on the submissions made at future examination deadlines. We will provide final notification of the dates and the subject matter for any future issue specific hearings at least 21 days in advance of them taking place. The QA will provide more detailed agendas at least five working days in advance of any future issue specific hearings being held.

00:26:01:14 - 00:26:33:11

A third form of hearing relates to the compulsory acquisition of lands and rights. The Draft Development Consent Order provides for some compulsory acquisition. Anyone whose lands or rights may be affected by compulsory acquisition has a right to be heard. An initial compulsory acquisition hearing one will be held this afternoon, commencing at 230. We've reserved time for further hearings to be held during the week commencing of 28th of October and the 13th of January, should they be required. Any requests from affected persons to be heard at future should be made by deadline one.

00:26:33:24 - 00:26:43:12

A revision that the ESA intends to include in the final version of the timetable and deadline one is 3rd of October in the draft examination timetable set out in our list of the rule six letter,

00:26:45:00 - 00:27:20:18

often for issue specific hearings and compulsory hearings, action points will arise for the applicant and or other interested parties or affected persons to address through the making of subsequent written submissions. Accordingly, at the end of each hearing, there will be an agenda item relating to the discussion. Any post hearing action points to assist with the collation of any post issue specific or compulsory acquisition hearing actions that will need to be discussed prior to a hearings closed. There will be someone amongst. Will there be someone amongst the applicant team that will be able to keep a list of action points running during the course of each hearing? I'm getting some nods, yes.

00:27:20:21 - 00:27:21:20

Thank you very much.

00:27:24:13 - 00:27:54:04

So moving on to deadlines. We'll come to talk about the examination timetable shortly, but I'd like to highlight the importance of ensuring that information is submitted in accordance with set deadlines. The timetable can only be delivered if all parties meet the deadlines, and provide submissions that are as comprehensive as possible. Late submissions restrict the ability of other parties involved to respond to the information, which can lead to unfairness in the process. It is therefore important for all to note that if you do submit something late, it may not be accepted into the examination.

00:27:56:06 - 00:28:14:14

And resolving disagreement. Where there's disagreement between the parties and matters, we ask that all sides engage in a positive and timely manner to seek resolution where this is possible as soon as

possible. This includes progressing statements of common ground as proactively as possible and demonstrating progress with land negotiation and protective provisions where relevant.

00:28:16:02 - 00:28:47:14

Turning to the National Infrastructure Project website and we wish to highlight the importance of the planning Inspectorate's National Infrastructure Planning website to this examination. On the project page for the proposed five Estuaries Offshore wind. You will find information about this application, including the examination library which contains all of the application documents, written submissions and procedural documents related to this project. Each time a deadline passes, the documents that have been submitted will be added to the examination library so that they are available for everyone to see.

00:28:47:23 - 00:28:57:05

We would strongly encourage you to familiarise yourself with the website, because the examining authority will be using it to communicate with you and to provide access to documents throughout the examination.

00:28:59:07 - 00:29:31:09

These and other comments on the process. These are statutory proceedings under Section Schedule seven to the tribunals, Courts and Enforcement Act 2007. It's important that the examination is treated with due regard to its statutory status. There is potential to award costs if a party's and reasonable behaviour causes another party to incur wasted expenditure. There is guidance accessible via the planning inspector, its website and this includes examples of potentially unreasonable behaviour, including issues such as not submitting evidence on time.

00:29:31:24 - 00:30:02:07

I don't wish to overstate the issue, but please treat the examination seriously and expeditiously, and bear in mind that the Xa has a duty to ensure that the examination is fair and open. It's important that you are clear in your understanding of the process. Therefore, if there's anything you're unclear about or which you need clarity, then this is your opportunity to ask. And if you have any specific points to make regarding the draft timetable, can I ask that these are raised under item four of our agenda? Are there any questions on the generalities of the examination process?

00:30:06:07 - 00:30:21:20

No. Okay. Thank you very much. Um, that concludes our remarks about the examination process. Then we will now move on to item three of the agenda, which is the examining authority's initial assessment of principal issues, which will be led by Mr. Harrison.

00:30:25:15 - 00:30:28:23

Oh, sorry. I've seen a hand missing, Mrs. Fellows. Thank you.

00:30:32:18 - 00:31:07:08

Thank you. Um, yes. You'll have to forgive me if I stray into other items, but I'm just responding on the matters that you touched on, madam, if that's okay. So, um, as we all agree, the opportunity today and thank you for this opportunity is to hear views about how the application should be examined, uh, with full transparency and fully and with the involvement of everybody able to participate today? Um,

I'd like to raise my concerns at the open floor hearing that was scheduled to be held on the 28th of October.

00:31:07:11 - 00:31:41:13

You've already decided not to hold that. My previous experience of being involved in, um, these proceedings with, uh, ScottishPower renewables, East Anglian One North and East Anglia two and Sizewell C, was that a balance between open floor hearings and asking people to reply in writing to deadlines was very helpful to all parties. It enables you to check things out in person and for people like myself and in the area, to feel heard in person by yourselves.

