

00:00:05:38 - 00:00:26:37

Unknown

Hello, everyone. Welcome back. Time now to resume this hearing. It's 1140. And before we just progress, can I just verify that teams is working and the live streams recommenced? Thank you very much. Okay. Well, I'll pass over to Dr. Brewer is going to lead on this next section of item three.

00:00:29:01 - 00:00:47:47

Unknown

Thank you, Mr. Maund. So, yes, as if when says I'm going to cover items three, four and five on on on the agenda just to signpost that. So starting with item three, which is the question of whether there is a reasonable prospect of the requisite funds becoming available.

00:00:49:01 - 00:01:07:13

Unknown

And obviously, obviously, the resource implications of both acquiring the land and implementing the project for which the land is required. So the first question we have to the applicant is and I'll address Mr. Bauer, but I appreciate you might want to you might want to defer.

00:01:07:34 - 00:01:23:14

Unknown

Has has there been any update to the cost estimate of undertaking the project since initial estimates or initial assessments? And is there going to be any further update before the close of the examination? Jonathan Buyer for the applicant.

00:01:23:15 - 00:01:37:28

Unknown

Thank you, sir. And as you predicted, I am going to pass this question over to one of my colleagues. So if I pass over to Mr. Bradley, that's fine. Thank you, says Andrew Bradley, on behalf of the applicants.

00:01:37:47 - 00:01:56:07

Unknown

I'm sorry, could you please repeat the question so I can make sure my answer is accurate? Yeah, absolutely. Fine, yes. So has there been any update to the cost estimate of the undertaking of the project which will be put first in the in the in the.

00:01:56:18 - 00:02:12:28

Unknown

I think it's back to zero one to the funding statement. I expect you'll have that to hand. Since initial estimate assessment, this is an assessment in question and is there to be any further update before the close of the examination?

00:02:12:30 - 00:02:29:37

Unknown

So is that or is that have you done some more work on that? Will we get more information or what's that what's the what's the how is that kind of progressed from where we are? Thank you, sir. Andrew Bradley, on behalf of the applicant, there has been additional work since the first publication of this document, and I

00:02:29:38 - 00:02:45:01

Unknown

think we could undertake to make a submission perhaps for the next deadline six or if we could have the extra time, perhaps seven, because there's quite a lot involved. Well, what you know what I'd like to commit to?

00:02:45:01 - 00:03:05:35

Unknown

What what can you commit to? Seven. Which is when just. Just for the. Just so we don't. So it is quite clear that, you know, when that is. I mean, I can totally bring up the timetable. I've got.

00:03:07:34 - 00:03:36:07

Unknown

14th of April. Happy. All right. But. Well, I suppose the obvious follow up question, will that be the final? Update. Andrew Bradley on behalf of the applicants is an ongoing process and with various changes in market conditions to do with supply chains, etc., its it'll only be right on the day but it will be giving will be

00:03:36:08 - 00:03:50:35

Unknown

that close to the closing of the hearings. It will be the I think that was the last one because that's that's the month before the examination. So I'm going to take it and you can confirm is when you submit it, that will be the final yes, the final one we will receive within the examination.

00:03:50:38 - 00:04:09:12

Unknown

It will be like and you mentioned, I think that sort of supplementary question, which was I think we're all aware of inflationary pressures and costs on construction and increasing costs. So and I know what you've submitted already says it's it's an outturn based estimate.

00:04:09:12 - 00:04:28:34

Unknown

So you're having factored in inflation. Is it fair to say you will factor in more inflation in the in the one we will be seeing next? Andrew Bradley on behalf of the applicant? Yes, it's fair to say that also to be considered is despite the sort of pressures of inflation in terms of cost.

00:04:29:14 - 00:04:49:07

Unknown

Electricity prices have also increased substantially. So when you're looking at the business model as a whole, it's probably improved rather than diminished. Thank you. Are there any points from any affected parties on on what you've heard from the applicant?

00:04:49:16 - 00:05:09:05

Unknown

I'll turn to North Lincolnshire to. I'm from Latham's council. No, no comments on that. Thank you, sir. Thank you. Does anybody else want to make any comments? Thank you. I'll move on. Move on then. So I'm moving on now to.

00:05:12:02 - 00:05:31:46

Unknown

Phoebe. So in response to a written question. 7028. And as set out in the updated funding statement submitted at the deadline to the applicant, confirms that sufficient funds are on account and that there is no reliance upon funding applications.

00:05:32:11 - 00:06:04:12

Unknown

Does that remain the case? Andrew Bradley on behalf of the applicants. Yes. So that remains the case. It's my final I think it's my final question on this section. Might not be quite my final word. So I probably have any other bodies agreed to make a financial contribution to underwrite the scheme at this at this stage.

00:06:07:25 - 00:06:37:19

Unknown

Angie Bradley On behalf of the applicants, we are in negotiations with multiple parties and while still subject to confidentiality, yes, offers have been made for equity contributions towards the project. Thank you. I've got small questions politics. So the compulsory acquisition guidance paragraph 18 states that the timing of that ability so the timing of the availability of the

00:06:37:19 - 00:06:55:44

Unknown

funding is also likely to be a factor. The application the applicant submitted to. Phasing plan. Does this remain feasible and on track since the initial draft? Andrew Bradley on behalf of the applicant. Yet the facing plan is unchanged.

00:06:59:31 - 00:07:19:19

Unknown

Thank you. So. Could you provide an update on the anticipated timing of, I think, what you referred to as financial investment decision? So a final investment decision, what is and whether that has any implications for the phasing plan and availability of funds?

00:07:22:07 - 00:07:38:08

Unknown

Thank you, sir. Andrew Bradley On behalf of the applicants, the in order to reach the final investment decision, we will have to wait for the determination of the application. So given the current timeline of proceedings, we anticipate that might be some time just before Christmas.

00:07:39:03 - 00:07:58:09

Unknown

But appreciating that the timetables don't always go as planned, there's a detailed articulation of how the project would then be brought to a financial close, and we have been appointed as the financial advisor we'll experience in this field.

00:07:58:10 - 00:08:18:10

Unknown

So once all the pieces are in place, so the primarily the consent has been awarded, if that's the way it goes, then these other pieces would fall into place after that. Could I just just ask I mean, is there a range of.

00:08:19:22 - 00:08:34:19

Unknown

If you said certain thing that was achieved at a certain point. There's a range of likely outcomes for that timing post. Say post. You know, if the order was granted post that part time, what sort of range of timelines would you be thinking would be realistic?

