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00:00:05:27 - 00:00:34:21

The preliminary meeting. We're going back to the timetable, examination, timetable. And we've got to the point of the second set of hearings, which is proposed week commencing 25th of September, should these be required. And the applicant has made a point in writing. Regarding the timing of these hearings. Mr. Fox, would you like to explain that point in detail for everybody to hear?

00:00:35:06 - 00:00:45:05

Yes. Mr. Fox, on behalf of the applicant, yes. We've requested that the second set of hearings are moved to the week after

00:00:46:21 - 00:01:19:24

the week commencing 2nd of October. This is due to the applicant, the window energy, One of the companies that make up the applicant, are not available that week 25th. We set out in the letter which is in examination library reference PDA zero one. Um, that we felt that that could be done without impacting on the rest of the examination and interested parties abilities to do so.

00:01:19:26 - 00:01:28:03

Don't be involved in that examination. Um, would you like me to just go through the kind of consequential changes we suggested or stop there?

00:01:32:27 - 00:01:33:17

Okay.

00:01:34:25 - 00:01:38:11

Thank you, Mr.. Just could you provide us with a little bit more detail on.

00:01:41:27 - 00:01:50:13

Why the applicant isn't going to know where they are. But given we're in a six month examination or we will be from from today.

00:01:52:03 - 00:02:16:19

And why they're not available. Is it possible we've talked about virtual machines. We've talked about, you know, certain representatives being available if other representatives aren't available. So why is it absolutely necessary for the hearings to be moved in this case, taking into account those those particular factors? And given the sort of timetable that we're we're under? Yeah.

00:02:16:21 - 00:02:19:17

No, that's understood. I mean, the

00:02:21:06 - 00:02:28:10

client is not in the country and it's potentially not available. Um.

00:02:30:09 - 00:02:47:05

I think that this obviously the royal sex letter has come out, but the timing of the examination were up in the air for some time. And so this was in a well pre-arranged week, but they were not available.

And

00:02:49:09 - 00:03:20:21

as I said, I do think that we consider that this can be done without affecting too much of the rest of the examination and interested parties abilities to be involved in it. Understand obviously, the assignment. You will have your own view on that. But this is as we set out in the letter, many things could be the the deadlines following the hearings would be able to be little adjustment would need to be made to them. But I understand there are other things in play in this.

00:03:20:23 - 00:03:39:05

But we we've noted the the sort of the draft alterations to the timetable that you're suggesting would be required if these hearings moved move back. So we yeah, we understand that. Is it possible for the applicant to join remotely for that for that week of hearings? Um.

00:03:46:16 - 00:03:55:22

Understanding that that's going to be difficult because it's not just where they are. It's a lot of travel involved that week because it's a series of

00:03:57:24 - 00:04:02:21

appointments, shall we say. So it's just not going to be very difficult to achieve that.

00:04:06:20 - 00:04:11:08

Okay. Any more comments from any other interested party on.

00:04:13:00 - 00:04:23:21

That week of hearings. So the suggestion from the applicant, they're effectively put back for a week, which would result in other deadlines being pushed further, further back.

00:04:28:09 - 00:04:30:03

Yes. Give you a name again, please.

00:04:32:16 - 00:04:33:08

I'm coming.

00:04:37:19 - 00:04:38:04

Benefits.

00:04:39:23 - 00:04:55:21

Many people that I know think they can hear my voice. Many people that I know cannot be here because of work commitments particularly, but there are other factors involved here. So I would just like to make that comment, please.

00:04:56:09 - 00:04:57:09

Okay. Thank you.

00:04:59:20 - 00:05:03:20

Thank you, Mrs. Davis. There. And.

00:05:05:12 - 00:05:10:01

Other or might there be any possible implications with.

00:05:13:15 - 00:05:19:02

The examination timetables of other. Applications that are.