00:31:41:28 - 00:32:13:00

Um, I would ask that it may be good practice to wait at least until after the next round of submissions, which I believe is the 3rd of October. Before you decide that the open floor hearing on the 28th of October is not needed. And to keep that placeholder for now. Um, my main reason for saying that is although, as you know, in CIPs are supposed to be frontloaded. That was the principle on which the new um, Planning Act was, was conceived.

00:32:13:02 - 00:32:57:22

And the process is supposed to work. There is still a lot within this application that is unknown and undeveloped. Uh, to the point of being ready to be examined. So in terms of, you have already identified the lack of accuracy and completeness that the applicant is able to, um, sign up to. So therefore, I think it's too soon to say they're not going to be matters that need to be discussed at the open floor hearing. Um, and also, if we don't have things like this, it really puts the burden back on people like myself, uh, with few resources to be able to actually research and test things out on our own in isolation.

00:32:58:06 - 00:33:11:17

Open floor hearings provide an opportunity to collaborate with others and put matters forward to you. So I'd definitely like to ask for that decision. Please. To be delayed. Thank you.

00:33:16:12 - 00:33:42:03

Thank you. Mr.. Mrs.. Fellows. Um, procedural deadline day, which was 9th September, expressly asked parties who may wish to attend an open floor hearing. I formally request the hearing be held. Um, gave that opportunity. There were no requests for an open floor hearing made. Um, there will be, as we go forward, opportunities for um

00:33:43:21 - 00:34:18:27

residents and other parties to attend issue specific hearings, which we expect we will be holding. Um, and those issues, specific hearings. Um, the agendas for those will be almost certainly informed by what we receive in written representations, uh, which will be made in due course. Um, but there was, as I say, an express, um, request. The parties indicate whether they want an open floor hearing. Um, because if a party requests an open floor hearing by the relevant deadline, then a hearing must be held.

00:34:19:13 - 00:34:23:27

Uh, but we find ourselves with this case. No party asked for an open floor hearing.

00:34:25:12 - 00:35:19:15

May I just come back briefly to say that in my comments, I replied that I felt it was very difficult. By the deadline of the 9th of September, before these proceedings had even started, to actually say whether you needed an open floor hearing or not. So when, as I understand and I respect the six month time frame that you have to adhere to and the fact that you need to get, for example, to a statement of common ground by two thirds the way through, etc.. I understand all of that, but in terms of registering as an interested party, then submitting your relevant representation and being expected by the 9th of September, which was only 2 or 3 weeks after the whole proceedings were announced, as starting to be able to predict what you need as a stakeholder in the future is very, very difficult.

00:35:20:02 - 00:35:53:27

And so, and I think looking at today, the number of people attending and speaking is a very small number of people. So I think in terms of raising awareness of the ability and the opportunity to participate, if you compare today to what we had with SBR and Sizewell C, we had 5100 people. So I'm concerned that this examining authority will not benefit from that wider contribution. If we already now start limiting those opportunities.

00:35:53:29 - 00:36:13:13

But I thank you for your offer of open floor hearings in the future as proceedings develop, and I'm pleased to hear there will be that flexibility to be able to include them. But as I say, asking people ahead of time, what is it you're going to need is quite difficult. Thank you.

00:36:14:13 - 00:36:48:13

Just just to make sure there is no confusion. I don't think I've offered open for hearing going forward. What I said was, um, that anybody that's a registered interested party, uh, will be able to attend issue specific hearings going forward. And we do expect there will be further issue specific hearings, um, and that there may well be amongst the agenda for those hearings are issues that we wish to hear further evidence about which any Richardson's interested party will have the opportunity to comment on.

00:36:50:14 - 00:37:21:09

Okay. Um, would you be able to clarify then? This will be my last point, sir, and I'll let you move on. Thank you. Um, so if it's not an issue that's listed as an issue, specific hearing, open floor hearings, and the benefit of those is you're able to talk about anything for a limited period of time. You can you can speak on any matter. So I think that's a very valuable vehicle for stakeholders to be able to have access to in the future. It's not the same as an issue specific hearing.

00:37:21:17 - 00:37:22:28

I assure you I agree that.

00:37:26:19 - 00:37:27:14

Uh, yeah.

00:37:27:23 - 00:37:59:18

Fully appreciate the difference between the two types of hearing. Um, but of course, there is also the opportunity, as we've already indicated, for parties to make their written representations. And I have to

say, as far as this examination is concerned, what we saw with the relevant representations in quite a few instances were quite, uh, thin. Um, and I've certainly been involved with other cases where we've seen a lot more detail at the relevant representation stage.

00:38:00:02 - 00:38:32:02

Uh, that is not something that we've seen with this case, uh, which actually has made it more difficult to start, um, compiling agenda for this week. Um, and looking at, um, our assessment of principal issues which will come onto in the next agenda. Um, so I'm not sure that the public will be disadvantaged. They haven't at this point in many instances. And that this also goes for some of the regulatory bodies haven't made the most of relevant representations.

00:38:32:16 - 00:39:02:20

Uh, and of course, that is changing, um, because there were a new set of regulations that were introduced in April of this year, but this examination will be following the old regulations. Um, because of the timing of the application submission. Um, so we hear what you say, we will have a consideration, um, of whether or not we give a further opportunity, um, to ask parties if they wish to have an open floor hearing.