00:08:35:04 - 00:08:51:24

Unknown

And you broadly on behalf of the applicant, I think it would be realistic to assume a 12 month period in which to reach financial close. So assuming and consent given the complexity of the project. Probably 12 months. Thank you.

00:08:51:30 - 00:09:08:46

Unknown

Thank you. I'll just invite formerly opportunity for North Lincolnshire to comment at all on what they've heard. I have both. And for nothing that has nothing to come in. And you? Anybody else in the room or the virtual them?

00:09:10:47 - 00:09:36:23

Unknown

I'm not seeing any anything on that. I don't think I need to come back on that. I think because there's been no further comment. So I'll move on to item four. Which is about the is whether the purposes of the proposed compulsory acquisition are legitimate and would justify interfering with the human rights of those with interest in

00:09:36:23 - 00:09:53:39

Unknown

the land affected. And then. For I what the guide has been post has been given to Articles eight and six of the European Convention on Human Rights. Article one of the First Protocol. So I start with a question under this heading.

00:09:56:17 - 00:10:10:32

Unknown

Can the applicant set out the approach it has taken in assessing the proposed development relative to Articles eight and six of the European Convention on Human Rights? I'll address that, said Mr.. Mr.. Powell. And then you may wish to invite others to contribute.

00:10:12:46 - 00:10:33:24

Unknown

Thank you, sir. Jonathan Bower for the applicant. This is set out in. Section nine of the statement of reasons and the approach that has been taken, and also it covers by all three articles, Article one of the first protocol, Article six and Article eight.

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Unknown

So in terms of the approach that is being taken, it's calls for the decision maker has the duty to consider whether the exercise of the powers engages the convention rights. But it's for the applicant to set out its justification, and the applicant has accepted that the order, if made, has the potential to infringe upon the human rights

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Unknown

of persons who hold interests in in the land. It's important to state that it is possible to interfere with the human rights of persons affected if the infringement can be justified. And a compelling case in the public interest has been made, and we've already covered that in part this morning, and we've agreed to follow up in terms

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Unknown

of the weighing of the loss. But the test of proportionality satisfied if the order strikes a fair balance between the public benefits and the interference with the rights in question. So the applicant considers about seven. There would be significant public benefit arising from the grant of the development consent and the benefit is only likely to be realized

00:11:49:04 - 00:12:09:45

Unknown

if the order includes compulsory acquisition. But I should pause at that point and just refer back to what Mr. Hammond said this morning in terms of the extent to which agreement has been reached, either through exchange agreements or with heads of terms with those persons affected since and as such it the applicant considers that the extent to

00:12:09:45 - 00:12:40:05

Unknown

which it would be necessary to exercise compulsory acquisition over land affected to be quite small as a proportion of the overall land interests affected. And so the the applicant has put forward its case about the significant public benefit arising from the scheme and the the impact on, on persons affected, as I've already indicated, through, through negotiation and

00:12:40:05 - 00:13:03:04

Unknown

understanding of of the impact on businesses. And so for example, the and I know noted that Mr. Moore indicates we may refer back to this later about the the the steps to be taken to relocate, for example, Wolf, side court in order to maintain employment from those at parties who wish to relocate.

00:13:04:12 - 00:13:29:30

Unknown

And as part of the the balancing test and the justification for any interference. What we must also be alive to is the fact that there is a statutory compensation code and the entitlement to compensation for affected persons does also weigh in the balance there that any interference with human rights can be compensated through compensation.

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Unknown

And we've heard from Mr. Rushton about his assessment as to where office have been pitched. Now I fully accept that matters of compensation per se for individual landowners is not a matter for the Secretary of State, but the Secretary of State will want to be satisfied that attempts to acquire by agreement and that compensation has been offered

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Unknown

. And Mr. Rushton has indicated in general terms at least, where the level of compensation has been pitched relative to what an effective person might be entitled to receive under the

compensation code. So in accordance with the the fact that compensation is available, the requirements for compensation to be paid mean that Article one of protocol one is not

00:14:25:39 - 00:14:43:12

Unknown

contravened. And we've also, as I've already indicated in terms of Article six and eight, the fact that to a large extent, at least agreement has been reached with affected persons means also that there wouldn't be a breach of those aspects of human rights and so on.

00:14:43:15 - 00:15:06:48

Unknown

On that basis, the applicant considers that the inclusion of powers of compulsory acquisition are justified and don't constitute any unlawful interference with convention rights of affected persons. Thank you. Thank you. Thank you for a follow up question, a statement of reasons that Section nine addresses the applicant's assessment, which you've just.

00:15:08:11 - 00:15:30:02

Unknown

Outlined test for confirmation. Can you can you just clearly confirm that no residential properties are to be acquired or directly affected by compulsory acquisition or temporary possession for the project? Jonathan For the applicant, yes, that is confirmed. No residential premises affected or indirectly affected by the scheme.

00:15:30:08 - 00:15:43:40

Unknown

Thank you. Thank you. I'll turn to North Lincolnshire again. I don't know whether you want to say anything. Yeah, we're both in for North Inch customers into Ulster. Thank you. Does anybody else wants anything or comment on what they've heard?

00:15:46:45 - 00:16:08:41

Unknown

I don't think so. I mean, I'll move on to two, two part B of A agenda item four, which is the degree of importance attributed to existing uses of the land, possess proposed soil to be acquired. So has the applicant considered the existing uses of the land to be compulsorily acquired and the impacts on private interests?

00:16:09:16 - 00:16:35:16

Unknown

And could you point to where that is set out in the submissions? Jonathan Bower for the applicant. We've heard from Mr. Hammond in particular this morning, the the approach that has been taken in relation to understanding the impacts on the businesses affected and the steps that have been taken to seek to address.

00:16:36:35 - 00:16:58:49

Unknown

Their concerns. I think this is something, again, we can follow up in writing. Following the action, we agreed with Mr. Monde, as I've alluded to, the extent to which it will be necessary to rely upon any compulsory acquisition powers has reduced significantly since the application was made and the application documents were prepared.

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Unknown

As you will see from the compulsory acquisition schedule that details where agreements have been reached, but the the existing uses themselves are set out in the environmental statement. I haven't got the reference exact reference in the front of my mind at the moment, but we can provide that to you.

00:17:23:31 - 00:17:50:38

Unknown

But also the and and is perhaps something that we can come on to in particular with affected persons as part of CAA, HS2. But to understand, for example, Glan for perhaps one of the council's properties is currently vacant so its existing use doesn't exist and, and then understanding then will what use would so the property exists.

