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FULL TRANSCRIPT (with timecode)

00:00:08:07 - 00:00:09:06

Good afternoon.

00:00:11:00 - 00:00:25:02

The time is now, 2 p.m., and it's time for this issue specific hearing to begin. Can just confirm Everybody can hear me. Thank you. And can confirm with the case team that live streaming has commenced. Thank you very much.

00:00:26:19 - 00:01:00:03

I'd like to welcome you all to this issue. Specific hearing relating to the draft development consent order for the application made by Ecosystem Fan Solar Limited, who will refer to as the applicant for an order granting development consent for the Heikkinen Fen Solar Park. My name is Susan Hunt and I've been appointed by the Secretary of State for levelling up housing and communities as single examining inspector to examine this application. You will also hear and see me referred to the as the examining authority.

00:01:00:24 - 00:01:24:23

I'm a chartered town planner and planning inspector. I will be reporting to the Secretary of State for Energy Security and Net-zero with a recommendation as to whether the development consents order should be made. The case team are both here today and you can contact them if you've got any queries about the examination process or if you need any help at today's events or with the technology.

00:01:26:18 - 00:01:33:21

A few other housekeeping matters. Just remind everyone to set all your devices and phones to silent.

00:01:36:06 - 00:01:45:03

The hearing will follow the agenda, as was published online on the 5th of September. So it would be helpful if you had a copy of that in front of you.

00:01:48:00 - 00:02:12:08

The hearing is expected to continue until up to 5 p.m.. I don't intend to certainly don't intend to go on for longer than that, given that we've got another issue specific hearing tomorrow morning and there will be an opportunity for a comfort break at an appropriate time. You'll find information about this application on the National infrastructure planning website.

00:02:14:16 - 00:02:28:24

And today's hearing actually the same as this morning. It's being undertaken as a blended event. So if you are participating virtually and you wish to speak at the relevant point in the proceedings, can you use the hands up function on teams?

00:02:32:05 - 00:02:53:28

A recording of the hearing will be made available on the national infrastructure planning websites as soon as possible, and this will include a transcript. So just to remind you that every time you speak into the microphone, state your name and who you are representing every time before you speak. And can you switch on microphone off when you're finished?

00:02:57:26 - 00:03:33:12

Again, another reminder that recording will be retained by the Planning Inspectorate for a period of five years. It forms a public record that can contain your personal information to which the general data protection regulations apply. And a link to the Privacy Notice was provided within my Rule six letter. If you feel that personal information is necessary in making your point at today's hearing or any other hearings and. It's better if you do so in a written document that we can redact before publication rather than verbally.

00:03:33:14 - 00:03:41:22

And this just avoids the need to edit the digital recordings. And please speak to the case team if you've got any questions about this.

00:03:44:01 - 00:04:20:01

Today's hearing will follow the agenda and currently on item number one. And go on to introductions, and I'll ask those of you who are participating in today's meeting to introduce yourselves and could you state your name, who you represents, and the agenda items that you'll be speaking on? If you're representing an organization or confirm who you are and summarize your interest and connection, state how you wish to be addressed. Could I start with the applicant and their advisors, please? Okay.

00:04:21:01 - 00:04:56:10

Good afternoon, madam. I'm Josh Taylor, an associate director from law firm Osborne Clark, appearing on behalf of the applicant. I expect to be speaking for most of these agenda items with the support from Neil Bromwich, who's a partner at Osborne Clark to my left in relation to the Street Works article. So item five. And then we also have Laura White, who's a project manager from Tricity, on behalf of the applicant who may be speaking on the Statements of Common Ground, and Isabel Hollands, who's the lead from Pegasus, who may be speaking as required.

00:04:56:12 - 00:05:00:06

So I can let them introduce themselves, if that's okay as and when they're needed.

00:05:03:01 - 00:05:04:13

Okay. Thank you very much.

00:05:10:02 - 00:05:18:09

Okay. And can we have the the local authority's place? Starting with Lincolnshire County Council? Yes.

00:05:18:15 - 00:05:29:24

Thank you. Good afternoon, madam. My name is Constanza Bell. I'm a barrister at King's Chambers. I represent both Lincolnshire County Council and North Kesteven District Council for the purposes of this session.

00:05:31:16 - 00:05:59:07

Also sitting next to me is Martha Reeves, a senior lawyer at Lincolnshire County Council. Mark Willis, Applications Manager for Lincolnshire County Council. Nick Feltham, Assistant Development Manager for North Kesteven District Council, and Mark Willetts, Development Manager at North Kesteven District Council. But anticipating it would be mostly me answering questions in this session. Thank you.

00:06:01:12 - 00:06:05:22

Okay, Thank you very much. And we have someone from Boston Borough Council, please.

00:06:06:06 - 00:06:06:27

Good afternoon.

00:06:06:29 - 00:06:13:27

My name is Peter from Boston Borough Council Planning Department. I will be commenting as appropriate on each item.

00:06:16:03 - 00:06:22:19

Okay. Thank you very much. And the only attendees on teams that wish to speak today.

00:06:26:16 - 00:06:28:29

Don't think there is. Okay. Thank you.

00:06:35:29 - 00:06:38:24

Okay. And welcome, everybody. Um,

00:06:40:26 - 00:06:47:18

if there's anyone else that does wish to speak at any point during today's hearing, you're welcome to do so. Just raise your hand.

00:06:50:08 - 00:07:19:08

I'll now briefly explain the purpose of this issue. Specific hearing. It's being held because I wish to explore a number of matters orally in respect of the draft consent order. The same from the draft examination timetable in my Rule six letter dated 21st of July that I do intend to issue written questions and these are currently scheduled for the 17th of October and that there are additional hearings planned for the week commencing 20th of November.

00:07:20:23 - 00:07:42:04

So this, this, this that round of hearings, 20th of November, may or may not include another hearing for the draft development consent order. So what I hear today and what I receive at deadline one and the responses to my first written questions will determine whether I hold any additional hearings into the draft development consent order.

00:07:46:12 - 00:08:15:07

So I do have some initial questions and a lot of it will also be about the applicant presenting the draft consent order or the term. And some of those are in response to comments received in relevant representations. And I'm mindful that the applicant will be responding to those in writing at deadline one. So there may be some overlap. Um, but it is helpful at this early stage, just to summarize matters and set the scene.

00:08:17:19 - 00:08:42:19

So examining these types of matters, issues and questions orally at the outset of the examination is just to ensure that technical and legal matters arising from the draft development consent order identified and considered as early as possible. And this hearing, and if there are any subsequent hearings, will be held without prejudice to my consideration of the broader planning merits of the application.

00:08:46:11 - 00:09:20:24

So where possible today, I'll try and limit today's discussions to the wording, to the articles of the development consent order. But there inevitably will be some cross-cutting of issues that may relate to other matters, such as the environmental matters that are being considered tomorrow. And they will include matters such as mitigation or controls that are being proposed through the development consent order. So what I'll be focusing on today is not what mitigation may be required, but how it would be secured.

00:09:21:18 - 00:09:29:07

And would the draft development consent order as drafted, would it properly and secure and deliver such measures?

00:09:31:11 - 00:09:47:13

I won't be covering every aspect of the draft today and particular compulsory acquisition matters. I'm going to leave those to one side for now and they'll be left to a future compulsory acquisition hearing and I do expect that to be week commencing 20th of November.

00:09:51:23 - 00:10:22:26

So essentially development consent orders, they start as the applicants document and then finish as the examining authority's document, regardless of whether acceptance of the proposed scheme is recommended. So first, it appears to be a complex document, but do encourage all parties to have an understanding of it and make comments where they may be affected by it. I will be examining information submitted both by the applicant and by interested parties and affected persons.

00:10:24:27 - 00:10:58:24

If you're speaking today and you don't need to repeat at length something you've already submitted, it's helpful if you refer to the examining library reference and if you need to point to a particular document, please give the reference and also for the benefits of the parties here today or watching the live stream that might not be as familiar with the documents and the process. Could you avoid using acronyms or abbreviations? This is a public examination.

00:10:59:24 - 00:11:11:24

So if you haven't already, let me know that you wish to speak. This includes people that are attending online today. It doesn't preclude you from doing so later. If something's raised that you wish to make a point on.

00:11:15:22 - 00:11:33:07

Essentially today we structured discussion, be led by myself as the examining authority based on the agenda that's been published. And the purpose is to enable you to answer any questions that I may have to ensure that I have all the information I need to make my recommendation to the Secretary of State.

00:11:37:13 - 00:12:08:21

The agenda remains as set out as previously published. There's no change to it. So the next item, item three, will ask the applicant to introduce an overview of the draft consent order and items 4 to 6 will cover specific articles of the draft. Vincent Order. Item seven will deal with the requirements and schedule two. Item eight relates to the Schedule three legislation to be applied.

00:12:09:26 - 00:12:38:04

Item nine relates to the certified plans and documents in schedule 11. Item ten will cover schedule 13, and that's the protective provisions. And then items 11 to 14 is a procedure. It relates to schedule 14, which is the procedure for discharge. And finally, towards the end, I'll just seek an update on the progress on Statement of Common Ground, which relates to the draft order.

00:12:42:19 - 00:13:00:05

So some items on the agenda will be very brief and others will take slightly longer and I'll be ensuring that we stick to time. So if you think you need a lengthy response to something, let me know if you'd rather respond in writing to be submitted at deadline one.

00:13:04:01 - 00:13:18:02

So you should have to hand version two of the draft of consent order examination library reference A00 eight and also version two of the explanatory memorandum.