00:05:21:12 - 00:05:37:23

Rising or moving forward. Obviously we don't have the six letter yet for cottom. Um, don't know. Don't know when that's going to be issued. Have a wide understanding of what's going on in their examinations, but not a detailed understanding. So.

00:05:40:07 - 00:05:49:09

Yeah. Sorry, Mr. Boxer. On behalf of the applicant. My understanding is that, um, the dates for hearings haven't yet been determined for those projects.

00:05:49:11 - 00:05:51:21

Well, they won't appear because there's no. Yeah, the rule six is yes, but.

00:05:51:23 - 00:05:55:22

I think even the kind of initial exploratory conversations haven't happened yet.

00:05:56:16 - 00:06:18:13

Because that is another important factor. Yes. In obviously in all this. Okay. Well, think it's something that we will have to take away and consider. I think we've heard your and understand your points that you made. And we'll have to go and consider that and confirm in the rule out letter. Okay. Thank you.

00:06:23:06 - 00:06:42:14

At this point. Mrs. Holloway, for Mallard Past Action Group. You've raised a point to about the general generality of time that's being allocated for hearings and site inspections. And I think you made the point that it might not be sufficient. Is there anything you want to expand on that point?

00:06:45:03 - 00:07:05:18

This is Holloway on behalf of my class action group, was just adding up the number of potential specific issue hearings, compulsory acquisitions, you know, haven't obviously got the exact figure, but there's only ten working days. So it was just, you know, did there need to be another window to.

00:07:07:25 - 00:07:12:08

Make provision fully for everything at this stage.

00:07:13:29 - 00:07:45:27

Okay. Just a general point on the on the ten days is probably actually less than ten days because we would generally travel to hearings or events on the Monday and generally think it's a good practice to have the Friday hearing finishing at three 330 to give people a reasonable chance to get home. Uh, there's a further point would in add in that the parties are aware but the. Prospect and planning Inspectorate's trade union.

00:07:46:06 - 00:08:18:19

There is industrial action taking place at the moment and some of that involves strikes. It was a strike of inspectors last Tuesday and also as a generality, inspectors are involved in that industrial action are working to rule, i.e. just doing contracted hours and not working beyond the contracted hours. It's probably worth just saying that just so people have been aware, we don't know where that's going to go in future months. Think this is up until middle of August and there is the possibility of this is just a general point.

00:08:18:21 - 00:08:48:19

Actually, there is the possibility of further strike action being announced, which could have further implications for the the timetable if those fall on event days. I should just say that now as a generality, So everyone's aware of that, and that's not even a decision on Mr. James, who have not would take part in that. But that is just a general in what is taking part at the moment with wider industrial action by by prospect. So yes, so effectively what I'm saying is that effectively it's more like.

00:08:49:15 - 00:09:11:26

You know, eight days available because Mondays for us is really a travel a travel and preparation day. And I don't know at this point, we don't know at this point how many days we need for hearings because we won't know really until we read all the written representations and the local impact report, because that's when it all starts to get a lot clear. We have a general idea of programming, uh.

00:09:14:10 - 00:09:52:18

One possibility that I've actually thought we'd been considering is the accompanied site inspection, which will go on into more detail, is that there is a possibility to move that away from the first week of hearings to either the second week of hearings, but it will be there anyway as a possibility or put in a separate day or days for a company site inspection should that be required to keep it separate from the hearings, which I must admit has some attraction to us actually, in terms of the amount of things we have to do in a week and the amount of preparation and things that we just have to to focus on.

00:09:53:00 - 00:10:34:15

And one possibility is that a further two days is put into the examination timetable, potentially the 17th or 18th of August for an accompanied site visit, should that be required? Uh, that's one possibility that is going through our mind. Uh. Hold that thought, though, because I want to come on to talk about site inspections and what will be our expectations of them in the amount of time that might be needed for them and whether or not we do unaccompanied site inspections for publicly accessible land or whether or not how much of the site needs to be done for an access and access required or an accompanied site inspection and a complete satisfaction as well.