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Unknown

There's no existing use of it as a constant. It is a use of in that sense that it's vacant and but but weighing up the balance there as to the the employment that would be created as part of that.

00:18:03:25 - 00:18:20:09

Unknown

And but we can go through each of the in particularly the affected persons if if that would help. But certainly an action will be to summarize the existing uses of this of the site. And to a degree of importance that is being placed.

00:18:20:10 - 00:18:47:05

Unknown

Thank you. I think it's in a similar vein. But what degree of importance has been attributed to the existing uses of the land proposed to be acquired in assessing whether any interference would be justified and why? Jonathan Bower for the applicant as part of the the statement of reasons and also referred from in particular Mr. Hammond, Mr.

00:18:47:05 - 00:19:10:11

Unknown

Bradley and Sir Price this morning about the and the overall justification for those uses. On that basis, the applicant attributes the high importance of those proposed uses being forming part of the proposed project. Okay. Thank you. Thank you.

00:19:13:09 - 00:19:30:42

Unknown

I think finally in this section on the sea, the weighing of any potential infringement of the child rights against the potential public benefits of the draft decree is made. So if the draft decrees made a statement of reason, the states are suing the DCO.

00:19:31:43 - 00:19:50:08

Unknown

North Lincolnshire Green Energy Park has considered the balance to be struck between individual rights and the wider public interest I think we've heard about. Could you explain more precisely the factors which have been placed in the balance, including references to any paragraphs of development and for some government guidance, the weight attributed to those factors and how the

00:19:50:08 - 00:20:13:39

Unknown

exercise has actually been undertaken. Jonathan Bower for the applicant. I think if we are able to do so, we can produce a table of each of the relevant NPS paragraphs that they are. They they appear to an extent in the statement of reasons.

00:20:13:49 - 00:20:30:13

Unknown

But I think if we were able to bring together a comprehensive list from all of the application documents and signpost you to that, that might be helpful. Yeah, that sounds like just bringing it all together in one place would be helpful and make it a lot easier if people understand the argument, if you like.

00:20:30:14 - 00:20:54:39

Unknown

Yeah. Yes, certainly, said Jonathan Boff, the applicant. We will pull together in particular the points that Sarah Price raised and the various policy justifications to outline for each particular site what how those public benefits of being considered by the applicant in putting forward its submission.

00:20:55:13 - 00:21:17:08

Unknown

Thank you. Thank you. As is customary, I'll turn to North Lincolnshire and invite you to comment. Thank you. Well, I think there was a reference specifically made in relation to Cranford house. So as I've explained previously, the council's got a strategy in terms of how we seek to engage in secure investment and employment on sites not

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Unknown

dissimilar to any of the sites that are in the the applicant's development suite of of interest. I mean, as it stands, we're continuing to negotiate secure best value for for taxpayers. We've got people who are interested as they're always interested people in in land.

00:21:33:46 - 00:21:53:02

Unknown

So we'll continue to do that, say, within our core values. I think the only thing too obdurate is that clearly there would be some displacement, should they and should the sites be acquired by the applicant land? You know, as much as we'd like to think is exhaustive, it's not.

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Unknown

You have to try and find suitable sites and that might have an impact on the employment market locally if people can't locate within North Lincolnshire. So that's just a consideration that obviously we will have to address as part of our our obligation as the local authority.

00:22:07:40 - 00:22:32:47

Unknown

But it's a you know, it's a factual consideration for us. Thank you. Thank you. I'll certainly invite the applicant to respond to those points. Jonathan Barth The applicant. Thank you, sir. The applicant has made clear in the statement of reasons that any potential relocation of businesses would take place within North Lincolnshire, as the objective was to secure

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Unknown

relocation within North Lincolnshire administrative boundary. I can't go into specifics because of confidentiality as to the sites which should be identified and where heads of terms are being agreed for relocation. But suffice to say that it is, it certainly is within the administrative boundary and I would deal with the proximity, but in terms have been agreed which

00:23:03:21 - 00:23:27:47

Unknown

are acceptable to those landowners for identifying sites for relocation should they wish to do so. Thank you. Yeah, I mean, I took it from what North Lincolnshire Council said that it was a slightly different point in that. And correct me if I'm wrong in terms of displacement, the loss of employment, land that would result.

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Unknown

You're effectively suggesting you would need to find other employment land elsewhere. Is that the point you're making? So we're both in for nothing to council and yes and no, sir. Yes, there's a there would be a need to have land to displace, too.

00:23:44:25 - 00:24:05:11

Unknown

Clearly, the applicants picked up part of that process because the existing businesses would need to relocate. I think the challenge is, is that some of this land and some of the land that is occupied, you know, the the what we would call and forgive me, I'm just trying to find the reference and I think the compost.

00:24:05:13 - 00:24:25:16

Unknown

Our former composting site, which is the NLG epi reference 5.16 that's, that's a specific site that's sort of within the applicant's interest that that site is particularly important because of locality to an existing business. So, you know, it's a storage site that's used.

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Unknown

So they would need that site would need to be of the need to have equivocal sites as close as they possibly could be, otherwise there'd be an operating cost and otherwise. So that's just one aspect of, of, of consideration.

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Unknown

Okay. Again, I think we probably covered that under part two, but I just give you the opportunity if you want to say anything further. Thank you, sir. And Bradley, on behalf of the applicants. Yeah, probably best to get into the detail of that, if we may, in the next section.

00:25:01:31 - 00:25:24:43

Unknown

But yeah, we'd like to make comments on on that. Thank you. Thank you. Thank you for those countries. Does anybody else, uh. Any other interested parties affected by affected parties wish to comment on that. I'll take that as a no.

00:25:25:25 - 00:25:52:25

Unknown

So I'll move on. Then I think to item five, which is consideration of duties under the Equality Act 2010. The applicant could the applicant explain how how they have had regard to public to public sector prostitutes in relation to the powers of compulsory acquisition sought and where this can be identified in the environmental statement.

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Unknown

Mr. Bauer. Thank you, sir. Jonathan Bauer, for the applicant. The starting point under Section 149 of the Equality Act is that the public authority must, in the exercise of their functions, have regard to the provisions which are to eliminate discrimination, harassment, victimization or any other conduct and advance equality of opportunity and foster good relations between persons.