00:13:19:25 - 00:13:40:07

And the references as 010. You may also refer to the third version of these documents, which was submitted with the change application. And all parties should bear in mind that I have not formally accepted these documents into the examination as yet. And that will shortly follow these hearings.

00:13:44:00 - 00:13:50:25

Okay. Are there any questions relating to the purpose of the hearing before I move on to item three of the agenda?

00:13:53:27 - 00:13:54:12

Okay.

00:13:57:08 - 00:14:28:28

Right. I'll ask the applicant to introduce the draft development order. Take around ten minutes or less so it won't be counting you down and just try and keep it concise as you need. Just a broad and general overview. This is both for my benefit and the understanding of the interested parties who may or may not be familiar with the document. So it should include a general overview of the approach, the structure, summary of the engagement that's taking place on it with relevant parties.

00:14:29:08 - 00:14:37:03

And then I'd like you to just provide a summary of the amendments that have been made as a result of the change application.

00:14:38:18 - 00:14:40:11

Okay. If you'd like to go ahead, please.

00:14:42:00 - 00:15:18:09

Josh Taylor for the applicant. Yes. So in overview, the order is referred to as the Headington Fen Solar Park Order and this seeks consent to construct, operate, maintain and decommission a solar farm with an energy storage facility, electricity cables and all infrastructure required to transmit that energy to the existing substation in the District of Boston. The scheme is defined by reference to the authorized development, which is described in schedule one to the order, and that essentially splits out the works into different work packages, which then correlate to colored areas on the works plans.

00:15:19:14 - 00:15:45:20

In terms of the applicant's approach to drafting the DCO, it essentially takes the form of a statutory instrument and it's been drafted in accordance with three main areas being section 120 and schedule five of the Planning Act 2008 pins advice note 15 and precedents from other energy DCS. And we've also had regard to those emerging draft echoes for solar and Lincolnshire.

00:15:47:14 - 00:16:18:13

In terms of the structure of the DCO, this is split into six parts and then 14 schedules. So in terms of the six parts, these are in the front end of the order and they're referred to as articles and they consist of the following. Essentially part one is the preliminary matters and they include preliminary matters in the definitions. Part two of the principal powers, including giving the applicant the power for the development, the operation and maintenance of the project, as well as powers to modify and amend certain legislative provisions.

00:16:18:21 - 00:16:55:20

Part three is in relation to streets, and that gives the Undertaker a suite of powers in relation to street works, including the ability for the applicant to carry out those works to streets and police apparatus within streets. Part four contains supplemental powers in relation to the discharge of water, removal of human remains, protective works to buildings and the surveying of land. Part five contains powers of compulsory acquisition and Part six includes miscellaneous and general articles in relation to various provisions such as defining who has the benefit of the order, how that benefit may be transferred.

00:16:56:09 - 00:17:28:17

And then there are articles giving effect to the schedules with the powers in relation to trees and removal of hedgerows, certification of plans, the arbitration process, protective provisions, procedure for discharge guarantees for funding and compulsory acquisition compensation, as well as an article for the benefit of the Crown Estate. The then has 14 schedules and each schedule corresponds to an operative article in the front end of the and that can essentially be identified from the top right hand corner of each schedule.

00:17:29:01 - 00:18:06:00

So schedule one is the the works description and the works packages as mentioned. So work number one being the the nationally significant infrastructure project, the SIP being generating station with a gross electrical output capacity of over 50MW and then all of the other works with that to work number 2 to 10 are all classed as associated development with that in CIP. Schedule two then sets out the requirements that apply to the scheme, and that has the effect of securing the mitigation and controls through management plans and pre commencement obligations, for example.

00:18:06:14 - 00:18:42:15

And this is similar to how planning conditions work under a Town and Country Planning Act regime. Schedule three includes a list of legislation to be applied. Schedules 4 to 7 contain the various standard schedules in relation to street works, temporary alterations, accesses and rights of way. Schedule eight then corresponds with the compulsory acquisition articles and details the land in which only new rights may be acquired. Schedule nine links with that and its a standard schedule which amends legislation to ensure appropriate compensation is payable where new rights over land are acquired.

00:18:43:09 - 00:19:18:20

Schedule ten is the hedgerows to be removed. Schedule 11 is the documents to be certified known as the certified documents. 12 is the arbitration rules that apply to disputes. 13 is the procedure and protections for statutory undertakers known as the Protected Provisions and Schedule 14 contains the procedure in relation to the discharge of requirements. In terms of the penultimate bullet on engagement with other parties. As I've mentioned above, really the has various parts, so not all parts are relevant for all stakeholders.

00:19:18:22 - 00:19:53:12

Um, we've tried to stick closely to precedent from other energy projects in recent draft solar schemes in Lincolnshire, so hopefully there's large consistency there and there aren't any huge surprises in terms of engagement. The is included as an item within each statement of common ground which we can come on to later in the agenda. Um, and otherwise, the bulk of the engagement to date has been with the likes of statutory undertakers in relation to the protected provisions, drainage authorities in relation to the application of certain legislative legislative provisions.

00:19:53:22 - 00:20:16:21

Um, and we've also had helpful discussion with Miss Bell in the break on behalf of Ncdcc and LCC. And I'm conscious we are due to continue those discussions after the hearing and we're keen to hear further during the examination as well. So in summary, engagement is underway and it will be ongoing to resolve any matters of drafting.

00:20:18:11 - 00:20:59:18

And then finally in relation to the change application. As you will be aware and as you referred to earlier, Madam, the applicant submitted a change application on the 25th of August 2023. And this was required as a result of further engagement with National Grid, who might refer to as Anjette, where it became apparent that further works or additional works were required to connect the applicants project. These works were essentially twofold, and they include an increased footprint to the Becher fence substation to the south of the existing fence substation and a new cable sealing end and compound on the land to the west of the fence substation, all under the ownership of National Grid.

00:21:00:10 - 00:21:38:06

Now, in terms of what that means for the DCO, the main changes of substance relate to Article 45 and schedule one. So there's been inclusion of a new Article 45 into the DCO, and that essentially has two purposes. The first is to make clear that in the event National Grid needed to undertake these works outside of the and under a different consenting mechanism, then the requirements under schedule two do not apply and do not bite on those works and this might be needed in the event that National Grid needed to commence those works prior to commencement of the applicants.

00:21:38:20 - 00:22:09:27

For example, there's also a secondary element in that the applicant may need to remove some of the landscaping associated with the previous 2005 Becher fence substation consent. So Article 45, Subparagraph two has the effect of applying that landscaping condition in the in in the event that there's any incompatibility with the applicant's proposed works. So that's the first main change, which is Article 45.

00:22:09:29 - 00:22:40:03

And then the second main changes in relation to Schedule one. And essentially work number six has now been split out into three sub works or separate works if you like. So work number six eight is largely as it was before. It's the construction of the applicant's generation Bay And then there's a new work number six being 60, which is for the benefit of National Grid and work number six is the extension to the south of the fence substation.

00:22:40:20 - 00:23:13:19

And then work number six is the land to the west, being the cable sealing end works. There's also been a few minor updates to Schedule two, just to make clear around phasing, because the intention here is that National Grid will take their own phase of work. So we've had to just make clear and follow through in the requirements that some might not apply to National Grid. For example, they won't need to decommission their works after 40 years. And then the final kind of consequential amendments have been to schedule eight.

00:23:13:21 - 00:23:27:12

So there's now new compulsory acquisition connection rights at the substation and the protected provisions have been updated because they're now agreed with Ingot. So hopefully that addresses the points on item three, Madam.

00:23:32:29 - 00:23:46:09

Thank you very much. That's helpful. Do the local authorities have anything they wish to raise on just the general outline of the draft. Before we move on to specifics.

00:23:47:08 - 00:23:49:07

Nothing on the general outline, though. Thank you.

00:23:50:16 - 00:23:51:15

Boston? No.

00:24:01:26 - 00:24:06:16

Okay. Agenda item four. It's just part one. Article two.

00:24:09:12 - 00:24:12:25

We can turn to that page for interpretation.

00:24:17:09 - 00:24:19:18

So it's a range of definitions.

00:24:29:14 - 00:24:36:22

The first one I just wanted to question was the definition and interpretation of maintain.

00:24:41:17 - 00:24:44:26

Which the wording includes.

00:24:46:22 - 00:24:51:27

Replace and improve any part of.

00:24:54:22 - 00:25:18:09

Just want to explore. As if that's related to Article five as well. So might want to have that in front of you. Article five Part three relates to materially no or materially different effects not assessed in in the environmental statement, but just wonder whether the whether the actual definition under Article two should also state that.

00:25:22:19 - 00:25:24:08

Josh Taylor on behalf of the applicant.

00:25:25:24 - 00:25:55:29

Ensure we had a helpful discussion in this bill as mentioned in the break and don't want to speak for them. I think they've suggested something similar. So yes, to the extent the definition of maintain does link with Article five and that requires that any maintenance works must be essentially in accordance with the and not give rise to materially, materially different effects. Then we don't see an issue with that and we're happy to look at drafting around that.

00:25:57:27 - 00:25:58:27

Okay. Thank you.

00:26:11:07 - 00:26:13:17

I'm misspelled. Do you have anything to raise on that?

00:26:14:15 - 00:26:32:06

Yes, madam. We share your observation in that respect. As has been mentioned by my friend across the room. We would also like to see the point under Article five three captured in that definition so that there's a reference to any material new or different environmental effects.

00:26:33:28 - 00:26:34:14

Thank you.

00:26:35:01 - 00:26:35:22

Thank you.

00:26:44:20 - 00:26:53:09

Okay. And the next definition is commence and related to that permitted preliminary works.

00:26:58:15 - 00:27:01:07

So just had a question about.