00:39:03:04 - 00:39:38:29

Uh, but I say the opportunity has already been given to the public, and we got no, uh, reply. And it's not uncommon to ask parties I've done previously with other cases, um, to request an open floor hearing very early. Uh, and in some instances, um, I've certainly held open floor hearings. Um, either on day one or day two of the examination. So that all means parties have to register their interest for an open for hearing, um, as the rule six letter is issued and very shortly thereafter.

00:39:41:28 - 00:39:54:09

The Julian Boswell for the applicant. What it's worth, we we would have no issue if there is an open floor hearing. And if you were minded to give that further opportunity again, we would be entirely relaxed about that.

00:40:09:07 - 00:40:37:22

Thank you, Mr. Boswell. I think, Mr. Fellows, we probably heard all we we should hear about that issue and say we'll we'll take it away, um, and have a further think about it and decide as we issue the rule eight and the timetable formally, whether we're going to include another opportunity for parties to register an interest in open for hearings. Did you have any other points you wish to raise on these sort of procedural type matters?

00:40:39:29 - 00:40:51:10

Thank you sir. Um, the other thing I would just, um, bring to your attention for note is that there's no physical examination library, uh, depository in Suffolk.

00:40:53:07 - 00:41:15:20

And navigating the website through the document list is quite challenging. Um, uh, I'm sure that we'll all do our best to do that, but I wanted to raise to you for some reason, um, Suffolk has been excluded from having a repository and some of the documents and maps and things it'd be quite handy to be able to see in hardcopy.

00:41:19:24 - 00:41:29:01

Is is the is the applicant able to assist in, uh, why there is no, um, library facility in Suffolk.

00:41:36:26 - 00:41:48:02

Um, could it be the applicant if we could possibly check Sara off the top of our heads? We don't know. But we would just like to note that any physical deposit point would not be updated at every deadline in any case, and the online library should be relied on.

00:41:52:09 - 00:41:53:11

Thank you. Um,

00:41:55:04 - 00:42:19:15

that that is actually quite an important point. Um, that there potentially will be quite a lot of additional documents that will be submitted at the various deadlines. Um, and as far as Suffolk is concerned, there's a lot less material to have to try and negotiate through the library compared to what, um, is on the Essex side. Um.

00:42:25:09 - 00:43:04:18

You know, it's, um, it's also the electronic deposit locations are not Suffolk is not listed. So on page G one and xG, You'll see the local authorities listed Essex um and also um Kent. Um but as I say, no electronic deposit and it is only just for the large items to be able to go and electronically have a look at some things. For example, um, individuals like myself, uh, access to be able to look at large documents online, uh, with internet connections as they may be, is quite challenging.

00:43:04:20 - 00:43:22:06

So you've covered it. Um, it's a small extension to be able to replicate it in Suffolk. I appreciate it. Uh, perhaps our area of interest is not as huge as the rest of the, um, two counties for this application, but in terms of equal access to information, I'd be grateful. Thank you.

00:43:24:16 - 00:43:25:19

Able to assist.

00:43:26:21 - 00:43:36:21

Uh, thank you, Sir Paul, for the applicant. Yes. In terms of electronic access, Suffolk County Council offices are on the list of access points within Suffolk. The council offices in Ipswich.

00:43:42:19 - 00:44:04:23

Well, I totally apologize then, that my reading of G1, G2, G3, g4 uh, that's all. The nx g doesn't mention Suffolk at all. So if this document has been updated, this is part of the rule six letter. I'm sorry that obviously I've missed that, um, recent additions, but, uh, welcome that opportunity. Thank you.

00:44:06:08 - 00:44:21:13

Mrs. Fellers. I don't think you actually did miss it. I think because I remember querying, uh, with Katie, I think the information we had at that stage was there wasn't anything in Suffolk, but obviously there is something in Suffolk, so hopefully that that does resolve the issue.

00:44:23:17 - 00:44:27:00

Did you have any other procedural type matters before we move on?

00:44:31:11 - 00:44:35:05

No, sir. Thank you very much for your attention and your patience. I appreciate it.

00:44:37:06 - 00:44:37:22

Thank you then.

00:44:38:18 - 00:45:09:25

Sir. Can I just comment briefly Michael Bedford for Suffolk County Council. We don't in terms of the people in the room at the moment, we don't know the precise factual position as to what is the status of availability of electronic documents within Suffolk. We will obviously, in the light of the point being raised, we will check and we will ensure that in our post hearing submissions, we include some reference so that it's clear to anybody subsequently who sees the post hearing submissions what the factual position is.

00:45:09:27 - 00:45:15:04

I say I can't, I'm afraid, assist you at the moment because we simply don't know. But we will pick that up.

00:45:15:24 - 00:45:31:15

Thank you, Mr. Bedford. It might be advisable if the applicant and Suffolk have an offline conversation, because if there's been a glitch, um, then it is something that perhaps could be corrected. I'm getting knots from both sides. Thank you.

00:45:36:04 - 00:45:39:19

Any other questions on the generalities of the examination process?

00:45:42:13 - 00:45:53:21

Okay, so that concludes our remarks about the examination process. We'll now move on to item three of the agenda, which is the examining authority's initial assessment of principal issues, which will be led by Mr. Harrison. Thank you.