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Unknown

And that duty falls upon the decision maker. But similar to human rights, it's for the applicant to assist the decision maker. And it's probably helpful if I just am for the benefit of everyone and what those relevant protected characteristics are that foster that the decision maker has got an obligation to foster good relations between persons who have

00:26:44:41 - 00:27:19:24

Unknown

those protected characteristics. So protected characteristics are in relation to age, disability, gender reassignment, pregnancy, maternity race, religion or belief sex or sexual orientation. And as I've indicated, the applicant themselves is not under this public duty, but the applicant understands the duty and as a responsible employer looks to operate its business in discussions with landowners in a fair

00:27:19:24 - 00:27:53:29

Unknown

and responsible manner. And in terms of exercising its functions with negotiations with persons who could be affected by the scheme. And I have confirmed with the applicant he's referred confirmed back to me that as a result of all of the extensive discussions with landowners and other interest groups, no specific protected characteristics have been identified.

00:27:55:06 - 00:28:18:31

Unknown

But for example, some adjustments have been made in relation to communication with one potential landowner, not because of any protected characteristics, but because that their clear preference was not to correspond in writing. And so alternative means have been exercised to engage with that landowner.

00:28:18:34 - 00:28:51:12

Unknown

But as part of the development of the scheme and negotiation with affected persons, there haven't been any protected characteristics identified to the applicant. And I should also say that in terms of the this part of the yes chapter, economic community and land use IP hyphen 062, that sets out details of information held in relation to the demographic

00:28:51:21 - 00:29:22:14

Unknown

of the local population. And I'm always conscious that when it comes to the duties under the Equality Act, obviously the applicant is bound by confidentiality and also GDPR. But I can say that there isn't any protected characteristics which have been identified, which would mean that the applicant has not fallen foul of any effectively shadow obligations under

00:29:22:15 - 00:29:55:15

Unknown

the Equality Act. Thank you. Any comments from Green? Thank you. I understand what you're saying in terms of how you've engaged with the local community through negotiations and so on. But in terms of the project itself and the implementation of it, are there any issues that we should be aware of in exercising our duties of individuals who

00:29:55:16 - 00:30:13:02

Unknown

might have protective characteristics that. And. You know, we should be conscious of in considering our position. An equally North Lincolnshire Council will have responsibilities in exercising their duties as a public body. So I'll come to them in a moment.

00:30:13:02 - 00:30:38:44

Unknown

But is there anything further we should be aware of? Thank you, sir. Jonathan, bow for the applicants. Nothing specific at this stage. But what I will do is and also takeaways and action point just to identify any further provisions of the within the application documents where any assessment has been made but above and beyond what I've just

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Unknown

referred to in terms of affected persons. Because your question obviously related to the the implementation of the of the project that those assessments would be have been considered in in the round in the sense of the that the the necessary controls and protections that have been put in place within the proposed draft DCO and also secured through

00:31:09:47 - 00:31:39:09

Unknown

other documentation. What I would also just add in terms of obviously benefits of the of the scheme to improved connectivity in relation to the I mean I myself have been on the existing road network there. The improved connectivity to the site would mean that for the persons who may have protected characteristics such as disability and to be

00:31:39:09 - 00:32:04:44

Unknown

able to access on improved footways, for example, is, is something which is a is an improvement to the scheme as existing at present. But we will take those action. And I noticed, Mr. Maund, I suspect, making a running list, but that attached to the latest action list too to identify in relation to the implementation of the project

00:32:04:45 - 00:32:33:15

Unknown

where the any potential protected characteristics, any so persons with protected characteristics may be affected or where it's being addressed. Thank you. So as I say, I mentioned North Lincolnshire Council have similar duties as a public body. So I would just ask, are there any additional points that you're addressing or you would ask us to address in our

00:32:33:15 - 00:32:45:33

Unknown

decision making that that you're aware of? Well, both. And nothing as a council. No, no comments to make. On this point, I think everything we've we've submitted previously served as part of the elements of process, though nothing to add on.

00:32:46:08 - 00:33:11:24

Unknown

Thank you. Thank you. Thank you very much for your contributions. I did have another question, actually, which was whether whether you had identified any protective affected persons with potential casualties. I think you've already answered that. And you've you've you've been flexible in terms of how you engage with others who've presented themselves with having preferences.

00:33:11:26 - 00:33:35:45

Unknown

If I can put it in those terms. So I think on that, at that point, I'll hand back to Mr. Moment to proceed with item six on on the agenda. Thank you. So we're now looking at sections one, two, seven and 138 of the Planning Act, acquisition of statutory undertakers, land and extinguishment of rights and removal

00:33:35:45 - 00:34:01:03

Unknown

of apparatus of statutory undertakers. Now I think I'm correct in saying, and hopefully you can confirm this, that there's no compulsory acquisition of statutory undertakers land now proposed. Am I correct in that? Francis effort on behalf of the applicant.

00:34:02:47 - 00:34:31:35

Unknown

There is such you undertake a land held within the order limits this land in which they have rights, but there's no land in which they own the freehold. Okay. That's helpful clarification for me. So in that respect, then, can you just set out what your position is with regard to section 1 to 7 and, and, you know

00:34:31:35 - 00:34:45:23

Unknown

, provided. Yeah. An explanation of that position. Thank you. Thank you. Francis Everitt, on behalf of the applicant. So Section one seven of the Planning Act is engaged by this land held by statutory undertakers for the purpose of their undertaking.

00:34:45:44 - 00:35:06:46

Unknown

This land is included in an application for an order granting development consent. The statutory undertaker has submitted a representation to the examination, which has not yet been withdrawn under section 127 to an order may only authorize compulsory acquisition of statutory

undertakers land where the Secretary of State is satisfied that the land can be purchased and not replaced

00:35:06:46 - 00:35:25:41

Unknown

without serious detriment to the carrying on of the undertaking. Or if purchased it can be replaced by other land belonging to or available for acquisition by the undertakers without serious detriment to the carrying on of their undertaking. And just to explain as well that this also applies in relation to the compulsory acquisition of rights in land as

00:35:25:41 - 00:35:44:33

Unknown

well. So the applicant's position in relation to section one seven is that the inclusion of compulsory acquisition powers affecting statutory undertake land would not cause serious detriment to the affected statutory undertakers. And as such, Section 1272 would allow for the compulsory acquisition of such land.

00:35:45:26 - 00:36:06:40

Unknown

We set out yesterday that. The position in relation to the protective provisions and the negotiation of those with the parties. And we mentioned that there was only really one point outstanding in relation to those the to deal with acquiring rights on land, on land that's owned by statutory undertakers.