00:27:07:25 - 00:27:15:06

So point d of permitted preliminary works refers to diversion and laying of services.

00:27:17:28 - 00:27:26:27

So just. Just to clarify that if those types of development might have an environmental effect.

00:27:28:20 - 00:27:38:10

What should it refer to? Temporary services. What type of services? Could it be made more specific?

00:27:44:13 - 00:28:24:29

Josh Taylor on behalf of the applicant. Yes, madam. Take your point. And I think contemporary services may have been mentioned in another that I've seen. Um, because the intention here is, as you outline these kind of permitted preliminary works that shouldn't give rise to kind of intrusive or environmental impacts to the extent there are more intrusive works. So for example, um, in relation to fencing, for example, or archaeological archaeological works, there are controls within the requirements to essentially mean that the applicant has to submit a plan for those standalone works.

00:28:25:13 - 00:28:33:27

Um, but we can take away your point on subparagraph D as to whether that should be temporary services. Yes.

00:28:38:05 - 00:28:40:24

Okay. Thank you. Miss Bell. Have anything to add on that?

00:28:44:16 - 00:28:56:21

Nothing further. That substantive moment probably share your concern that we should try and be a bit more specific and avoid capturing within that definition anything that might have a environmental effect.

00:29:00:02 - 00:29:01:05

Okay. Thank you.

00:29:14:28 - 00:29:24:24

And then my next points on the interpretation relate to the definition of the authorities.

00:29:27:09 - 00:29:28:20

So relevant.

00:29:31:10 - 00:29:39:07

County Authority and Relevant Planning authority. And this this is a thread that runs through throughout the draft

00:29:40:28 - 00:29:44:17

and particularly in terms of requirements later on as well. And.

00:29:46:26 - 00:29:47:18

So.

00:29:50:06 - 00:30:28:08

When we're talking about relevant county authority if there is only one county authority. Would it be best to just name the county authority as Lincolnshire County Council? Um. No other. Other days sometimes span two counties, but this one is nowhere near any other counties. Just just wanted your thoughts on that and also relevant planning authority should should the interpretation definition, should it name the two authorities in the definition? Um.

00:30:30:13 - 00:30:54:27

Because they are named in schedule two, Requirement one. They're defined as North Kesteven and Boston and both. But the Article two doesn't. So just seeking some consistency on defining the relevant authorities and your thoughts on that place.

00:30:57:07 - 00:31:28:04

Josh Taylor for the applicant. Yes. In short, we have no issue with that. Don't think in that. Yes. Any kind of clarity or preciseness is obviously welcomed. And and you're right, this may have been taken from a precedents and examples whereby there are more than one county authority. So you need to then interpret that in relation to who is the relevant one. But I'll take the point here. So think, yeah, we can look at that drafting and just make it clear as to exactly who, who that is.

00:31:29:06 - 00:31:33:13

For both the county and in the RPAs under the next definition.

00:31:42:01 - 00:31:45:00

And to the council to have any comments to make on that.

00:31:46:28 - 00:32:22:29

Just just that we think it would also assist if we could be as consistent as possible throughout the document and possibly tie a tie up with the way that the with the references to relevant county in schedule two be good to have one working definition throughout the document rather than a separate one for schedule to. I think that would make it easier to navigate. And madam, I've made a note, obviously, of your your points about permitted preliminary works. You also mentioned you had a point in relation to commence. Was that picked up with the permitted development points? Was there a separate point that you wish to raise in the comments?

00:32:23:20 - 00:32:36:05

No, no, it's just that commence is related to permitted preliminary works. So no, no further issues on that. And do Boston Borough Council wish to raise anything?

00:32:37:28 - 00:32:38:19

No, Thank you.

00:32:42:21 - 00:32:52:24

Okay. Is there anything anyone else wants to raise on Article two interpretation for a move on to streets and access?

00:32:56:03 - 00:32:56:18

Isabel.

00:32:58:03 - 00:33:35:11

Thank you very much, madam. Just a couple of points, if I may. Um, so authorized development. We can put this in writing. It might assist us see it. But what we would suggest is a slight revision, more of a tweak really to the wording in order to just be more specific about precisely what is being captured under that definition. So what we would suggest is authorized development means the development and associated development described in Schedule one brackets, authorized development and Strikethrough and any other.

00:33:36:18 - 00:34:03:20

So it reads described in schedule one authorized development closed brackets, which is development within the meaning of section 32, meaning of development of the 2008 Act authorized by this order. Um, and that would mean that it's consistent with the drafting for the Mallard Pass. Um, but also we think just gives a bit of extra clarity and specificity about precisely what authorized development means.

00:34:08:01 - 00:34:11:03

Okay. Thank you. Would you like to come back on that? The applicant.

00:34:13:01 - 00:34:52:23

Just. Josh Taylor for the applicant. Um, yes, there's there's a kind of difficult balance here, and I think there are precedents both ways on this. Um, so our submission to start with will be that the final line links this back to what's authorized by this order. So in a way, the control is still linked back and it's still there because it has to then be kind of linked to schedule one and matters authorized by this order. It's not just any other development. Um, and suppose there can be difficulty within a project of trying to pinpoint the exact list of works, which I think is where this element of flexibility is needed.

00:34:53:00 - 00:35:02:15

Um, but, but, you know, we take the point and we are happy to consider it and yeah, maybe we can pick up offline with, with the council's.

00:35:10:11 - 00:35:12:04

You must go.

00:35:13:06 - 00:35:21:10

Yeah. Thank you, madam. There's just one further point before we move on to part. What? Move on from part one, please, if I may. Um, which is permissive path.

00:35:24:15 - 00:35:58:21

At the moment, permissive path is defined as means a new access path providing restricted public access within the order limits along the route shown on the works plan. What we would suggest is the removal of restricted because it suggests a level of control and of course it's going to be open at all times. But if it needs to be made clear that the permissive element is that the users with permission in the highways accents, then what we would suggest is permissive path means a new access path providing strikeout restricted.

00:35:58:23 - 00:36:05:07

So just providing public access with permission within the order limits along the route shown on the works plan.

00:36:16:11 - 00:36:18:17

Okay. Thank you. Can I take your view on that?

00:36:20:05 - 00:36:46:19

Taylor from the applicant? Yes. Don't think we have an issue with that in that what the drafting is seeking to do is to make clear that there is there needs to be an element of permission to the permissive path. It's not just kind of open to the public to use without suppose restrictions is where we were going with it. But yes, think with permission probably deals with that as well. So again, we're happy to take that one away and and look at the drafting.

00:36:58:17 - 00:37:00:15

Okay. Thank you.

00:37:03:24 - 00:37:08:01

So anything else before move on to agenda item five.

00:37:15:01 - 00:37:52:24

Okay, So these all relate to the Part three, which is articles 8 to 13, and it's also related to that schedules 4 to 7 and they relate to streets and access. Um, firstly to set the scene could could Lincolnshire County Council and spell for the council could they. Just clarify their roommates in terms of highway authority and street authority as defined in Article two and confirm that they also have the responsibility for rights of way.

00:37:54:22 - 00:38:02:21

And is there any other party or undertaker that could be classed as a street authority? Is it just Lincolnshire County Council?

00:38:06:26 - 00:38:09:23

I just have to turn my head and just take instruction, if that's all right, madam.

00:38:46:26 - 00:38:47:19

I'd say it should.

00:38:47:21 - 00:38:52:18

Simply be Lincolnshire County Council. Those are all functions of Lincolnshire County Council.

00:38:56:06 - 00:38:57:12

Okay. Thank you.

00:39:00:05 - 00:39:15:18

So that's assuming that the relevant planning authorities North Kesteven and Boston. So. Would they have any jurisdiction in terms of these articles and schedules?

00:39:32:18 - 00:39:34:10

As we understand it now.

00:39:52:15 - 00:39:57:25

So the schedule's 4 to 7.

00:40:05:17 - 00:40:37:12

Just having regard to Boston Borough Council's relevant representation, which is our 004. And they just pointed out that should it should Lincolnshire County Council be listed and under column one? And I'm assuming that's just to identify the districts in which the the street is located. But could the applicant just clarify that point, please? Thank you.

00:40:37:14 - 00:40:38:20

Madame Neil Bromwich, for.

00:40:38:28 - 00:41:06:13

The applicant. Yes. Just to explain in schedule for for example, um, column one is merely to describe the location of the street or highway. It doesn't indicate the authority who are responsible for that highway. Similarly, in in schedule five, similarly in schedule six, similarly in schedule seven. Um, hopefully that answers the question.

00:41:07:14 - 00:41:12:00

Yeah, that's what I suspected, but it's good to have that confirmed. Thank you.

00:41:14:28 - 00:41:16:29

And Right. So.

00:41:23:12 - 00:41:28:23

I just want to turn to Article 11 and schedule six.

00:41:30:18 - 00:41:35:17

She's relates to public rights of way and to be temporarily stopped up.

00:41:38:24 - 00:41:44:12

And specifically Footpath Hack 15 one.

00:41:46:15 - 00:42:04:23

Column three of Schedule six refers to between the points marked A to B as shown on sheets 1 to 3 of the Rights of way plan, which is currently the examination library references as 005.

00:42:09:17 - 00:42:22:05

I was just just want some clarification on why the schedule is necessary. When various points in the documentation, it's indicated that the path will be unaffected

00:42:23:26 - 00:42:41:00

during construction and operation and so not much of the path is outside of the order limits. So can you just explain the purpose of schedule six, please? The applicant.