00:45:56:00 - 00:46:31:06

Thank you. Um, so for this agenda item, uh, it would be useful if you have annex C of our rule six letter in front of you. Um, we, um, will also, um, look to share the list of main headings of principal issues on the screen. Um, but you can find details for each within annex C. Um, and just please note that the initial assessment of principal issues is often referred to by the acronym IRP.

00:46:32:04 - 00:47:05:21

Um, so yeah, thank you to the applicant for sharing the list on the screen. Um, so this list provides our initial framework of principal issues for the examination of this application. Um, it is based on the examining authority's reading of the application documents. Um, and the interested parties, relevant representations and our consideration of any other important and relevant matters.

00:47:06:14 - 00:47:42:26

Um, we should say that it is not necessarily a comprehensive or exhaustive list of each relevant matter. Rather, it is a broad list within which specific matters are likely to be covered during the examination. Further issues not listed may arise as a result of subsequent submissions and during our examination of this application, and the purpose of this agenda item is to hear any comments that parties may have about the IRP.

00:47:44:06 - 00:48:35:06

Um, by inviting you to speak, please remember that we're not looking for submissions on the merits of the scheme that will form part of the detailed examination of the application which commences after this preliminary meeting. And we at this stage are only considering comments on the broad principle issues that we have identified at this stage. The IAP does not necessarily reflect the matters for discussion during the course of issue specific hearing, one which is still to come and Um, which have been identified by the examining authority based on its consideration of the application documentation and the relevant representations made by other interested parties.

00:48:36:03 - 00:49:22:13

So we've received, um, written submissions on the IRP from National Highways, Ports of London Authority, uh, Lionel Enterprises and Strutt and Parker Farms Limited. Um, and Mrs. Fallows. Um, and those comments on the principal issues are sort of particularly around construction access, protective provisions, design alternatives, impacts on farming, land, take, um, access routes, uh, sort of working easements, um, where will cumulative and in combination effects be discussed.

00:49:22:24 - 00:49:54:10

Offshore navigation and shipping. Um, the sort of cable crossings, um, in relation to the proposed development and onshore navigation equipment and cumulative effects. Um, therefore, I'm going to now invite each of the parties in turn to summarize their submissions, uh, concerning our, um, IRP. So looking at the order of the lists that I mentioned.

00:49:54:17 - 00:50:02:09

Um, if perhaps we could start with National Highways just briefly setting out their comments.

00:50:13:12 - 00:50:17:26

Thank you. Sir. Um, Sarah Marshall for national highways. Um.

00:50:20:29 - 00:50:23:08

Further, further comments. Um,

00:50:24:28 - 00:50:29:13

I don't know if this is probably too much detail. Um, for the preliminary meeting. Um.

00:50:32:09 - 00:50:39:26

I think our, our concerns are we we'd like to be covered abnormal loads. Um, Jeremy.

00:50:40:14 - 00:51:13:22

Yeah. So our principal concerns are, um, really, um, related to the construction phase rather than the the impact during operation. And there are a few matters which are, um, important abnormal loads and and access of construction traffic and some of the detail around some of the acts, the access design, um, which are of importance. Um, they do need to be resolved, but um, and are yet to be.

00:51:13:24 - 00:51:27:25

So although we've had some engagement. Um, but we're confident that that those issues will be resolved during the examination. Um, so do you want to say something about the protective provisions as well? Yeah.

00:51:27:27 - 00:51:48:20

Thank you. Sir. Um, we have had some initial engagement with the applicant concerning the protected provisions, and there will be further. I mean, I'm I'm I'm expecting, um, urgent meetings to be arranged, but again, we would expect those to be to be resolved during examination.

00:51:52:22 - 00:51:56:16

That's great. Thank you. Thank you. Thank you, National Highways for that.

00:51:56:20 - 00:52:10:27

I don't I don't think we've got anything else to to add. Safer. We're not expecting any showstoppers but they're the they're the areas it's construction traffic abnormal loads. And the protective provisions are the key issues for National Highways for this examination.

00:52:11:22 - 00:52:17:11

Thank you. Thank you for that. Um. The Port of London Authority.

00:52:21:03 - 00:52:52:04

Uh, Mrs. Vicky Fowler, on behalf of the Port of London Authority. And. Yes, sir. So we have, um, principally two points. Um, so the first is in relation to item seven of your principle issues, um, navigation and shipping. And all we want to do so is to make sure that that issue also picks up the Plas Holland Haven radar site so that, um, onshore equipment, um, the PLA is concerned about access.

00:52:52:12 - 00:53:31:24

So but by so by way of example at issue specific hearing one um, tomorrow there is a section on terrestrial traffic and transportation. We wouldn't expect to pick that matter up under that heading but under navigation shipping. So I think it's just been clear that that that's that that navigation and shipping includes the the onshore equipment as well. And then the second issues are on navigation and shipping. That we also want to be recognized is the cumulative effects associated with the proposed developments, offshore cable crossings and the cable crossings required for other third party schemes.

00:53:31:26 - 00:53:41:05

And so I acknowledge you've got an agenda item for today on that. Um, so that that's all on the, um, principal issues that the PLA had. Thank you.

00:53:43:22 - 00:53:44:12

Thank you.

00:53:46:05 - 00:53:51:17

Um, Mr. Fell for Leona Enterprises and Stratton Parker farms.