00:10:34:17 - 00:10:45:24

Other parties would join us and I'll come back to that. Is there anything else anybody would like to say on this general point about the time allocated for hearings and and site visits?

00:10:48:00 - 00:10:49:13

Yeah. Okay. Excuse yourself.

00:10:50:01 - 00:11:08:18

Mark Willis from Lancashire County Council. Just an inquiry, really. Given what you've just said about the potential implications on timetable and mindful that the timetable will be published next week. Does that get updated then, irrespective of those external factors, or will that be fixed?

00:11:10:18 - 00:11:40:09

You mean in terms of what we just said about the the the potential industrial action, etcetera? It would have to be any change to the timetable would require a procedural decision. So it would be there's always an opportunity, as is examining authority to update the examination timetable as sometimes can happen for, you know, unforeseen circumstances, just other things that need to be put in. So there is a procedure where we could do that and we would issue a letter to all interested parties advising with that change to the timetable.

00:11:44:16 - 00:11:45:03

Okay.

00:11:45:13 - 00:11:49:05

Anything further on that? Okay. Um.

00:11:52:21 - 00:12:05:23

I think those are all the points that have been raised in relation to the timetable that I'm aware of. Is there anybody, anything else that any party would like to raise now on agenda item for the examination timetable?

00:12:07:21 - 00:12:15:20

Mr. Fox? Yes. Mr. Fox, on behalf of the applicant, just one quick question, which was just to double check the the last date for

00:12:17:12 - 00:12:20:06

whether you wanted that to be deadline 8 or 9 nine.

00:12:20:20 - 00:12:31:09

Yes. Thank you. Think there's a slight typo. I was going to come on to that. But you are right. This is the sense of common ground and I

00:12:33:04 - 00:12:40:20

think the timetable is correct. But in the procedural decisions list.

00:12:42:15 - 00:12:46:14

We inadvertently put the following deadline in. Think.

00:12:49:12 - 00:12:56:13

I was going to come on to this, so it's not in my notes right in front of me. But yes, it's what's in the timetable. So.

00:12:58:10 - 00:13:05:27

It's deadline eight for the final versions of the statements of Common Ground 24 from October. Okay. Thank you.

00:13:06:12 - 00:13:22:15

Um, and just to very quick additional points just so everyone can hear them as they were in the letter. First of all, was just to confirm that we're still planning to submit the first update of the tracker for deadline to. Yeah.

00:13:22:17 - 00:13:56:27

All that material. I think you're going to talk about can we do that under the procedural decisions? Because that's the bit where it came in the rule six letter. Yes. And that's where it's in my general list of things to talk about. So if you don't mind, apologies. I know it probably falls into both. So if we can do that under procedural decisions, but we will we will come on to that. I've got that listed in my my range of points that I wanted to go through. Okay. Um, so as I've said before, just concluding on the timetable, there are several competing aspects. Uh, I don't know of a perfect examination timetable ever been produced.

00:13:56:29 - 00:14:29:09

That's pleased everybody entirely. So not everybody will be 100% happy. However, we will take all the comments made here today and in writing beforehand into account when producing our Rule eight timetable. And think I would say on the um, matter of the local impact report, I don't want to make a decision on that today, but obviously we're going to take that carefully into account, that discussion and the possibility of moving the local impact report. DEADLINE to um. It's a deadline, too.

00:14:29:11 - 00:14:44:23

But I'll also ask the authorities suspect we're doing this anyway is to sort of obviously sort of go away from this meeting and and think of ways to try and sort of facilitate the early submission of a local impact report in order that the examination can efficiently

00:14:46:17 - 00:14:57:07

proceed. And we'll confirm that in the rural letter next Tuesday. What that deadline is. But think we are. We've heard what's been said by everybody today on that.

00:14:59:07 - 00:14:59:26

Okay.