00:42:41:25 - 00:42:50:00

Thank you, Madame Neil Bromwich, for the applicant. The the reason why the plan

00:42:51:25 - 00:43:26:17

A00 five shows the full length of the footpath between points A and B is really just to indicate the fact that as the as the construction process will prevent access to that footpath, part of which falls within the order limits not all of the footpath falls within or limits, that footpath will be unusable. Therefore, it is sensible for us to seek closure of the whole of that footpath during construction rather than just the part within the order limits.

00:43:26:24 - 00:43:40:25

And purely from a matter of practicality. There's no other reason for that to show the whole footpath. It, it could arguably just show that part within the order limits, but then other parts outside of the order limits wouldn't be usable.

00:43:44:01 - 00:43:45:22

Okay, That's helpful. Thank you.

00:43:52:16 - 00:43:54:19

So just while we're on this.

00:43:56:24 - 00:44:01:13

Can you just clarify the situation with work number nine be?

00:44:03:12 - 00:44:07:26

She's the creation of the permissive path. And.

00:44:09:29 - 00:44:13:15

And the existing public right of way. Hack 15 one.

00:44:16:13 - 00:44:48:11

So this issue of the missing bridge overhead dike and. I just want to explain further because again, that's off site outside of the order limits, as I understand it. And so work nine be includes installation of up to two footbridges. Um, but would they be for the permissive path or the public right of way or both? Just explain a bit further.

00:44:49:00 - 00:45:34:28

Yes. Thank you. Neil Branch for the applicant. Yes, it's a little bit of a tricky one. And, um, without. Without a plan, I'll try my best to describe precisely the position, but the footpath comes into the site from from the west and takes a diagonal kind of north northeastern route to a point at which there was, I understand that footbridge. Now the western field of where that footbridge was located is not in the order limits the the eastern point at which the footbridge was then then continuing is in the order limits.

00:45:35:10 - 00:46:16:16

Um, and therefore that but that bridge is no longer there. Therefore that footpath is not negotiable or not passable. Um, the footpath then goes through the the site and the old limits in a north eastern direction meets another ditch where there is also a missing footbridge that is wholly within the order limits. And therefore in respect of that second bridge, the applicant is fully able to reinstate that bridge and therefore reinstate that point of the footpath, and that work forms part of the permissive footpath.

00:46:18:24 - 00:46:19:25

The if we.

00:46:19:27 - 00:46:53:22

Can come back to the bridge, which is part within the all limits and part to not within your limits. The intention is not to reinstate that footpath because the permissive path will actually be able to circumnavigate the position because the footpath will come in a directly west to east direction into the into the site and then go in a northern point at which you then picks up the existing point of the footpath and then goes north east again over the footpath footbridge to being reinstated.

00:46:53:28 - 00:47:27:01

However, that permissive route is subject to an agreement with landowner which has not yet been reached. So if that cannot be achieved that agreement, then the alternative is for the compulsory purchase powers which are included in the order to enable to give the right right to the applicant to then go on to the land where the the missing half of the footbridge is and then reinstate that footbridge.

00:47:27:03 - 00:48:04:24

So there are two options here. One is to reinstate the footpath as it is public footpath with, with powers to access land to reinstate the footbridge. The other is to reach an agreement with the

landowner, to put a path in which doesn't require the reinstatement of the the missing footbridge. But will will any, in any event, include the reinstatement of the second footbridge, which is fully within your limits? I'm sorry if that's a canter through and without a plan, a trust, trusting that everybody can get that into their heads.

00:48:04:26 - 00:48:10:05

But if can assist in giving any further information. I'm happy to.

00:48:12:07 - 00:48:20:04

Yes. Where does Crab Lane come into that? So the alternative permissive routes are.

00:48:20:21 - 00:48:43:21

Right. So when I was talking about the footpath coming in from a west to east and direction, that is Crab Lane. Yes, madam, I believe that you have been to that point on one of in in your site it and noted that you had identified that as a point at which you you'd be you had to actually yeah into yeah.

00:48:43:23 - 00:48:54:03

Think that's it's got a barn at the end is that right. Where it joins the road. Yeah, it does. It doesn't remember where we went.

00:48:54:05 - 00:48:57:10

There's quite a lot of barns, but yes, it does it. Yes.

00:48:57:20 - 00:49:10:17

So joined side by Lane. Yeah. Okay. I think we're straight into environmental matters here, but it is useful to get it clear because it relates to this schedules. Yeah.

00:49:11:10 - 00:49:47:06

Madame Neil Bromwich for the applicant. I do. It is one of the points at which we suggest in the company site visit to the position where that missing footpath footbridge is because do think it would be beneficial for you at a certain point to to to see the side and where that footbridge would be placed? Should we particularly for the when we come onto the compulsory purchase discussions and powers under compulsory purchase, if we were to need to acquire a right to put that footbridge in, how that right would be exercised.

00:49:47:17 - 00:49:49:00

But I think that's for another day.

00:49:51:15 - 00:49:52:17

Okay. Thank you.

00:50:13:02 - 00:50:18:16

So related to this, which touched upon Article 17.

00:50:23:16 - 00:50:26:05

She's authority to enter land.

00:50:52:22 - 00:50:56:28

Yes, this is one for Lincolnshire County Council again.

00:50:58:22 - 00:51:03:01

So part six of Article 17.

00:51:04:16 - 00:51:06:00

Refers to.

00:51:09:24 - 00:51:18:21

Failure to notify the undertaker of its decision within 28 days and he deemed consent.

00:51:23:00 - 00:51:36:03

So can I just check with with the with the council if 28 days, is that sufficient? Is it usual time periods were agree such.

00:51:39:02 - 00:51:40:04

Such matters.

00:51:47:00 - 00:51:53:13

I think we're looking at the third draft. So we might you might just have to bear with us, if you wouldn't mind if we can pull up it's.

00:51:53:20 - 00:51:58:25

Electronic page 17 of version two or page 16.

00:52:04:22 - 00:52:06:26

Yeah. Article 17 six.

00:53:50:01 - 00:53:54:24

It might have to come back to you about that one, madam, about the 28 day period. And if it's long enough.

00:53:54:27 - 00:53:58:15

Yeah, that's fine. Come back at deadline one.

00:53:58:21 - 00:53:59:06

Thank you.

00:53:59:08 - 00:53:59:23

Yeah.

00:54:16:02 - 00:54:27:21

All right. I've not got anything further to raise on streets and access. Just. Just noting that there's only one permanent access proposed. Is that correct? From. From the A17. All the others are temporary.

00:54:28:12 - 00:54:51:21

Yes. Yes, madam. That is the. The proposal. There is one new access from the A17 which will be purpose of building. That access will be to to build out the solar farm substation, battery storage or energy storage. It is possible. And the articles do provide and turn to it. It is article.

00:54:56:24 - 00:55:37:18

Sorry. Article nine. Article nine provides for temporary works, but Article nine two provides that without prejudice specific powers under paragraph one, the undertaking may carry out other development within the street, but that article in itself is subject to Article nine four, which says the powers converted by paragraph 2nd May not be exercised without the consent of the street authority.

So just to be clear on the point, the intention is that the other accesses which we are seeking to utilize from the highway will be temporary.

00:55:38:02 - 00:55:49:22

But in the event that any of those works need to be permanent, there is a power and a provision within the within the development consent order to allow us to do that, but with the agreement of the street authority.

00:56:15:26 - 00:56:20:24

Okay. Council have any comments to make on article nine?

00:56:25:11 - 00:57:10:05

Uh, thank you, madam. We do have some, uh, a sort of general comment that that relates really to the street works and highways provisions more generally. Um, and the point is quite simply this and the local authority, as you know, has been involved with several DCS um recently and is keen to ensure that there's a level of consistency between all of them and the particular concern that arises under the highways provisions of this draft is that there's what in effect is being created is a parallel, consenting regime whereby the authority enters into agreements with the applicants about highways works.

00:57:10:29 - 00:57:46:23

Now um, my understanding is that there's no there is in fact no in principle issue with having a consenting system that sits squarely within the the draft DCO that the difficulty or the point of concern is this it's the level of detail that is required under that regime. And what the authorities is keen to ensure is that there's not a sort of light touch regime that exists in the draft relative to, say, for example, proceeding under Section 278 of the Highways Act.

00:57:46:25 - 00:58:01:01

And so really the concern is that sufficient information and detail is provided pursuant to any applications that may be made under this section of the for highways consent.

00:58:02:23 - 00:58:34:10

There's a few ways that one might seek to do that, but logically, we think the logical place for that is in the itself that the seeks to capture um, the right level of detail for that application to be validated and progressed could be done, I suppose, under a schedule. It could be done within those provisions. Um, what we would suggest therefore is that we at this point now in front of you, but then this is one that we take away and explore with the applicant.

00:58:34:13 - 00:58:52:15

Um, it is hopefully something that with negotiation and drafting we may be able to resolve to get to a position that is satisfactory to both parties. I hope that sets out what the authority's position is, both for your benefit but also for the applicants benefit.

00:58:55:12 - 00:58:58:29

Yeah, that's helpful. Thank you. Can have the applicants comments, please?

00:58:59:13 - 00:59:04:25

Thank you. We agree with that approach. Thank you, madam. Bromwich Sorry for the applicant. Okay.

00:59:12:24 - 00:59:22:12

So is there any other points to make on Highway Streets? There's kind of issues before I move on to. Pot. Four

00:59:23:28 - 00:59:26:24
discharge of water. Yep.

00:59:31:09 - 00:59:31:24
Be

00:59:33:11 - 00:59:35:24
so Article 14.

00:59:52:25 - 01:00:00:11
Now, don't think I've got any questions on this now. Was expecting the be. To be in attendance today.
So,

01:00:02:05 - 01:00:05:28
um, I'll save this one for first written questions.