00:53:54:18 - 00:54:28:04

Uh. Thank you. Um, yes. I just wanted to. I think our principal, uh, concerns are, first of all, around the routing of the onshore cable, um, and the, um, interaction with, um, potential development land on my client's property. Um, and, you know, the, um, lack of consideration, our view of alternative routes to avoid that conflict.

00:54:28:13 - 00:55:35:08

Um, and then the other. So that's sort of item one and two really on your list. And then the other one is really item four, which again is um, obviously a factor for a lot of farmers. But um, we are very concerned about the, um, significant impact on our cultural land in this instance and ensuring that the cable is buried deep enough, because I've concerns that it might not be buried deep enough for the activities that we need to continue with, um, and implicate implications for us, particularly on crop production, which is, um, undertaken on this land and the routing of the temporary access corridors, which I think, uh, needs some consideration because I think it's unnecessary and taking out an unnecessary amount of agricultural land, uh, when there are all other alternatives that should be considered, um, to make more efficient use of land, it seems to me that the developers believe the agricultural land is easy.

00:55:35:10 - 00:55:56:21

It should just be used as an alternative rather than looking at something else, and that they fall back on just taking additional land when it's not really necessary. Um, and they perceive and my perception is that they perceive the habitats of hedgerows and trees to be far more valuable than, um, farmland.

00:55:59:15 - 00:56:00:03

That's it for me.

00:56:01:14 - 00:56:02:20

Thank you, Mr. Fel.

00:56:04:08 - 00:56:06:06

Um, and Miss Fellows.

00:56:12:26 - 00:56:13:11

Um.

00:56:13:21 - 00:56:48:10

Thank you very much, sir. Colleagues. So. Yes. So a couple of things. Um, looking at the principal issues on in annex C in number order, if I may. So in terms of one alternatives, since my relevant representation and your publication of these documents, the Offshore Coordination Support Scheme, which was going to look at the alternative with Sea Link five Estuaries and North Falls, the funding for that has ceased announced by the government last week or earlier this week.

00:56:48:12 - 00:57:21:25

So I wanted to ask if you'd note that and see if there was any, um, ramifications. Now with regard to revisiting, uh, some of the discussion around that and alternatives, um, under two design. I'd like to draw, uh, yourselves and your colleagues attention to the recent publication. Again, um, late last week of the guidance from the National Infrastructure Commission design group.

00:57:21:29 - 00:57:39:21

In terms of the design for intercepts and the new guidance, and to ask, um, whether it be possible to include these matters under the new guidance which is now published, and if this will be included in our discussion.

00:57:41:10 - 00:58:18:06

And to say that, unfortunately, with regard to the lack of information on designs that sometimes available at this stage in hearings, it does tend to lead to the applicant adopting the Rochdale envelope approach, um, asking for more than they may need it eventually. Um, but also using that to, if you like, try to reassure communities. So they'll say at this stage of the planning application with yourselves in the examination, we need A, B and C because we don't actually know.

00:58:18:26 - 00:58:57:26

Um, but say to the community, but we're never going to use all of that, but then it turns out that they may do so. There's difficulties in terms of engagement, because on one hand, it leads to quite a high level of stress for communities and uncertainty and for landowners, for organisations, everyone concerned. I note, for example, that RSPB is not in attendance today, but maybe observing, but without detailed information about the matters I'm concerned with without going to the into them, which I won't do today, but it's hard to know.

00:58:57:28 - 00:59:22:06

Is it going to be a B or C, or is it going to be all three? And it can lead to property blight. And as I say, huge levels of stress for communities. So in terms of how much we can actually ask the applicant to firm up within these proceedings, their design. Um, moving on to three ecology offshore and onshore.

00:59:24:13 - 00:59:56:18

Am I right in thinking that the last bullet point necessary mitigation and and or compensatory habitat will include matters related to the lesser backed black gulls that orphan this island? And to ask you, where would matters relating to mitigation, enhancement and approach to biodiversity net gain come? Um, my experience of previous hearings and the decodes that result from them and the deed of obligations that result from these matters.

00:59:56:29 - 01:00:25:15

It's quite important to get them it part of the discussion now because as as you would understand, um, you don't know at the time, but things we discuss now manifest into the deed of obligation. So it's really important that the accuracy and the detail is, is here now and then. Um, lastly, with regard to eight social economic effects, um.

01:00:27:26 - 01:01:02:23

These haven't made it onto the agenda for the discussion that we're due to have on Wednesday and Thursday. And I have requested, if possible, that I'm able to speak on the Thursday rather than the Wednesday due to other commitments. Um, but in terms of social economic effects and the health and well-being on communities that is not listed as yet as part of the environmental discussion. And as noted in my questions, I'd like to ask specifically where cumulative impact will be discussed as part of this.

01:01:03:11 - 01:01:03:29

Thank you.

01:01:09:02 - 01:01:09:19

Thank you.

01:01:13:15 - 01:01:15:17

Um, I think we, um.

01:01:19:10 - 01:01:19:25

Okay.

01:01:20:28 - 01:01:22:01

Yeah. Um.

01:01:24:11 - 01:01:27:19

So I think, um.