00:36:06:40 - 00:36:27:07

Unknown

And we're satisfied and we've agreed to the points that they have asked for in relation to those that they would afford adequate protection to them. Obviously we haven't yet reached final agreement on that final point that mentioned and we would be looking to if we don't reach final agreement, we'll be looking to submit our preferred form of

00:36:27:07 - 00:36:39:28

Unknown

piece and obviously they would put in their own as well. But the points that are in agreement would deal with with Section 27 and all these points that we're discussing here. So we're satisfied there would be no serious detriment.

00:36:55:30 - 00:37:34:49

Unknown

Okay. Thank you. So the anticipation is that protective provisions with all of the statutory undertakers. This is likely to be agreed before the end of the examination. That's what you're currently moving towards. Yeah. Thank you. I'm. So just in the event that that agreement is not reached, obviously you've set out that you'll be providing us with your

00:37:35:25 - 00:37:57:22

Unknown

preferred protective provisions and the undertakings will provide us with their version. And will you each address those particular tests under one, two, seven and 138? In making it clear what your respective positions are in the event that those provisions aren't agreed.

00:37:58:32 - 00:38:11:39

Unknown

Frances error on behalf of the applicant. I can't speak for the stats themselves, but I suspect they will put in there the view on that and we will also as well. I think that would be sensible. Hopefully we won't get to that.

00:38:11:40 - 00:38:45:13

Unknown

But. Yeah. Thank you. So I mean, again, I'm. Because we don't have any undertakers here. I'm I'm relying on you. So where we're dealing with section one, three, eight, and. The Rep 5036 which is the state is in negotiations with the statutory undertakers.

00:38:45:49 - 00:39:13:15

Unknown

I think this those relevant undertakers whose apparatus may need to be removed or rights extinguished in order to facilitate the delivery of the development. Now for where agreement has not been reached. Do you have an explanation as to why the proposed extinguishment of those rights or the removal of the apparatus necessary is necessary for the carrying out

00:39:13:16 - 00:39:34:15

Unknown

of the development? Hi, Francis. On behalf of the applicant, yes. So section 138 of the Planning Act applies where there is no order, including compulsory acquisition of land and that subsists over land a relevant right. Or there are, there is relevant apparatus within that answer.

00:39:34:16 - 00:39:54:18

Unknown

Yes, that does apply. That would apply in these circumstances. Section one three also states that an order may include provision for the extinguishment of the relevant rights or the removal of the relevant apparatus. If the Secretary of State is satisfied that the extinguishment is necessary for the purpose of carrying out the development consent, although the development for

00:39:54:18 - 00:40:13:06

Unknown

which the order relates and the applicant position is that it would be engaged, but any removal of apparatus of extinguish of rights would be necessary for carrying out the development if it if the removal of those operates, or we could do the development around the apparatus without removing them or we could add in some form protection

00:40:13:06 - 00:40:40:11

Unknown

would obviously would seek to do that. Okay. I'm I'm just seeking clarity, really, in terms of I don't know whether it's necessary at this stage to be going through each individual's statutory undertaker and their apparatus, because they've not said specifically to us that there's an issue.

00:40:43:15 - 00:41:08:08

Unknown

But yeah, I guess I think I think at this stage it would be pertinent to ask you and in your engagement with them, to make sure that if we are in a situation where we don't have that filing final agreement, again, there's a clear justification from you as to the how you meet Section 138 and because the

00:41:08:08 - 00:41:30:40

Unknown

Secretary State will need to understand that. And again, for the applicant, for the undertaker to explain to him very clearly why in their situation or their argument is that that's not the case, assuming that's their position. Yes. Francis Everitt, on behalf of the applicant, let me make submissions on section 138.

00:41:30:40 - 00:41:44:15

Unknown

If we get to that point. And we would obviously include an analysis of the different plots where they operate as their rights are included and whether how we do think they are necessary for for the development that we're seeking to carry out.

00:41:47:32 - 00:42:08:38

Unknown

Thank you. And I'll just open it up to the room and see if anyone has any additional comments that they would wish to make. No. Anyone who's remote? No. Okay. So we move on then to crown land. I think this will be a fairly brief thing.

00:42:09:13 - 00:42:27:33

Unknown

You have confirmed that there is no crown land involved. So I just wanted to check that that was still the case. And my only other sort of question mark at the back of my head on this is that there are still, I think, some unknown plots.

00:42:28:37 - 00:42:52:47

Unknown

And again, you can correct me if I'm wrong on that. But I just want to make sure that on those unknown plots, we weren't potentially in the scenario where the land would revert back to the crown because the previous well, you don't know who the owner is and whether they've passed away and it reverts to the crown

00:42:53:29 - 00:43:26:15

Unknown

as a consequence. Jonathan Bower For the applicant, the position in relation to unknown donors is is often can be complex, but the position is such that there is in when when there is an unknown owner, it's not a situation where there could be was, as you've alluded to said bone of a cancer which is the Latin term

00:43:26:16 - 00:43:56:20

Unknown

where the the land in circumstances in particular if there is a company which goes into liquidation and that the interest in that land would revert to the crown. There isn't any of that situation and the as such. So the applicant doesn't consider that any land in unknown ownership could inadvertently or unexpectedly revert to crown land.

00:43:56:46 - 00:44:21:42

Unknown

And there is provision within the compulsory acquisition legislation for the process, for the acquisition of land in unknown ownership. By way of firstly I'm going through a due notice process and if necessary, making payment into court for untraceable owners to come forward.

00:44:22:12 - 00:44:44:08

Unknown

The situation in relation to unknown ownership is often where land is unregistered and there may be a claim on it by joining landowners. But because the applicant knows the ownership of all interest land safe for the unknown, ownership is not.

00:44:44:08 - 00:45:11:01

Unknown

And as I say, it's not envisaged that any of that land could unexpectedly revert to becoming crown land. Thank you for that clarification. Okay. I think that really then takes us on to part two, where we're going to consider individual land interests.

00:45:14:27 - 00:45:41:19

Unknown

So if I can turn in the first instance to North Lincolnshire Council, please understand the representations from you about your land interests. Yeah. Thank you so much. Both on behalf of nothing as a council on the council leader.

00:45:42:28 - 00:46:05:05

Unknown

Obviously, there are several sites. I think probably there were a number that relate to easements for cables, pipelines and other ancillary equipment that are have proximity to exist to a number of sites that we are currently marketing and are allow for for sale and and some are close to completion.