01:00:07:27 - 01:00:15:13
I would also expect the Environment Agency to make comments on this article within their written submissions and statement of Common Ground.

01:00:20:14 - 01:00:26:03
So I've got nothing else to add on. To water unless anybody else.

01:00:27:05 - 01:00:44:10
The abominable the applicant. Madam, we have a statement. Common ground agreed now with the IDB. We understand that they will be attending tomorrow. So there may be an opportunity to raise any questions with them tomorrow. We know your point about the Environment Agency and for the need for them to comment.

01:00:45:16 - 01:00:46:15
Okay. Thank you.

01:00:56:04 - 01:01:03:00
I'm not going to agenda item seven, which is schedule two and requirements.

01:01:07:20 - 01:01:10:22
Just turn to the correct page.

01:01:30:13 - 01:01:35:27
96 Electronic page 36, page 35 of the document.

01:01:41:19 - 01:02:09:02
So just to start on the interpretation side of things, we already discussed this, um, under Article two. And so obviously this, um, part one, schedule two should be made consistent. Um, in terms of what we already said about the relevant county authority, given that there's only one relevant county authority that it should simply name Lincolnshire County Council.

01:02:16:18 - 01:02:19:24
And that goes for a number of the requirements.

01:02:21:19 - 01:02:58:04

Where? The relevant county authorities named and some instances don't have the actual numbers before me, but some of them the requirements. Lincolnshire County Council is named and in others it's named as Highway Authority and others it's relevant county authority. So I'm just seeking for you to just ensure consistency in relation to what the named authority is in each of those requirements.

01:02:58:28 - 01:03:22:16

And same goes for the relevant planning authorities. Um, some, some of the requirements include reference to the name of the authority while others don't. And. I where they say both relevant planning authorities and do they need to be specifically named?

01:03:24:02 - 01:03:57:25

If it's defined in part one of schedule two. So just give that some thought as well. Um, just making the requirements consistent and neater and simplified in terms of which authority we're actually asking for. Um. And again the remit of Lincolnshire County Council as being the county authority for a number of planning matters.

01:03:58:12 - 01:04:28:18

And obviously we as we've already discussed and we know that they're responsible for highways and streets. And as I understand it, there are a number of other county matters that Lincolnshire would be responsible for. And so I just want the County Council should just confirm in terms of the requirements. There's a range of them that mentioned that they need to be submitted to and approved in writing by

01:04:30:06 - 01:04:41:03

Lancashire County Council or relevant County authority and others refer to the district or the borough or both. And.

01:04:43:13 - 01:05:33:21

So for example, requirements seven Fire safety, 14 construction traffic management, 12 archaeology and drainage all matters the County Council would be responsible for. And I just wondered how how this is administered by the councils. So when the requirements come in for discharge, who do they go to? Is it much like planning conditions where it goes to the district? Who then consults the County council and relevant department of the County Council? The the highways, archaeology and whatever department that is? Or would it goes straight to Lincolnshire County Council And so.

01:05:34:25 - 01:05:54:10

I just wanted the party's comments on how in practice those would be administered and then again between the district and the borough as well, and those requirements that need to be discharged by both authorities and.

01:05:56:27 - 01:06:07:04

Is there one authority that would take responsibility for overall discharge and consult the other one, or would it need to go to both? Just. Just wants to explore that place

01:06:10:17 - 01:06:14:02

as well. Sorry. Really long question. Understood. Where I was coming from.

01:06:17:08 - 01:06:18:03

Yeah, that's fine.

01:06:40:23 - 01:06:43:04

Mr. Wellers just explained answers you directly, see.

01:06:45:13 - 01:07:16:03

Yeah. Thank you, ma'am. Mark Wallace, Lancashire County Council. Yeah. Think the point here is that there's a general, um, proposal that those requirements be submitted to that authority that has that statutory limit. So what? There's been a general agreement in principle between the two authorities that certain matters would come to the County Council's lead. Um, if you like, discharge an authority that may then consult on those matters with the district.

01:07:16:05 - 01:07:49:29

But what matters as you've identified with particularly be looking at is those where the county has a statutory function. So we would look to be the discharge authority for fire safety, for public rights of way issues to deal with traffic management plan. Um, put simply, rather than act as postbox, you know, we may as well deal with those issues in house. Um, we can agree the wording, but I think there'd also be some areas where we would do that in consultation with the district. But, but effectively on certain matters, there would be other selves for authorities to discharge.

01:07:50:01 - 01:07:56:10

In other cases it might be either or both district authorities, depending on where those works take place.

01:07:59:15 - 01:08:34:00

Okay. Be useful if the deadline one you could submit sort of maybe provide a table of all the requirements and who you consider would be responsible for the discharge of each of those and discuss it with the applicant in the meantime as well. Um, it just so you can get the correct. So the relevant authority named in each of those requirements, uh, at this early stage and hopefully that will wrap up those issues.

01:08:34:23 - 01:08:35:24

Is that okay?

01:08:36:29 - 01:08:43:19

Mark Willis Yeah, that's fine. We can do that and certainly can put some suggested drafting as well to the wording if necessary.

01:08:45:11 - 01:08:48:12

Okay. So applicant have any comments on that.

01:08:49:01 - 01:08:49:16

Um.

01:08:50:02 - 01:09:20:21

Neil Branch of the applicant, I think that's a very sensible suggestion and I think on the face of the order is really important that we are clear on that. So we will work with the authorities to get that agreed. Um, and a table is a very good suggestion and we will, we will work with the authorities to get a table to you at the appropriate time. I think the other thing, just to mention at this stage that there will be, um, planned performance agreements with the local authorities for discharge of conditions.

01:09:20:23 - 01:09:31:06

And so we will be reaching agreement with, with, with the authorities as to how we're going to deal with discharge as well. So that's a bit of certainty, but appreciate it. It should be on the face of the order as well.

01:09:32:29 - 01:09:39:03

Okay. Thank you. Does Boston Borough Council have any comments on discharge of requirements.

01:09:40:08 - 01:10:05:25

From Boston Borough Council? I think we would agree with the suggestion that's been made. When I've looked through the list of these articles, there seems to be a little bit of inconsistency about when the districts are consulted. So there may be the odd occasion where certainly in relation to fire, maybe the borough would like to be consulted on that and there may be others as well. So I think it's part of all this process. We can iron that out.

01:10:08:23 - 01:10:09:23

Okay. Thank you.

01:10:24:25 - 01:10:31:22

Okay. A couple of questions to ask on the individual requirements now. So requirements six.

01:10:38:23 - 01:10:40:08

Yep. Detailed design.

01:10:44:18 - 01:11:05:19

So 6II refers to program for landscaping works. I. I just wonder why this was in the requirement for detailed. Design approval when it's it's about a program for works rather than.

01:11:07:18 - 01:11:09:06

Design works layout.

01:11:09:08 - 01:11:09:23

Of.

01:11:10:12 - 01:11:28:07

Whatever landscaping scheme which I assume will be dealt with as part of the landscape ecological management plan, which is separate requirements. So just seek comments on on that, please.

01:11:28:12 - 01:11:29:00

Applicant

01:11:32:22 - 01:12:07:12

Josh Taylor for the applicant. Yes, madam, you're right in the kind of the detail of the the landscaping itself will be referred to under requirement eight and the discharge of the the landscape ecological management plan. I think the intention with requirements six one is essentially just around the timing of that landscaping works and how that fits within the detailed design and signoff of of the rest of the the scheme. So it's more of a programming point rather than the detail of the landscaping.

01:12:07:14 - 01:12:14:21

But I do accept there's an element of duplication because it will then be covered again, if you like, under requirement eight and nine.

01:12:20:11 - 01:12:29:05

Okay. So just look at look at that one again. Do the councils have any comments on on that particular part of requirement six?

01:12:31:04 - 01:12:46:07

I think the comment that we did have related to being a specified consultee, but that will probably be picked up in your earlier point anyway about producing a table, about who is the relevant consultee for which requirement. So.

01:12:48:24 - 01:12:49:29

I think that point's been covered.

01:12:53:17 - 01:12:54:02

Okay.

01:12:54:04 - 01:12:54:20

Thank you.

01:12:59:03 - 01:13:00:20

Requirement 11.

01:13:03:16 - 01:13:05:24

Surface some foul water drainage.

01:13:09:17 - 01:13:15:27

Again, my issues here was. Who approves it. Um.

01:13:20:00 - 01:13:22:25

So yeah. Mentions relevant county authority.

01:13:26:26 - 01:13:49:00

And when it's talking about relevant internal drainage board, I just wondered whether the Black South Internal Drainage Board, are they the only drainage board that would be consulted on such matters? Are there any other drainage boards? Is that why it says relevant drainage board or should they just be named?

01:13:51:06 - 01:13:59:16

Josh Taylor For the applicant? Yes. My understanding is Black Sluice is the only IDP, so we can make that clear in the drafting.

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

And just the local flood authority. Need to be identified along with the other consultees. Or would they be encompassed under Lincolnshire County Council? Does it need to spell out that the

01:14:26:14 - 01:14:27:18

need to be consulted?

01:14:31:19 - 01:14:32:04

Yeah.

01:14:32:06 - 01:14:39:10

I think it's just a consistency point, madam. So if we're using county for everything, then county is fine. Um.

01:15:04:28 - 01:15:11:09

And just wonder whether the Environment Agency needs to be included. And that list.

01:15:16:19 - 01:15:38:10

Josh Taylor for the applicant. We have been in discussion with the Environment Agency around the requirements. My understanding don't want to speak for them is that they're happy think with how the

structure but we can pick that point up with them. They may well be here tomorrow. I'm just looking to my colleagues know they're not here tomorrow, but we can pick up that point specifically on requirement 11 to check.