01:01:31:25 - 01:01:42:26

Just picking up on the ecological matters. Um, so compensatory elements will indeed include goals. Yes. And in terms of net gain that will be discussed in various issues. Uh, issue specific hearings.

01:01:47:01 - 01:02:27:03

In in days gone by, we've been encouraged in the IRP to include DCO and compulsory acquisition matters. We're now being discouraged from doing that because they are automatically matters that we will be considering. So in terms of mitigation and the mechanism for delivery that will be dealt with probably primarily under discussions, uh, in any DCO specific hearing. Um, but nobody should leave this room or um, having watched the recordings be in any doubt that DCO matters mitigation.

01:02:27:11 - 01:02:57:19

As I say, all the mechanics mechanism and for that matter compulsory acquisition matters will not be addressed. They are being addressed. Um, it's just that some, some matters have overarching type considerations and certainly mitigation. And how how it's delivered is of an overarching nature. Cumulative impact is something else. Um, that is Overarching, but will affect some topics more than others. So, as Mr.

01:02:57:21 - 01:03:38:23

Herron has indicated, for um ecology, for instance, um, that will be covered under the ecology side of things, whether that be onshore or offshore. Um, but we didn't feel it necessary to actually list it

specifically in the IRP because again, from our perspective, um, it is something that we will be dealing with as a matter of course, not least because in certain instances there are legislative tests, uh, that we have to, um, explore and then be able to report on to the Secretary of State so that the Secretary of State can make a decision, having regard to all of the necessary legislative background.

01:03:44:17 - 01:04:15:06

And thank you. Um, and we'll take all the, uh, the comments that were just received there into consideration, and the submission of written representations will provide an opportunity for you to make detailed representations on on these matters. Um, I think from my my notes from when we were doing introductions, I made a note that, um, perhaps Essex County Council, um, expressed a wish to talk on item three.

01:04:22:26 - 01:04:39:15

So thank you. Mark. Council. Um, I think that the previous speakers have covered the issues that we thought it might be necessary to raise. The key issue there being obviously, um, have you been reported, which is the OCS study into offshore connectivity? Thank you.

01:04:41:17 - 01:04:42:04

Thank you.

01:04:45:03 - 01:05:41:12

I should have said one area that, Um parties will need to actively engage with the applicant, and the applicant will need to engage with them. Is any party that's got a protected provision? Uh, so potentially that might involve PLA, for instance. Uh, we will expect that you are actively working with one another behind the scenes to at least get the mechanics of any protected provision. You may not agree about everything, but at least seek to agree as much as possible and identify to us where the particular areas of disagreement are, so that as we roll forward with future hearings and or written questions, we can pick those matters up and, if need be, assist in the process of at least trying to get some matters agreed where there may be some sort of mechanistic type issue that cannot be resolved for whatever reason.

01:05:41:17 - 01:06:01:11

As I say, there may well be matters of principle that parties will not be able to agree. That's fine. But certainly in those protective provisions, we would expect parties to be working quite hard in the background to get them into some sort of state, so that later on, if we need to pick the issue up, we can. Mr. Bosworth.

01:06:03:06 - 01:06:36:11

Sir Julian Bosworth, the applicant. I just wanted to make two points, if that's okay. Um, in relation to the principal issues, Mrs. Fellowes has already helpfully referenced the significant development in relation to the Oaks and the fact that that is, that of the exploration of that possibility is no longer being pursued. And we do think we do just want to highlight that, because we do think that has a significant, um, impact on how that matter would be, would be examined.

01:06:36:13 - 01:07:10:15

And then I do just want to come back on the point that Mrs. Fowler made for the PLA because, um, I think she was indicating that she wants onshore traffic and access issues for the onshore PLA radar to be continue considered in the shipping and navigation, uh, session. And we don't agree with that. We think that the onshore issues should be dealt with. Together. We will have our traffic and transport people at that hearing.

01:07:10:17 - 01:07:43:08

And, um, we acknowledge that the the fact that the PLA wants to protect that the operation of that asset, in that sense, that clearly falls within shipping and navigation. But in terms of the practicalities of the arrangements, um, on the ground, we think that that should sit with all the other onshore traffic and transport considerations, i.e. we don't want to bring the traffic and transport team to issue specific hearings on shipping and navigation.

01:07:43:10 - 01:07:47:03

We think that should be dealt with altogether as an onshore issue.

01:08:15:12 - 01:08:23:11

Um, so as far as I'm aware, we haven't had any other, um, requests to speak on this agenda item on this.

01:08:23:16 - 01:09:16:28

So can I just make a brief point of clarification if I can? Michael Bedford uh, Suffolk County Council, it's simply the ambit of, um, item uh, six, because we had taken, um, the, uh, landscape, visual and seascape effects and your initial assessment as being a broad umbrella, and therefore lots of things sit within that broad umbrella that don't need to be spelt out. And simply for the avoidance of doubt, we have assumed that you have embraced within your item six, uh, the effects on the national landscapes and the effects of the legislative framework, which, as you know, has relatively recently changed as of the 23rd of December last year in relation to the duties on public bodies in relation to national landscapes.

01:09:17:00 - 01:09:34:06

But we had assumed that that was all implicit within item six and therefore did not need to be spelt out, which is why we haven't raised it as an issue for you to add, because we just read it as well. That's taken as read, but obviously it'd be helpful if there was just some clarification that we've, as it were, correctly understood that context.