00:15:01:01 - 00:15:53:13

Agenda Item five is procedural decisions taken by the examining authority. These are set out in Annex F of our Rule six letter. Uh, this doesn't need necessarily to be on the screen, but it it probably is helpful if it can be. And the first of these is statements of common ground and part one of Annex F of our letter sets out our request for statements of common ground between the applicant and various parties on different topics. Uh, these are important documents in the examination process by providing because they provide focus on the matters where there's disagreement between parties and a statement of common ground should identify matters which are not in dispute or need not be subjected further evidence, but also think very importantly to set out the matters where there is disagreement along of a summary justification of the position of every party.

00:15:53:15 - 00:16:09:26

So it's very useful think for us as examining authority in the statements of common ground and maybe they should be called on common ground and as well is to have a table setting out where there are matters of disagreement with a short of justification to summarize why there is that disagreement.

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And.

00:16:13:28 - 00:16:59:07

And the deadline for the first submission of statements of common ground is deadline two on the 15th of June. No, the applicant has submitted a couple already which will come on to and there'll be subsequent opportunities for updated versions to be submitted throughout the course of the examination and, where necessary, final signed versions cannot be submitted. So I'll say that again. As previously noted, the deadline for the first submission of Steps of Common ground is deadline two, which is the 15th of June, with subsequent opportunities for updated versions to be submitted through the course of the examination where necessary, a final signed versions can not be submitted on the 15th of June, but would encourage early engagement by all the relevant parties on statements of common ground.

00:16:59:09 - 00:17:11:24

And they are very useful to us and the sooner they are agreed, the better. We do understand that the points where things aren't can't be agreed, but I really encourage everyone's endeavour in that regard.

00:17:14:09 - 00:17:47:05

The Rule six letter is also requested that at each point that the updated statements of common ground are submitted, the applicant submits also an updated statement of commonality, and this document should provide an overview of the position of each statement of common ground at the relevant deadline, for example, noting where discussions are ongoing and where a final sign statements for common Ground has been submitted. And it will also assist the examining authority to have summaries of commonality in respect of the main topics in the examination. And this material should be presented in a tabular and perhaps even color coded format to wherever possible.

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That sort of thing helps in presentation and the understanding of it. And

00:17:53:06 - 00:18:10:02

now in your procedural deadline submission, the applicant, Mr. Fox, submitted some updates on progress made with statements of common Ground, and just wanted to give you the opportunity just to summarize that Now for those that might people might not have read that submission.

00:18:10:15 - 00:18:41:06

Yes. Thank you, sir. Mr. Fox from the applicant. And first of all, I just wanted to note that there was a typo in the letter, um, you referenced, um, the approach that will come to explain about some of the parties. We included Natural England in the parties that we weren't suggesting we might not do a certain common ground, just want to confirm we will be doing the same ground with that to England. And that's what's that yesterday realized. Um, you may be concerned about that so just want to confirm we will be doing with natural England. Um yes.

00:18:41:08 - 00:19:13:03

As you mentioned at the deadline we submitted an in progress version of the statements of Common Ground with the Environment Agency and with National Highways. I'm pleased to say that with national highways, essentially all matters are agreed. Um, and the other point really was in our in a letter, a procedural deadline was just to talk through some of the parties that were suggested. Um, for some common ground, and particularly the statutory undertakers.

00:19:13:17 - 00:19:44:11

Um, it's the National Grid and Network Rail in particular, um, where we felt that a statement of common ground wouldn't, would essentially not have much points because they're primarily concerned about the protective provisions and ensuring we are agreed on them. Um, so whilst we could progress the same in a common ground, it wouldn't actually add any value to yourselves because it would just be saying yes or no and you would be able to see that through the progress of the draft. So we had suggested that as an alternative approach.

00:19:45:00 - 00:20:12:00

Um, you may want to ask us or make a particular decision to ask us, um, in the questions or otherwise to essentially do a protected provision tracker or section 1 to 7 party tracker so that you can see where we are in terms of negotiations rather than the schemes, because for those parties there really isn't much of substance there. They're kind of concerns about prosecution, etcetera will go away once the protective provisions are agreed.