01:15:52:28 - 01:16:24:11

And finally, on requirement 11, should it states. That the details of the water drainage strategy, etcetera, should be substantially in accordance with the relevant document, which is the flood risk and drainage strategy. And a number of the other requirements do mention the relevant submission submitted documents. So should this one refer to the flood risk and drainage strategy?

01:16:28:11 - 01:16:29:18

Josh Taylor for the applicant.

01:16:30:20 - 01:16:48:13

Yes, madam. Take your point. Requirement six does secure the flood risk assessment. And by virtue of that, that secures the drainage strategy. Um, but yeah, see, no issue with being clear in requirement and 11 as well saying it must be in accordance with that so we can take that one away.

01:16:53:09 - 01:16:54:00

Okay.

01:16:56:00 - 01:17:00:22

To the councils have anything to rise on? Requirement 11.

01:17:03:23 - 01:17:05:02

Not on 11? No, thank you.

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

And Boston?

01:17:07:11 - 01:17:07:26

No.

01:17:11:01 - 01:17:14:16

Requirement 12 Archaeology.

01:17:19:10 - 01:17:28:26

Again in terms of the consenting authority and I think it was Lincolnshire County Council remit for archaeology. Is that right?

01:17:29:05 - 01:17:29:21

Yeah.

01:17:34:02 - 01:17:53:13

And we'll talk. We'll talk about archaeology tomorrow at the environmental hearing, but I suspect that, um, requirement number 12th May need amending accordingly depending what what happens with the the current investigations. Is that correct?

01:18:01:10 - 01:18:25:27

And yes, madam, that would be our thoughts on the matter. So there's obviously the outline written scheme of investigation, um, of which the authority has made some comments on. Um, if we can get to a point where the authority is entirely satisfied with that document that's likely to inform the

drafting of this requirement. If there's still some points in issue and again, that's likely to feed into into the drafting.

01:18:29:08 - 01:18:30:06

Mr.. Thank you.

01:18:32:04 - 01:18:33:09

Josh Taylor for the applicant.

01:18:33:22 - 01:19:07:12

Um, yeah, I think we'll cover it in detail tomorrow in terms of the status of the trial trenching works, but just to explain how the drafting is structured. Um, in that requirement 12 one is essentially securing those trenching works for the cable route. So ultimately it's a matter of kind of, um, whether or not, if those works are, those investigation works are taking place now. I think we'll hear tomorrow that they haven't we haven't managed to secure all of that trenching for the cable route.

01:19:07:14 - 01:19:25:01

So it might well be that this requirement 12 one needs to remain in the because then it's securing it for a post consent pre commencement requirement. And then obviously you've got um, requirement 12 two, which is securing the mitigation. So there's kind of two limbs to this.

01:19:27:19 - 01:19:28:20

I am okay.

01:19:34:06 - 01:19:37:27

A Clement 13 construction environmental management plan.

01:19:48:27 - 01:19:54:16

And again, that needs checking in terms of the administering authority.

01:19:56:04 - 01:20:12:21

Before that requirements. I'm just having regard to the environmental management plan can encompass a number of different issues which might cross-cut between different authorities. And so they'll all need to be involved in this one.

01:20:14:06 - 01:20:21:29

I just wondered why. Consultation with the relevant highway authority was specifically mentioned

01:20:23:15 - 01:20:29:12

in this requirement, but not the next one on construction traffic management plan.

01:20:34:13 - 01:20:54:29

But yeah. And just before you answer the. Yeah. And again, who else would need consulting? Um. Given this, this relates to a number of ecological matters to bodies such as Natural England, Lincolnshire Wildlife Trust. Is there anybody else that needs to be listed.

01:20:55:01 - 01:20:55:16

As.

01:20:55:25 - 01:20:58:18

Specifically needing to be consulted on this?

01:21:00:21 - 01:21:02:26

Have the applicants comments please.

01:21:06:28 - 01:21:35:02

No problem for the applicant, madam. It's a good point you make about other bodies and think that's one we need to take away, because clearly these two requirements cover quite a large amount of information. So that's that's helpful. Think in terms of your point about the Highway authority and the county authority, We're coming back to the point about consistency and making that clear. So we'll pick that up. And to answer your point about.

01:21:38:04 - 01:22:00:20

Condition the requirement 13. There is a lot of mean, in fact, sorry, in terms of both of these these requirements they're both dealing with with with relevant highway matters. And therefore, clearly the highway authority need to be in agreement to them. So that is something we we do need to make clear. So.

01:22:02:20 - 01:22:13:04

My conclusion on that is we need to take that point away and make sure that we've been really clear about who is who is receiving these documents for approval and in consultation with whom.

01:22:15:15 - 01:22:16:12

So thank you for that.

01:22:23:06 - 01:22:30:14

Just some Lincolnshire County Council have any comments to make on the consultees?

01:22:31:13 - 01:22:40:28

We can work with the applicant outside of the inquiry to identify the correct consultees and be consistent and accurate about which authority needs to go to.

01:22:45:26 - 01:22:46:27

Okay. Thank you.

01:22:48:15 - 01:22:52:15

And still on the construction environmental Management plan.

01:22:55:08 - 01:22:56:28

I just wondered whether.

01:22:59:12 - 01:23:08:08

It needs to be specified or whether it needs to be a separate requirement in terms of working hours. Um.

01:23:10:12 - 01:23:43:03

So a number of other DCS do have a standalone requirement. In terms of construction working hours and the. Construction Environmental Management Plan does refer to working hours 8 or 6, Monday to Friday, 8 to 1 Saturday. And it also says spell avoidance of school, pick up and drop off times. So there's some got quite specific items within within that and.

01:23:43:27 - 01:23:57:10

The design and access statement refers to construction hours as being a requirement. So there's just a bit of inconsistency there. Um, should it be a standalone requirement?

01:23:57:12 - 01:23:58:21

Um, just.

01:23:59:16 - 01:24:03:00

On your considerations of that place, the applicant.

01:24:06:05 - 01:24:40:09

Josh Taylor for the applicant. Yeah, I think you've highlighted the point, Adam, in that the outline construction environmental management plan includes the detail on this at this stage that then has to be sorry requirement 13 in terms of the final camp then has to be in accordance with that. So our submission would be that it is secured and it is controlled in that manner. But to the extent there is a desire for, I suppose, transparency as to where working hours is covered, then yes.

01:24:40:11 - 01:24:52:26

Don't see an issue with making that clear in the drafting either within requirement 13, which is probably the most sensible place for it to keep it together or within a separate requirement. So yeah, we're happy to have a look at that.

01:25:00:22 - 01:25:06:26

Okay. Thank you. To the councils have anything to raise regarding construction? Working hours.

01:25:11:07 - 01:25:24:20

You think working hours should be covered? We're happy if they're covered in the outline and we're happy that substantially, in accordance with the outline, would would give us the certainty in terms of what the working hours are intended to be.

01:25:30:15 - 01:25:35:09

Take think we take a fairly neutral position about whether it needs to be covered in the wording as well.

01:25:45:08 - 01:25:49:22

Okay. Thank you. Did Boston have anything to raise on construction? Working hours.

01:25:52:06 - 01:26:23:00

Perjury for the Boston Borough Council. The only thing that's crossed my mind during this conversation is relating back to an experience I've recently had with another DCO. Um, and I know that in here there is something about amendments, so it's probably covered there but haven't got a grip of it. Um, in relation to an application that's currently been, it has now been finished on because they did contact us on a number of occasions and said come, we work extra times because they seem to be having problems getting it done within time.

01:26:23:04 - 01:26:41:09

And I was able to deal with that just by an express and exchange of emails. I'm just wondering how if that is required on this, whether the amendment process covers that or whether there is something that needs to be thought about that hasn't been.

01:26:43:11 - 01:26:46:08

I'm raising a question more than giving an answer. I'm sorry, madam.

01:26:47:09 - 01:26:47:24

No, that's.

01:26:48:01 - 01:27:01:26

That's fine. It's. It's a perfectly valid point to make. Yeah. If there's any amendments that are required solely to construction working hours in the future, how how would that be dealt with if the applicant.

01:27:03:28 - 01:27:47:19

Josh Taylor for the applicant. We have requirement five, which is essentially it's titled approved details and amendments to them. And this essentially gives the applicant in correspondence with the councils the ability to approve minor variations to those plans to the extent that those variations don't give rise to materially new or materially different environmental effects. So if you like, it's a kind of flexibility clause that allows the parties to have pragmatic conversations after after consent and think our submission would be that this sort of thing would be dealt with if needed, under requirement five.

01:27:51:27 - 01:27:53:02

Okay. Thank you.

01:28:11:21 - 01:28:14:19

Requirement 17.

01:28:18:03 - 01:28:19:06

Swift path.

01:28:22:25 - 01:28:29:12

I think we've already discussed this in terms of the. Offsite works.

01:28:35:03 - 01:28:44:20

Yeah. And they work between points. And I think you'd already explained that The missing bridge.

01:28:48:11 - 01:28:50:07

So just wondered whether.

01:28:51:27 - 01:28:59:13

The permissive path as it would link to any existing public right of way. And who

01:29:01:02 - 01:29:20:03

said Crab Lane? Any works that would take place outside of the order limits by separate agreements just that essentially make requirement 17 Grampian type requirement to seek views on that.

01:29:20:24 - 01:29:21:09

Wrong.

01:29:21:11 - 01:29:56:04

For the applicant. Madam. I'm not aware that there is any requirement to undertake any works of on the permissive path outside of the order limits. The only works which are which we've discussed already is the replacement of the bridge. In fact, we've included that within the order limits. In any event, the only effect outside the order limits is the permissive path is literally securing landowners consent for the right of way along Crab Lane, you know, west west to east and direction into the site.