01:09:35:15 - 01:09:43:27

Yes. Thank you for that. Yes, I think I think you can. You can take these as broad umbrellas with with those issues being considered.

01:09:44:01 - 01:10:17:01

Yeah. I mean, for the avoidance of doubt across all issues, yet all relevant legislation and or national policy will be for us to consider as well as local policy. Um, and then we perhaps get into the shipping navigation side of things, the relevant guidance, because sometimes it's expressed as guidance, not as a policy. But yeah, that should all be taken as read. Um, as I indicated earlier, um, examining inspectors are being encouraged in the IRP not to produce screed and screed.

01:10:17:14 - 01:10:36:01

Um, also, they are an initial assessment. Um, and it may well be that, as Mr. Harrison indicated earlier, there will be matters that arise, particularly as we see written representation. Uh, that may take up greater emphasis, uh, that weren't listed in the IRP.

01:10:39:04 - 01:10:55:16

Thank you. So just to check, before we move on from this agenda item, was there anybody else in the room or online who hasn't spoken, who wishes to. Oh, I can see a hand up. Has anybody got the roving microphone?

01:10:58:05 - 01:11:01:18

Uh, unconscious. Uh, people online need to be able to hear as well.

01:11:04:28 - 01:11:23:05

Hi there. My name is Trevor Armstrong. I'm representing the commercial fishermen from, uh, fishers now, as we're called, um, on the East Coast. Um, I'm just wondering where the offshore impact on the fishing community would sit with these principal. Uh, agenda items, I'm assuming. Would that would be included in number eight.

01:11:28:19 - 01:11:39:21

And if not, could that be a specific item? Because obviously, the impact of this project, along with all the others, can seriously impact the the ability to fish within that area.

01:11:39:27 - 01:11:40:14

Yeah, I.

01:11:40:16 - 01:11:51:18

Think I think it's, um, probably fair to say it's it's covered in, um, items seven and eight on our list. It's navigation and shipping and also socio economic effects.

01:11:54:00 - 01:11:54:19

Thank you.

01:11:57:13 - 01:12:21:03

Okay, so, um, we're considering whether to take a break at this stage, but I think we'll actually, um, move on and, um, go to agenda item for try and get through that and then, um, take a break. So we'll move on to the, uh, procedural decisions taken by the examining authority. Uh, hand over to my colleague, Mr. Heron, who's leading that.

01:12:21:27 - 01:12:52:10

Thank you. So with regard to agenda item four, to date, several procedural decisions about the management of the examination have been made by the examining authority. And these relate to documents submitting a submitted following the applicant's submission and acceptance. The preparation of and submission of statements of common ground. Submission of principal areas of

difference known as pads by Natural England, and clarifying issue identification and undertaking of further species surveys by the applicant.

01:12:52:22 - 01:13:24:01

The preparation and submission of local impact reports by local planning authorities. A land rights tracker with revisions to the application documents and other documents. An update in relation to species surveys. A written response to concerns with the contents of the draft development Consent Order in relation to offshore ecology. The examining Authority's draft list of written questions and requests for information. A deadline for the submissions of comments and summaries on relevant representations accompanied size inspection.

01:13:24:03 - 01:13:43:29

Suggested location parties. Document management, including statements of common ground. A guide to the application documents. Hard copies of documents and plan drawings and acceptance and executors of the estate of Mr. Charles Table as an interested party. Excuse me. Party.

01:13:45:15 - 01:13:50:03

Are there any questions in relation to the procedural decisions raised to date?

01:13:52:13 - 01:13:53:24

I have a hand up online. Yes.

01:13:55:13 - 01:14:02:21

Yes, ma'am. Cobra miss. I'm trying to get hold of your PDF file as your examination library doesn't seem to work.

01:14:20:06 - 01:14:21:12

There we go. It's before us now.

01:14:25:15 - 01:14:33:21

I'm trying to get in the library. I can't see it. Just all you're showing is is on the screen as PDF five. But if I tap that, it doesn't work.

01:14:49:10 - 01:14:55:26

Still no result in your examination library in your inspectorate website doesn't work either.

01:14:57:07 - 01:15:14:00

It does normally. Can I ask the applicant team? Can they try and access PDF 005 just from the examination library, not via the letter? It could be there's a broken link, but the library should be working because I make frequent visits to it.

01:15:15:05 - 01:15:31:03

I think there might be a number missing in that reference. There should be a PD number after the PD in terms of what procedural deadline document five it is. So as it's PD 1 or 1, there should be a number after PD. I think their reference is just wrong. It's just been typed incorrectly.

01:15:32:23 - 01:15:39:14

Um, the examination library is working for me, but I would need a PD one PD to, you know which document I.

01:15:40:05 - 01:15:42:03

I'm afraid it's not working here in Suffolk.

01:15:51:12 - 01:15:54:29

They do keep getting. But I didn't know what you're talking.

01:15:55:01 - 01:16:06:03

Sorry, sir. Apologies. This was before they were numbered. The link is working in the examination library. If it's helpful to Mr. Gould, we could speak. ET cetera. And send them a direct link. Clicking on the screen won't work for him because it's being displayed through teams.