00:20:13:17 - 00:20:46:14

Okay. Oh, sorry. In the last point. Sorry was just in reference to the action group who weren't on your table of parties, but there was a suggestion of ourselves looking to explore with the action group and whether an should be progressed. We have the team has been in contact with Mrs. Holloway. Um, he's indicated that, um, not for now, essentially. And once the written representations are submitted, we can look, we can re-engage on that point and see, um, if it would be useful or not.

00:20:49:15 - 00:21:06:20

Thank you. And I'll come back to Mr. Holloway on that point in a in a moment on the statutory undertakers, because yet we've not received written representations. Is it too early to sort of come to a conclusion that the issues might only be related to protective provisions?

00:21:07:20 - 00:21:44:15

We sorry, that's not something that we'd predominantly base that on the the relevant reps. So we notice Anglian Water, we acknowledge there there are wide issues with Anglian Water because of the West Clare River, um, but with National Grid and Cadent in particular that their reps are, to put it bluntly, they're standard reps of we're worried, we want to make sure we're protected. We don't want you to use the powers without our consent. And that was essentially what, what we were proposing this suggestion and also I'd say experience from other projects where often the SSG becomes a paper chasing exercise.

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It doesn't add value to what you want to be focusing on.

00:21:50:25 - 00:22:02:20

Okay. Thank you. We'll give this some further consideration for our Rule eight letter. Think we haven't got statutory undertakers with us today, so they're not able to.

00:22:04:29 - 00:22:36:02

Participates in this discussion. But where there is agreement between the applicant and a statutory undertaker, and that has been confirmed by the the applicant and sorry, by the undertaker concerned that can just be agreed in an agreed whatever sort of position statement. Doesn't have to be a long sort of document, I think where there's still some disagreement and basically at this stage, before we get to the representations, I don't know. I think I've read certain comments in the relevant reps where obviously parties that are looking at things in detail,

00:22:37:19 - 00:23:10:13

it may be slightly sort of too early at the moment to sort of go down the line that you're proposing in full. Uh, but a statement of common ground doesn't need to be a sort of long, complicated document, particularly if they're only sort of a few issues that are being, you know, at stake without relevant statutory undertakers. I'm not sure they should sort of take lots and lots of time that diverts you away from the obviously important negotiations. But we'll we'll bear in mind being said and obviously come to a conclusion on that in the Rule eight letter.

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I think the. Similarly about the section 127 tracker as well.

00:23:21:09 - 00:23:21:24

Uh.

00:23:26:24 - 00:23:28:00

Peter, can I ask you a question?

00:23:29:12 - 00:23:30:01

Yes.

00:23:30:18 - 00:23:33:27

Again, introduce yourself, Mr. Parish Council.

00:23:34:08 - 00:23:49:29

And obviously I'm not aware of all the procedure matters as you and Mr. Fox are. Um, is Mr. Fox suggesting that he removes Network rail and the national grid from the statement of Common ground information provided?

00:23:53:04 - 00:23:55:14

Mr. Fox, you want to respond to that? I mean.

00:23:56:03 - 00:24:33:28

I suppose what I'm saying is that we wouldn't seek to. We were suggesting we wouldn't seek to agree a formal statement on ground, common ground with them. We will still, through the examination process until that is agreed, have to respond to the reps that they've raised and explain what our position is as opposed to theirs. Um, but we are hopeful that the agreement on the protective provisions is going to come quite soon. You would have seen in the we submitted a procedural deadline that we have included various protective provisions. So, um, in short, yes, but that's not to say that those parties will not still be involved in the process until it's agreed.

00:24:35:18 - 00:24:50:13

In respect of Network Rail. These are the protective provisions for whom were only added to the draft, submitted shortly before this meeting of a procedural deadline. A.