00:46:05:06 - 00:46:31:47

Unknown

So in terms of those, I think it's reasonable that obviously we would continue with with those sales and obviously they wouldn't adversely affect those and those arrangements. There are two I'd say two specific sites that I think we've referenced previously, one, which I think is the an LG rep reference of 5.16, which we referenced previously around the

00:46:32:19 - 00:46:50:48

Unknown

they it's the we call it the former lower composting site of Flix, which we currently have a contractual commitment on to our mass transport. And we continue to be in dialog with the with the operator of the site.

00:46:50:49 - 00:47:06:44

Unknown

It's obviously something that is is important to that business. It's a it's something that is obviously being and a local business working to continue to support in terms of impact on their operations should they be required to surrender the site.

00:47:06:44 - 00:47:26:28

Unknown

Although they you know, the contract is not a long period, it's still an important part of the operation of their site and would have an impact on the viability of their business, which led to believe the second site really, which is the Longford House site, which I think the applicant is referenced and I know I've referenced previously

00:47:26:34 - 00:47:52:06

Unknown

, which is the Cranford House site, which is the and LG reference site, 5.35. And obviously as we've referenced previously, that site is a we're continuing to seek best consideration in line with the Council's policies and strategies. I referenced earlier the economic development strategy, which identified key sectors that we're looking to to secure.

00:47:52:32 - 00:48:14:28

Unknown

And as part of the Council's overall economic development strategy, this these key sectors are clearly will have an importance in terms of how we seek to to secure best consideration for all of those sites. We have a dialog with the applicant previously and I know recently they wrote to us on the 3rd of March, I think, which

00:48:14:29 - 00:48:34:27

Unknown

was an open letter, which I, I presume your colleagues will have seen. But obviously our our best endeavor is still to continue to secure and best consideration whilst also meeting the strategies of the Council to to target key development opportunities that fit within our our values as a council.

00:48:40:47 - 00:49:12:09

Unknown

There's quite, quite a long list of land plots that are within the DCO land. Are there any other specific plots that you have concerns about or is it just the broader point that you're making about the. Your strategy that you're keen to maintain and your duty to ensure you receive maximum value.

00:49:15:43 - 00:49:36:30

Unknown

The principal cites that that with the authorities, ownerships that were affected are those that I've already highlighted. Other than that, they are they are mainly sites that require easements for a whole range of different aspects. Some of those, as I say, some of those site adjacent to those sites are sites that we're currently marketing.

00:49:36:31 - 00:49:58:21

Unknown

So, you know, it could be a consideration should and the purchaser or indeed the the current occupant of the site consider them to be. And you know, this the direction of the inspector to be or the indeed the interest of the applicant to be compromised in that might causes a problem in securing and control consideration for those

00:49:58:21 - 00:50:25:12

Unknown

sites. But really, as it stands, we're the only those that I've I've identified earlier. Okay. And can I be clear that the business that you're you have a contract with to support you know, the former

composting site is that our imports and it is it might be that our leases with our most parts limited but yeah that's

00:50:25:12 - 00:50:52:22

Unknown

that's the that's the operator you. I'm. As far as I can recall, we haven't had a no objection from them to the scheme or the loss of this site. Is that your understanding that they've not written in to us as the examining authority objecting and will both them for counsel yet?

00:50:52:23 - 00:51:08:35

Unknown

That is our understanding. But clearly we have a contractual commitment on the site and until at least the end of the year. So. So they would be required to obviously meet that and that lease arrangement. Yeah. Well, I'm trying to get my head around.

00:51:08:35 - 00:51:35:28

Unknown

Is that you're telling us that there's a potential impact on the business, but the business isn't telling us that. So I don't know whether you may not be able to say anymore, but I'm just posing that question. You know, clearly conversations with the business head, etc. and obviously they wouldn't be something I could discuss at length here

00:51:35:29 - 00:51:54:40

Unknown

today. But, you know, as far as we're concerned, that's the only factor that I can disclose is that there is a there is a contractual obligation on behalf of the business to commit to the site. Okay. Thank you for if I can then come back to the applicant to seek their response to the points that have been

00:51:54:40 - 00:52:16:27

Unknown

made by the Council. Jonathan Bow for the applicants. Thank you. First of all, just in order to assist the examining authority, the the two references that were referred to a plot references from the land plans. So 5.6 and 5.35.

00:52:18:15 - 00:52:43:00

Unknown

Before I passed to Mr. Bradley, it would certainly understand assist the applicant if we were able to understand how what is proposed by the applicant is in conflict with the economic strategy that the Council refers to. Because I certainly don't understand that position.

00:52:43:48 - 00:53:15:15

Unknown

And also in relation to the operation of the site, as you've alluded to, sir, with arms transport, this is a lease. And whether the the whether the operator wishes to continue to engage with the the council is is an it's not something that the applicant and his party to but firstly they haven't objected as has been said

00:53:15:44 - 00:53:44:07

Unknown

. But also Mr. Bradley would be able to update in relation to where matters have reached with arms. And then the other point that would certainly assist the applicant and I think it was mentioned on behalf of the Council that they were in discussions with a number of potential purchasers just mentioned earlier of Glenwood House and also reference

00:53:44:07 - 00:54:06:09

Unknown

was also made in terms of the need to secure best consideration. And an offer has been put to the council and the applicant would be very keen to understand how the offer that has been made doesn't meet the Council's best consideration requirements.

00:54:06:43 - 00:54:29:34

Unknown

That's obviously not something that necessarily the examining authority would want to engage with, but certainly if the Council is open to further discussion, the applicant would be certainly keen to understand whether or not the tests in relation to best consideration have been met relative to the the level of offer which has been put forward to the Council

00:54:29:34 - 00:54:58:07

Unknown

for for that land. But I would pass over to Mr. Bradley, who can also provide further explanations. Thank you. Thank you. Bradley, on behalf of the applicants. Excuse me. Just to reiterate, I think our vision for the project and the development of new jobs is totally aligns with the council's and said there's no disagreement there.

00:54:58:28 - 00:55:18:27

Unknown

With regard to the specific plots, if we just refer to the former composting plot as as was mentioned, that's currently under lease by our ports. The project has a voluntary agreements with arm's ports to acquire the entirety of their sites.

00:55:19:23 - 00:55:38:47

Unknown

So that's why there'll be no objection from them. They are, in fact, you know, strongly supportive of the project. Should the project come forward, that business will in fact flourish because there will be an increased tonnage of material through the ports either by road, ship or rail.