01:16:06:12 - 01:16:16:21

I'm looking at the examination library, on the website, on your website, infrastructure planning inspector, gov.uk. But, um. No joy. Yeah.

01:16:21:20 - 01:16:22:05

Hey.

01:16:22:18 - 01:16:29:16

There we are. I don't wish to interrupt. But if I'm silent because I don't know what you're talking about.

01:16:31:29 - 01:16:38:18

Um, sorry for that. And if it's helpful, we believe we have an email address from Mr. Gould. We're happy to send him a direct link if it's useful to us.

01:16:38:20 - 01:16:40:11

Thank you very much. Much appreciated.

01:16:48:04 - 01:16:51:24

Any other comments on, uh, on online hands raised up?

01:16:56:16 - 01:16:57:01

Yes.

01:16:58:00 - 01:17:28:18

Sorry. Just before me. I'll make a general point, because some parties might wonder why Natural England has been treated in a slightly different way to other parties in terms of stating the common ground versus principle area of difference. Uh, Natural England had already embarked when they made their relevant rep um, of in effect making a relevant rep and a written rep and had gone down the the pads route the principle area difference route.

01:17:29:06 - 01:18:02:21

Um, before we had the opportunity, um, to say our preference for this examination would be statement of common ground. Uh, we're also aware that because Natural England have some significant resourcing issues, they have favoured the route that they've gone down. That is why we drew the distinction that we did, um, to enable them to continue the route that they had already embarked on. But our preference as an examiner authority is for statement of common ground and in preparing statement of common ground as hopefully parties of appreciated.

01:18:03:04 - 01:18:39:25

We really want to know where your areas of difference are with the applicant. We're not so concerned about perhaps matters that that are less of an issue to you. Um, because we find it more of of more assistance to appreciate where the areas of difference Ah, and how likely it might be that some of those areas of difference will be narrowed, and that perhaps there are other areas that, again, go to the principle of a matter that just cannot be negotiated to a more, um, acceptable conclusion for both sides.

01:18:42:23 - 01:18:48:20

Yes. Um, Mr. Gold, shall we just. Is that a legacy? There is another element to touch upon there.

01:18:50:07 - 01:18:50:29

And.

01:18:57:19 - 01:19:02:18

Take that. Take that legacy handed. Mr.. And are you muted, Mr.. Gold?

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

We should come back to you with your hands.

01:19:08:07 - 01:19:19:01

Apologies. Um, as a result, you will appreciate that I haven't managed to see what Natural England say. Um, and that is obviously quite relevant to the issue of the lesser black gull that gulls girls issue.

01:19:30:13 - 01:19:37:03

I think we'll be we'll be addressing that tomorrow. Mister. Mister gold. Um, but we take the point. Um, Mr. Fallows.

01:19:41:21 - 01:20:34:15

Thank you very much, Marian Fellows. Um, yes. With regard to an NXT. Again, it's a similar point to that I made earlier with regard to your request, which I respect for responses by Monday, the 9th of September for any ACS so accompanied site inspections. Um, your letter was only published on the 20th of August to say these proceedings were beginning. So again, um, that's within two weeks we had to turn around and say where we thought a company site inspections might be required, and I would hope that there is some flexibility to be able to feed this in to proceedings over the next few weeks and months, again, respecting the overall timeline that you need to attain to.

01:20:35:18 - 01:21:11:04

Um, and secondly, I'd like to thank the inspectorate, uh, for their diligence and attention to matters already. I know you've done a lot of work in reading all the documentation and reviewing the application and your questions already to the applicant regarding corrections to missing links or numbering errors. And I'd like to ask what the deadline would be to get those corrections done so that we can, in fact, provide you with as effective, um, and efficient responses back to the next deadline in October.

01:21:11:06 - 01:21:47:24

So I know timelines march on. Um, After this week, they'll only be a short period of time for people like myself with very small, limited resources to be able to read responses. And I don't want to start doing that. If then corrections are made. So if it would be helpful to consider today, if the applicant is being asked to respond to your questions and requests for corrections. And as our colleagues at Cobra miss mentioned today, even within your rule six letter, some of the links don't work because they haven't been typed correctly.

01:21:47:27 - 01:22:05:09

And I know administratively you've got a great team behind the scenes and they work very, very hard. But if they could check everything, um, before it's sent out, then that would be really helpful as well. Thank you. To be proactive rather than reactive like we're having to be today. I appreciate that. Thank you very much.

01:22:08:01 - 01:22:21:18

Thank you. We'll take, um, take the point in terms of assets into consideration. So if they're submitted in due course, we'll consider them as and when they come in. And in terms of deadlines for we'll come to that matter later in the next item of the agenda.

01:22:29:05 - 01:22:32:26

Mr. gold, is that a legacy hand or do you have another comment?

01:22:33:24 - 01:22:36:27

No, I was just I apologize for speaking as I have.

01:22:42:02 - 01:22:44:17

Are there any any other comments on this agenda item?

01:22:51:27 - 01:23:06:20

So as my colleague alluded to before, I think we'll take a quick comfort break here for around 20 minutes. It's probably appropriate to come back in at 20 to 20 to 12. If that suits, and we'll adjourn the meeting until that point. Okay. Thank you.