01:29:56:06 - 01:30:01:09

So that can link with the permissive path is being provided within the order limits site.

01:30:12:14 - 01:30:19:09

Okay. Thank you. Um, do the councils have any comments to make on requirements 17?

01:30:21:19 - 01:30:55:01

We do have some comments on the wording. Um, we would be in favour of strengthening the wording to require approval in consultation. Um, we can provide exact suggested wording through our, through our written response, but um, it would be something like prior to the construction of the permissive path, details of the permitted pastoral must have been submitted and approved by the relevant relevant county planning authority. Although I think we probably go with the named authority approved by Lincolnshire.

01:30:55:21 - 01:31:06:23

Such approval and consultation with the relevant planning authority, such details to cover. So we would seek amended wording to that requirement.

01:31:12:05 - 01:31:17:13

Okay if you can provide that. Suggested amended wording that would be useful. Thank you.

01:31:23:17 - 01:31:26:14

I'm an 18 decommissioning.

01:31:35:27 - 01:31:55:02

On this one. I just had a query about the the wording of 18 one and I don't know if it's just me reading it wrong or if there's a reason, but it says within 12 months of the date.

01:31:56:17 - 01:32:32:19

And the way I read this. You could submit a decommissioning and restoration plan any time from the day before you actually do it or 11 months before, any time within that 12 months. Um, that that's the way that I read it. But, and just wanted the local authority's comments on that and what is the minimum period of time that an authority would need to consider a decommissioning plan in terms of months? Um,

01:32:34:12 - 01:32:43:24

looking at some of the other. Solar park. The CEO's little crow says not less than six months.

01:32:45:18 - 01:33:01:06

And Longfield says within three months of the date. So there's some variation. Um, so just like to seek your views on on this place. Um, firstly, the applicant place.

01:33:03:05 - 01:33:34:04

Josh Taylor for the applicant. Yes, Take your point, madam. This, this drafting is kind of it's fairly well precedented. But I do take your point on the, the certainty and what it's trying to get at. I think what what this is saying is that ultimately, within 12 months of the date, the applicant decides to decommission, the applicant then has a period of 12 months to prepare those decommissioning plans. So there's a lot that's required within this time period, i.e.

01:33:34:06 - 01:34:15:05

activating contractors again. And it's a bit like the construction period. There's a lot to do in that 12 month period. So, so that's what is meant by the within 12 months. And in a way our submission would be the longer period here is better if it was within three months. I don't think that's in anyone's interest because essentially there could be half baked plans, then go into the council for sign off and think on the second point. In a way, the risk is with the applicant here because the long stop under requirement 18 two is that decommissioning must commence no later than 40 years following the date of final commissioning.

01:34:15:13 - 01:34:55:13

So it's within the applicant's interest to submit that plan in a timely manner and to have it signed off, because in any event, they have to start decommissioning works at that 40 year point. Um, so in summary, I think the applicant needs to control as to when it decides it needs to decommission the project. Um, but I do take your point and think some other schemes emerging are suggesting another trigger point to then for the applicant to notify the relevant planning authorities at that 12 month date to the date 12 months in advance as to when it intends to then decommission.

01:34:55:19 - 01:35:01:29

So if it's helpful, we can look at clarity around the wording there and inserting an extra limb.

01:35:11:20 - 01:35:18:08

Yeah. Think think it would be helpful to look at that and just seek the views of the local authority first.

01:35:21:04 - 01:35:51:07

Additional position would be that we do need to be notified of that decision because we need to understand what decommissioning is happening when. And I think the wording could be amended to sort of better reflect the idea that the the applicant is notifying the authority in terms of then approving the decommissioning and restoration plan. We would then need a period of time in order to consider that document as to precisely how long that period is. We might have to give that some thought and come back to you. Um.

01:35:54:11 - 01:36:02:02

But the key things for us will be the advance notice and then obviously time to consider any decommissioning or restoration plan.

01:36:09:13 - 01:36:12:02

Okay. Thank you. Do Boston have any comments?

01:36:14:12 - 01:36:41:05

Only to say that the the length of time for the borough may be less than it is for the District of North Kesteven because they have the energy park. We have a cable in the in the documentation. It suggests the cable will be left in situ. So decommissioning impact on the borough. On the face of it, as we are now, is minimal. But nonetheless can see we need to be consistent across the piece.

01:36:43:23 - 01:36:44:21

Okay. Thank you.

01:36:45:12 - 01:37:13:15

Madam, if I could just add Josh Taylor for the applicant. This is a requirement and schedule 14 controls the discharge of requirements and the timeframes associated with that. So our submission would be that the time frames are the same for the discharge periods as the other requirements. Just. Just if that helps with clarity as to the intention here. But noting we're due to hear from the council on timeframes for discharge later.

01:37:14:14 - 01:37:16:15

Yeah, we'll come on to that shortly.

01:37:22:07 - 01:37:25:29

Is anybody else have anything to raise on requirements?

01:37:29:12 - 01:38:04:02

Mr. May go back to Article eight, please? Um, just as a point of clarification for myself, really, um, as has been flagged already this afternoon with the the change proposal and the impact that that has on the, the National Grid substation at the cafe with removal of trees. Um, we have had discussions in relation to the impact of that because at the moment the. Proposes that those trees are replaced on the energy park site in North Kesteven.

01:38:05:02 - 01:38:35:26

I have we have been suggesting that whether there is any opportunity to make better connectivity between the habitats in the new energy park, the south, 40 foot drain and the substation as they are non-farm and therefore have a habitat that is different to the farmland? Um, my reading of article, it is very broad. So I'm assuming that if the applicants are able to come up with anything that would.

01:38:37:08 - 01:38:59:27

Satisfy our concerns. As it's written, it would still be able to do so. I just wanted clarification that that was the case, because I'm assuming any changes that may or may not come about will go into the outline environmental plan so that when the warning comes in for us to to deal with, it will be in accordance with that.

01:39:03:26 - 01:39:06:12

Okay with the applicant. Like to answer that, please.

01:39:08:13 - 01:39:49:15

Josh Taylor for the applicant, in short. Well, yes, the the final plan. So the final lamp under requirement eight must be in accordance or substantially in accordance with the outline landscape ecological management plan. So think to the extent we agree changes to that lamp at this stage, then yes, there is flexibility there for that to be then dealt with at the final sign off stage. I think the only thing just to mention that I'm probably straying into tomorrow's agenda on on the ecology and the replacement planting is that we have had extensive conversations with National Grid around the planting at the substation.

01:39:49:17 - 01:40:15:10

And and yes, at this stage we aren't able to locate any land for offset planting or mitigation or compensation planting. Their mitigation planting isn't deemed necessary, but we do take your point. But just to manage that expectation. Um, we're not sure how far we can go in terms of the, the length here for any net gain areas within the fence substation area.

01:40:25:27 - 01:40:31:28

Okay. Is there anything else on any of the other requirements as well?

01:40:33:04 - 01:40:41:17

Yes. Thank you. Do you have quite a few points? Would you like a point at a time or shall I try and do a few in a go?

01:40:42:00 - 01:40:46:29

Yeah, just. Just go through them all and I'll make a note. Okay. Let the applicant respond.

01:40:47:24 - 01:41:05:09

And grateful. So, um, the first of all, requirement three, which is the phasing requirement which seeks to phase the authorized development. At present, 31 requires submission. Of

01:41:06:24 - 01:41:39:14

the written scheme setting out the phases. It doesn't require any approval. And what the authority would like to see is approval and that approval to be in consultation. And the second point under

requirement three is 32, which sets out that a timetable for construction must be included. The authorities would also like to see a plan identifying the phasing areas.

01:41:42:17 - 01:41:50:08

A couple of points there on the requirement. Three drafting, drafting points, essentially. And

01:41:51:23 - 01:42:02:11

then there's a point on six. I think we've picked up on requirement eight, the landscape ecological management plan.

01:42:04:10 - 01:42:23:04

There's a few different points and it's probably easiest to set this out in writing because it will allow everybody to see precisely the detail of the point. But essentially what the authority would like is some further specification about what the landscape ecological management plan needs to include,

01:42:24:22 - 01:42:55:23

like for example, details in relation to planting and a timetable and a commitment to replacing any trees or shrubs etcetera that might become removed or die within the first five years. Those sorts of things. So there's a request for some further detail on the landscape ecological management plan. There's then some further, some further points really under under this heading.

01:42:56:12 - 01:42:57:22

Um, possibly

01:42:59:07 - 01:43:31:18

the main point of substance really relates to biodiversity net gain. So present you'll appreciate the draft refers to 10% biodiversity net gain. Of course, what we're told by the applicant is that they're expecting a 230% net gain in Hedgerow units and 102% net gain in habitat units. And so we're just perhaps a little surprised to see that the draft only refers to this 10%.

01:43:32:11 - 01:44:05:17

We would hope that if that larger amount of net gain is being offered as a benefit, that would then be reflected in the draft DCO. There's also some some kind of points of concern about how biodiversity net gain is going to work on the ground. And again, this is probably one of those which is best set out in writing so that the applicant can consider it in responding so that you have the detail of the point margin. But really the headline point is this, that we are a little bit concerned about how is going to be secured.

01:44:06:01 - 01:44:30:27

Um, we, we think it's going to be on a development as a whole basis rather than a phasing basis, but we'd appreciate some clarification of that and in particular. How it's considered each phase is going to contribute. What we want overall, obviously, is the confidence that that can be achieved on a site wide basis. And we'd also like some clarity about maintaining.