00:55:39:19 - 00:56:08:18

Unknown

So that will perhaps lead to increased employment within the area. With regards to the Glen for Tower Sites, this has been under discussion between ourselves and the Council for several years. In fact, we received two heads of terms from Mr. Kidneys, predecessor for the lease of that site, but it didn't progress further for the reasons probably stated

00:56:08:18 - 00:56:27:42

Unknown

today by Mr. Waltham. Councilor WOLFFE. I'm sorry. And yes, we have made an offer on the site which is significantly over an above the market value. So we've had an independent evaluation conducted and we've made significant premium over and above that valuation.

00:56:27:43 - 00:56:43:02

Unknown

Also just to note that sites, as I understand it and my colleagues were correct me if I'm wrong, has been vacant or derelict for many years and in fact has been D rated as far as D lists, as far as rates are concerned.

00:56:43:30 - 00:57:14:12

Unknown

So it's not an income generating asset. As far as the other part of the council will be concerned, that deals with that income. With reference to the plots mentioned along Phenix Park. We think those are limited in potential future uses because they lie underneath some overhead power cables, so they may have some value to the adjacent owners

00:57:14:13 - 00:57:38:31

Unknown

or occupiers. And it's my understanding that we've just applied for temporary or permanent easements for hardware, for utilities to go in the ground. So I don't think we're seeking to acquire the freehold ownership of those particular plots. So there may be some disruption at some point in the future, but as I understand it, there will be no

00:57:38:31 - 00:57:59:45

Unknown

structures on those plots because the underneath the the pylons. So they may only be used for storage or car parking or something of that nature, which could be easily reinstated after the inclusion of any assets that need to go on the ground, I think have covered anything there, but somewhat defer to Colin or Charles if they've got

00:57:59:45 - 00:58:15:04

Unknown

anything further to add. No. Thank you. Thank you. So I then revert back to the council seats. Anything further you would wish to say in light of what the applicant said to you and me about both them on behalf of the Council?

00:58:15:15 - 00:58:29:47

Unknown

I think probably just a point of clarity. I think the sites that I referred to where there's a a sale interest where those off Phenix Parkway. So that was just for clarity there not it wasn't I didn't specifically refer to Clifford House.

00:58:29:47 - 00:58:49:00

Unknown

Obviously we we have a a site strategy that has been published where we're seeking to to continue to to get best value as a reference point previously. But I think for us it's either that direct employment, you know, we clearly there they're important considerations.

00:58:49:00 - 00:59:12:28

Unknown

I'm obviously not going to go through the council's legal process for sale of of assets today. That's something that I'm sure the applicant will be notified on, you know, in due course. The applicant. Posed the question about trying to understand.

00:59:13:32 - 00:59:35:20

Unknown

Your position with. The scheme in respect of whether it fits with the economic strategy. In your local impact report, you've said broadly that it's supportive of the scheme in planning terms because of the job creation that is potential so.

00:59:37:44 - 00:59:55:29

Unknown

I wonder if you could help both those and the applicant in understanding the approach that you're putting forward today and. On the relationship between the scheme and the economic strategy. Thank you. They were both and for nothing as a council.

00:59:55:29 - 01:00:15:22

Unknown

So. So. Our economic development strategy sets out key growth sectors. So it's a sector bias. So that's our focus and going forward. So clearly we've got we're clearly looking to enhance digital in the local school. We're looking to enhance, you know, manufacturing, further engineering.

01:00:15:39 - 01:00:36:17

Unknown

And clearly, there's a bias towards energy, chemicals, food, you know, other elements of ports and logistics in that too isn't so that that so it's a sector bias is part of our discipline our decisions for and going forward and they've always been considerations because clearly we have to try and complement the economy and bring those higher level

01:00:36:17 - 01:00:54:26

Unknown

skills to the to the area. Clearly, some, you know, it's well noted that the applicant is seeking to to achieve the planning remit. But clearly we have an understanding and a a base to continue to support as higher pay jobs for our residents as we possibly can.

01:00:54:27 - 01:01:27:13

Unknown

That, you know, you could argue that's a subjective judgment on the basis of those our understanding of the impact across those sectors. But that's that's basically our focus. And in understanding the sort of broader. Council approach to this.

01:01:32:10 - 01:02:03:34

Unknown

In making the assessment that you have in. Opposing compulsory acquisition of the individual plots. Have you thought to. Look at the sort of the bigger picture in terms of. Comparing what this scheme might bring relative to what you might do for individual plots without the scheme.

01:02:05:10 - 01:02:33:16

Unknown

And while both the member have nothing to cancel again, I think we are clearly we have lots of factors to consider in terms of the varying different roles of the authority. So purely on the site issue, we're continually reevaluating how we secure the best and most appropriate development for each of each of our own individual sites.

01:02:33:34 - 01:02:47:41

Unknown

You know, the local authority clearly has a view in terms of a local plan, which is something you've clearly discussed and considered on previous days, in which we have an obligation to make sure that the sites that we have are deliverable.

01:02:47:41 - 01:03:12:38

Unknown

There's an extensive consultation process around that. And obviously that given that we've submitted that to the inspectorate already, that's part of, you know, the inspectorate's considerations in terms of signing off the plan. But I think, you know, really in terms of the actual decision on the site, we're always balancing that best value consideration, plus identifying key sectors

01:03:13:00 - 01:03:34:48

Unknown

that will add to the economic impact and obviously enhance job opportunities for our residents. Those are the principal considerations, but we always balance it in the round in terms of every single individual application site. Just as you know, clearly this application is part of that that we have considered.

01:03:34:48 - 01:04:01:17

Unknown

Yes. Okay. Thank you. And I just returned to appearances. Any further points you'd wish to make? Having heard what you've. You have. Thank you. Excuse me. Angie Bradley. On behalf of the applicants. Yet once again, we're at a little bit of a loss to understand how that we're we are at odds with the council's ambitions.

01:04:01:17 - 01:04:22:06

Unknown

So, for instance, the the full time jobs that create could be created within the Green Energy Park are highly skilled, highly paid jobs. Forget the exact number. But I think somewhere in the order of 260 full time jobs, that's in addition to the many thousands of jobs that can be created during construction.