00:24:52:15 - 00:25:10:26

Obviously that one of those strategy undertakers who, given the proposals and how they may or may not affect the the railway line, that's an example of where they may they may raise issues which where that would result in the need for a statement of common ground rather than just purely

00:25:12:12 - 00:25:33:01

be included in a in a schedule, as you've outlined as an example of, you know, one of the things that might arise in my in my mind, because I'm not yet aware of network rails, I've got the relevant representation. But obviously their written representation will provide further detail on what they consider the effects will be on their operators, etcetera, etcetera linked to the protective provisions, I'm sure.

00:25:33:03 - 00:25:53:25

But and sorry Mr. Fox part the applicant. Um, yes. I mean network Rail in their relevant representation have expressed their concerns about, you know, we've allowed for three different options for the cable route and we, we are still in discussions with them. Um, but ultimately,

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well they're not here. I don't want to speak for them but would feel that they wouldn't agree to such provisions until they'd agreed also on the strategy.

00:26:02:01 - 00:26:02:16

But

00:26:04:05 - 00:26:19:18

just one further question on this. In terms of the Section one 2727 tracker that you've raised, what involvement does the other party have in that before it's submitted? Obviously, a statement of common ground. It's it's not signed until the final version, but there is

00:26:21:03 - 00:26:38:21

an understanding. Well, normally there should be an understanding where it's a version which is a progress version. At least there's been signed up to it at that particular stage. But with the actual tracker, what how would we know as examining authority that actually the other party has actually agreed to the summary of where where?

00:26:40:22 - 00:26:42:04

Where the parties are at the moment.

00:26:42:24 - 00:27:12:06

Mr. Fox himself the applicant. Think we'd envisaged that tracker wasn't going to be a statement of substance. It was going to be here's where we got to in the negotiations. So similar to we'll come to it the tracker. But it's, you know, simply just a, you know, we've continued negotiations with Cadent. We've had team meetings. We're going to it wasn't it wasn't going to be a hit with where we are on Substance tracker.

00:27:14:04 - 00:27:22:28

Okay. Thank you. Those are my questions on that. As I say, we'll we'll go away and consider that and confirm in our rule eight letter And.

00:27:25:13 - 00:27:26:12

With regard to.

00:27:26:21 - 00:27:31:23

My action group. Mrs. Holloway, I've read your submission in writing.

00:27:33:10 - 00:27:34:07

On that.

00:27:34:23 - 00:27:42:00

I think you indicated that possibly at a later date and possibly but not at deadline 1 or 2.

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You'd like to just.

00:27:47:05 - 00:27:48:12

Summarize that, Mrs..

00:27:48:14 - 00:28:27:17

Holloway, from our past action group. I think I engaged with the applicant back in February, actually on this matter. At the time, I said that until we were fully immersed in the examination, I didn't feel it was an appropriate time. Now that we've arrived at the examination and we understand the process a bit better than we did several months ago, um, I don't feel that there's enough material currently available to the applicant by way of our relevant representation to give them enough insight to create an instructive statement of common ground.

00:28:27:19 - 00:29:03:28

And when I look back at, um, they noticed Seneca's submission, their first submission, it didn't really add very much value even by the time it got to deadline eight. Uh, you know, it still wasn't that comprehensive. So I'd like the applicants have the opportunity to see what's in our written representation because there will be a lot of detail and from that they'll be able to have a good starting point. So we're quite happy to engage. I think it's just a factor of the timing and making it add value and we want to also focus the resource we have.

00:29:04:00 - 00:29:17:02

You know, we're not abundant experts and etcetera to make sure that our written representation is as clear as possible to to everyone, the examining authority and the applicant.

00:29:18:07 - 00:29:49:12

Okay. Thank you. I understand what you're saying on that. And obviously, when one can be provided with the relevant information, that can be useful to us as the examining authority, because there's lots of issues where there's either agreement or disagreement on on matters, matters of mitigation, for example, sort of things like draft requirements in the centre, order about anything else but that, that that can be very useful for us as a, as a document. But I understand what you're saying about the timing of, of that.