01:44:32:18 - 01:44:44:29

Obviously there's a requirement for 30 years at least we would hope to see BNG maintained for the lifetime of the site or until a restoration regime is agreed.

01:44:46:29 - 01:45:00:02

We will say. We also know, of course, that the scheme provides for a community orchard. We think it'd be useful to have a firm commitment in the DCO possibly hear about that community orchard.

01:45:02:05 - 01:45:13:06

And then there's just a little bit of weakness, I suppose, on the detail about agreeing the initial specification and the planning and sort of immediate aftercare.

01:45:14:26 - 01:46:01:23

But I think what would be really helpful and we did a very useful discussion that's always already been referred to by my friend over the lunch break. But what might be really helpful is if there was perhaps a brief note on just explaining how the applicant envisages this is going to work in practice and what the checks and balances are and how the authority will know what is being secured when obviously one of the difficulties of being is actually knowing that you've hit the target. And how do the authority know that the target's been hit and how will they be able to understand that? So, um, there's quite a lot really under the topic of just to understand, it's probably best set out in writing, which of course we're happy to do, but hope that gives a flavour of the concern.

01:46:04:01 - 01:46:06:11

Um, the.

01:46:09:11 - 01:46:44:11

Next point is we've covered the point about archaeology. So the next point really is just some tightening of the wording of requirement 15 operational noise. So present, I think 15 two um, requires that mitigation measures are described in the operational noise assessment must be implemented and maintained as approved. We would seek to add throughout the operation of the authorized development, just to put it beyond doubt, that that is an ongoing.

01:46:45:13 - 01:46:46:16

And requirement.

01:46:48:04 - 01:47:08:18

There's also some amended wording to the permissive path, which I believe I've covered. And decommissioning and restoration we have addressed already. And I think that then covers requirements. But if you would just bear with me one moment. I'll just double check my note. Um.

01:47:10:17 - 01:47:11:15

We would

01:47:13:01 - 01:47:27:10

we would seek an additional a couple of additional requirements. Well, three additional requirements. And the first would be for a soil management plan.

01:47:29:05 - 01:48:07:27

As you know, madam, one of our key concerns is BMV, and we understand that soil management is dealt elsewhere and think the intention is to have it as an appendix to the Lemp. I'm sure I'll be corrected if I have misunderstood. But in any event, what we have seen in other DCS is a requirement for a soil management plan as a freestanding document, and we think that would be easier to manage and it would be clearer in terms of what is expected and where it sits. The other additional requirement that we would seek, perhaps notable in its absence is fees for discharging.

01:48:09:00 - 01:48:27:18

So you'll be aware that good practice and the relevant technical advice. Note Advice. Note 15. Explains that fees should be payable for discharging requirements. We're happy to have a discussion with the applicant about the precise mechanism

01:48:29:09 - 01:48:39:13

that is engaged for for fee payment. But we think it's very clear that the the guidance is that there should be a fee paid. We'd like to see that captured under the draft.

01:48:42:08 - 01:49:30:18

Again, we can we can set that point out in more detail in writing. Um, and I'm happy to have the discussion about how that, that is, that works out in practice. I suppose there's two main ways you could do it. You could do it on a time basis or on a fixed fee basis. And then finally we would seek an outline. We would seek an operational environment management plan. Requirement as a freestanding requirement. Um, we understand that operational matters may be picked up elsewhere in other documents, but what we would like is a document we can go to, which is the operational plan and will deal with things like plants and equipment, operational development parameters for replacements of parts and so on.

01:49:32:00 - 01:50:02:03

And again, this is something that is that is seen in other DCS. It's fairly standard requirement and we think it will be useful and helpful to have it. So those three additional requirements, please, Madam, the soil management plan, the fees and the EMP, the operational environmental management plan, and then you have my comments on some of the other points of detail, the most substantive of which is probably the point, and we will certainly set that out in writing. Hope that assist.

01:50:05:08 - 01:50:28:29

Yeah. Thank you very much. Yeah, I've made a note of all of those, but to have them in writing would be really useful. Thank you. And I think there'll be some cross-cutting of issues to be discussed at tomorrow's environmental hearing as well. Particularly in relation to biodiversity. Biodiversity net gain. We'll come on to that tomorrow. Do Boston have anything to add to that? No. Can I have the applicants comments then, please?

01:50:31:10 - 01:51:07:29

Josh Taylor for the applicant. Yes, recognizing there's quite a lot there to respond to. I think we'll reserve our submissions for some of these until we've seen the drafting and to come back in writing. But just to pick up on a few points if it helps with that. The first one requirement three that is intentionally worded to essentially be a notification. So this is around the phasing. Now, the reason for this is that it should be within our submission is that it should be within the applicant's gift as to the phasing for the scheme.

01:51:08:01 - 01:51:45:25

Now, this might be dependent on contractor availability. Um, it might be dependent on how the applicant wishes to structure and essentially temporarily do the works. And so our submission would be that we shouldn't be at the mercy of the, the planning authorities for, for the phasing. Um, we do, however, recognize it might well be helpful to make expressly clear that the phasing obviously has to be in accordance with the environmental statement and give rise to materially new or materially different environmental matters which which is the case anyway.

01:51:45:27 - 01:52:13:19

But it might well help as a middle ground to insert some form of wording there. So in short, for requirement three, I don't think we see any issues with the other suggestion around a plan and a bit more detail around what that phasing scheme might look like or need to include. Um, but our submission is that the, the intention, while the wording is intentional, that it is a notification rather than an approval at requirement three.

01:52:16:17 - 01:53:04:15

And I'll move on to requirement eight, which I think was the next one. Yes, We'll of course, welcome seeing any drafting suggestions around the further specification that Ms.. Bell has suggested and we can have a look at that. And just to be clear on the 10% amount, again, we might pick this up

tomorrow. But just in terms of the drafting, the the intention here and the reason why we we changed this as part of the net change application was that it was stressed by Benguet that if they were to take a phase of the construction activities which they are intending to do, then they they can't be constrained to deliver that 10% net gain for their phase.

01:53:04:22 - 01:53:37:19

But I think that helped to stress the point that actually the net gain requirement, the minimum legal requirement of 10% is not per phase. It's it's on a whole basis for the whole authorised development. So. We we have discussed suggesting a kind of standalone document just to make clear how we see that working in practice, i.e. it might well be prior to the commencement of each phase, you outline how that 10% will be secured across the entire authorized development in each phase submission.

01:53:38:26 - 01:53:43:15

So hopefully we can deal with that in writing and following this hearing.

01:53:47:22 - 01:54:23:06

Moving on to the. Community orchard. Yes. Again, we will welcome seeing the drafting suggestions there and then we can consider that and come back on that one. In relation to the additional requirements, I think asked the would be there's there's kind of got to be a balance here between conciseness and detail and almost having a requirement for everything the soil management plan point. I think we do accept just to say that it is currently covered in the outline camp as one of the appendices.

01:54:23:08 - 01:54:55:16

So it is currently secured. The fact that there is an outline soil management plan and then the final camp will have to be in accordance with that. But yes, to the extent it's helpful to draw that out as a separate requirement for transparency, then I don't think we foresee an issue. But again, we'll have a look at the drafting on the fees for discharge point. We would suggest this is better dealt with under schedule 14, which is the procedure for discharge rather than a requirement. Now, think we'll come on to this and and the principle around the fees.

01:54:56:06 - 01:55:36:21

But just to mention, I think the reality of the situation, as my colleague announced earlier, is that there will be likely a in place that is likely to cover fees. But but, yes, I think it's probably worth picking that conversation up in the context of Schedule 14 rather than schedule two. And finally, then on the outline environmental management plan, which I think was the final point. Again, our submission would be that we have various different operational management measures already covered in the control documents, and we've included them within the context of each kind of document which they sit.

01:55:36:23 - 01:56:10:10

So the lamp, of course, for kind of landscaping and management measures and grazing the outlying camp, secure vehicle movements associated with the operation and Appendix K details the operational waste management controls. We then have the outline Employment and Security Skills plan, which is for training and education during construction and throughout operation. And then the Energy Safety Management Plan is of course linked to the ongoing management and maintenance and emergency response process for for the the energy storage.

01:56:10:12 - 01:56:32:15

So, yes, we're not against having or considering a separate requirement then and we will consider that. But our submission is that it is already covered in the various documents and to the extent it will be helpful, we can do a signposting exercise and a standalone document to point to each of those measures as to where they are secured.

01:56:34:15 - 01:56:42:00

It's my colleague has anything to add? I think I've covered most of the points, but we do. We will reserve some of them until we've seen the drafting.

01:56:45:16 - 01:56:48:03

Yeah. Okay. Thank you. Um,

01:56:50:26 - 01:56:59:17

so when you say you'll respond to the council suggestions, Um, just thinking about timescales. Um,

01:57:01:02 - 01:57:10:03

deadline one being in about fortnight's time. Is there a possibility of the council sending a draft to.

01:57:12:01 - 01:57:16:01

And the applicant in advance and then it being.

01:57:17:16 - 01:57:25:21

So then can get comments from both parties at deadline one to speed things up. Otherwise it'll end up being deadline two for the comments on the comments.

01:57:27:12 - 01:57:27:27

No.

01:57:36:12 - 01:57:36:29

Like. It's like.

01:57:39:02 - 01:57:46:03

Yeah, just about to take a break, so, yeah, you can come back to me after that. Yeah. Thank you.

01:57:47:21 - 01:58:01:09

Okay. Um. It's 358 and just to adjourn until 4:15. And I'll see you in 17 minutes.

01:58:01:12 - 01:58:02:00

Thank you.