01:04:22:35 - 01:04:49:39

Unknown

With regards to future ambitions to bring more employment, we have been in discussion with the local authority to bring. Products in terms of heat or private wire electricity to other sites that may be of interest to of development, either in council ownership or to be acquired by the council with a view to creating an advanced manufacturing business

01:04:49:39 - 01:05:15:13

Unknown

park, which is one of their ambitions. So there's been much discussion over that in recent years. I think we were instrumental in helping with. Parts of the successful Towns Investment Plan application that was awarded in recent years to the Council, which again hinged around the district heat network and what benefits that could bring to the area in

01:05:15:13 - 01:05:29:34

Unknown

terms of both decarbonization, which will be on the council's agenda and other benefits. I think I might just add to pass over to Colin Hammond's, you might be able to add a few extra points to to that. Thank you.

01:05:31:48 - 01:05:58:06

Unknown

Yes. Colin Hammond of the acronym. Just a few things to add to Mr. Bradley. You're the town's investment fund, I think won the North Links Council 26 million as part of that that funding round you and the north links green energy part was actually a part chapter in that report for the town's investment fund and was a

01:05:58:06 - 01:06:25:22

Unknown

significant part. The 60 acre advanced manufacturing site that is planned for the Lincolnshire Lakes development. That was part of the reason for the Salford District Heating Project, one network. So that goes right down to feed not only the 6000 houses that are to be developed on that site with with planning consent.

01:06:25:47 - 01:06:42:01

Unknown

And we're working with one of the landowners and developers on feed in that heat network into those new houses. But it was the North Links plans to put the 60 acre business park onto the site. So that was added.

01:06:42:44 - 01:07:00:03

Unknown

And just sort of going back to what we what we are struggling to understand is, you know, we went and presented to the Strategic Development Team, which is the executive body for the council back in 2019, I think it was September 2019.

01:07:01:03 - 01:07:24:12

Unknown

And, you know, they responded saying we ticked all the boxes as far as supporting the economic ambitions that what they wanted to see. We discussed a whole load of other things, problems that the council had. So killingholme waste tip, which is a big heap of plastic which can be seen from space, you know, and how we could

01:07:24:13 - 01:07:40:30

Unknown

work together to resolve those. So it just seems that recently so, you know, we came to a point where all of that worked together. So we supplied, you know, as Andrew says, we supplied the technical support to Wyndham, the Towns Investment Fund on the green networks.

01:07:42:31 - 01:08:03:41

Unknown

Just seems to have come to a point. Now, we've offered to we even offered to buy land for our risk. The site there. We were told that the sea to site the composting site wasn't an issue because it was on a long term lease with our exports and we have an exclusive option already in place with our

01:08:03:46 - 01:08:32:11

Unknown

exports. So therefore that was a way then at the time of consent, we could then go through the council's proper selling process to ensure they get best value. And what we did in the interim was to, as Jonathan has referred to, try and establish a premium position that without any cost would offer the best value.

01:08:32:31 - 01:08:53:10

Unknown

So there's several things just to add to what Mr. Bauer and Mr. Bradley have said. Thanks. So. Thank you. I come back to you then and just to hear your response. Thank you, sir. So we're both in for nothing as a council.

01:08:53:10 - 01:09:09:26

Unknown

So things just four points of clarity, really, I think. The local authority did secure £21.7 million from the government's town deal. That obviously is a regeneration pot of money that principally is to be spent in and around the town centers.

01:09:09:28 - 01:09:29:07

Unknown

I just want to put that as a point of clarity on that. The Council did consult on appropriate methods of being able to enhance, particularly for schools in particularly how we how we could connect with and supporting green energy for four local schools.

01:09:29:07 - 01:09:48:29

Unknown

And so the 21 were clear. It's clearly part of that process. And we welcome and thank you thank them for their contributions. What we what the result was what that consultation resulted in is that we went to we moved to a co-operative which is currently a supplied six schools locally solar panels for each of their roofs

01:09:48:29 - 01:10:05:47

Unknown

to meet some of the challenging costs of increasing energy costs. So so that's part of the process and we're continuing to do that. So obviously in terms of this proposal, that's not part of our town deal. It's we we sought to meet that in a very different way.

01:10:05:47 - 01:10:23:46

Unknown

And clearly the co-operative is part of that process just for point of clarity also that the housing does have outline consent that's been referenced, but there is no full permission on site for those. And and a chunk of those sites are still not actually acquired yet.

01:10:23:46 - 01:10:44:14

Unknown

So there is some time away from and from development. And I think just a final point, sir, is that is that clearly when the council considers best consideration in relation to strategies and other elements of how the council decides, you know, I can't go through that process now because that's quite a complex deliberation.

01:10:44:14 - 01:11:02:49

Unknown

We we always obviously seek to fulfill our legal obligations, but we also have to make sure that that that every element of and interested parties interest in our site is fit all our other obligations, which is quite a complex malaise.

01:11:02:49 - 01:11:20:23

Unknown

The things that the Council has to deal with. You know, I, I just dealt with schools, I've dealt with other elements of our the council tries to seek to reconcile how that best value is met. Clearly, there is an offer from the applicant, which is something that the council will continue to consider.

01:11:20:24 - 01:11:38:27

Unknown

I don't doubt. But, you know, we have got an interest as part of our economic development strategy in targeting key sectors. And every site that we have will be will be marks and measured against those those strategy. You know, there's clear commitments as part of the strategy.

01:11:38:27 - 01:12:10:21

Unknown

So I you. I think we're probably coming up to a suitable time to take a break because it's nearly 1:00. But I think. I would just ask during the break for those at North Lincolnshire Council to reflect on what's happened this morning, because I have to say I'm not clear what the basis of your objection is to

01:12:10:21 - 01:12:35:47

Unknown

compulsory acquisition. I understand the broad principles, but the whole process of these examinations is to be fair to all parties. And you hadn't provided a written explanation in advance of today as to. Why you might be opposed to compulsory acquisition of the various plots of land that are potentially affected.

01:12:36:42 - 01:12:53:12

Unknown

And it may well be that you're not going to be able to give us all a very clear. Reason and today. But I just ask you to reflect on that over lunch and think about whether it's going to be best to.

01:12:54:21 - 01:13:10:34

Unknown

Provide a far more detailed response in writing or whether you can give his greater clarity this afternoon as we progress through the hearing. So if I can ask you to reflect on that and it's, I think, 10 to 1.

01:13:11:28 - 01:13:39:00

Unknown

And so if we can come back it. As you say, court to. Hope for that gives everyone ample time to have a break. So just adjourn the hearing now and let those know who are viewing the live stream that they'll need to refresh their browser page when we return and will resume at quarter to two.

01:13:39:25 - 01:13:40:12

Unknown
Thank you very much.