00:29:50:22 - 00:29:51:07

Okay.

00:29:54:00 - 00:29:56:05

Anything further on statements of common ground.

00:29:58:17 - 00:30:09:22

Okay. The next procedural decision is what's on local impact reports, which I think we've already discussed in detail. So don't propose that we go back over that ground and.

00:30:11:15 - 00:30:19:08

Which brings us on to site inspections I carried out. There was originally a robbery. This was originally.

00:30:22:12 - 00:30:25:02

Appointed as a single examiner.

00:30:25:04 - 00:30:39:29

And then more recently, Mr. James has come on to the the panel I carried out before Mr. James was involved in a company, a site inspection in March, and there are details of where I went on the Planning Inspectorate website and.

00:30:42:04 - 00:31:14:19

Mr. James obviously hasn't seen the site yet and we're going to be doing another unaccompanied site inspection in the next few days from public vantage points, which will be going over similar places to where I went on my initial site inspection. And the idea behind this is just so Mr. James can get a sort of general familiarization of the site. It's not intended to replace any sort of further site inspection during the actual well, we'll be doing the examination, but not the, not the potential, the company site inspections.

00:31:14:29 - 00:32:03:01

But we've already seen what we will have already seen lots of the site. But by not by no means not all of it. And obviously we've reserved dates in the draft examination timetable for a company site inspections. Touched on the potential for another two dates to be or two days to be added where it's necessary for us to make an inspection in the company of an interested party, for example, where private land is required. And it may also be possible to view particular particular locations on an access required basis where we go into, for example, a particular field owned by a particular farmer and we are allowed to go on to that site to have a look at things that we can't see from public vantage points in the timetable.

00:32:03:10 - 00:32:27:20

There is a deadline for this is deadline one for any party to submit any suggested locations for our future inspections. It is not our informal inspection this week. It's going to be further on its examination. And then we would ask the applicant to put together a draft outline of where we should go to and.

00:32:29:25 - 00:33:00:11

And that is requested deadline two. And in doing so, I would request that the applicant liaises with both the local authorities and Mallard Pass Action Group. I'm assuming, Mrs. Holloway, you'd like to get involved in that. If you don't want to get involved in it, then you know you don't need to do. But if you want to do, then obviously that's something which, because I'm aware of, the amount of things that you have would have to do in the examination on top of everything else that you have to do, no doubt. So I'm not saying you have to be involved in that, but just, you know, that could be useful.

00:33:00:21 - 00:33:42:22

And now before ask for comments, our general approach is that. To be honest with you, it's not particularly useful for us to go around the site with lots and lots of interested parties. When we can see places by ourselves from public vantage points. So my thinking on this is that our site inspection accompany site inspection will only go go to private land where we can't get access. I mean, there might be examples, for example, next door to residential properties at the back of certain residential

properties where we just simply can't see the relationship of that property in that garden with the site because we just can't see it from public footpath.

00:33:43:15 - 00:34:14:07

So our preference is for that to happen and we'll be doing more in a company site inspections as well throughout the examination process where we will just go ourselves to look at something or look at a particular thing that we want to look at, maybe because it's mentioned in the evidence. So that would be our general approach, which may mean that the actual company site inspection isn't actually that long. It might just mean going to 6 or 7 places on private land or more. And it may mean that we can go to some places which are private land.

00:34:14:09 - 00:34:56:07

But we've just been we've been told that we've got the we're able to access that land by the landowner. So that would be our preference going forward. And I've done lots of inquiries and events where have been on site with lots of people with me and it doesn't really add anything. In fact, in some respects it makes it more difficult for us to concentrate on what we have to look at because you can't make representations to us on a site visit. You can you can you can point things out to us. But our approach would be that people point things out to us in writing, particularly viewpoints, and we will go and look at them rather than it's not helpful particularly for us to be on site with ten people crowding around us, you know, And yeah, say it will happen here, but it has happened and it's not particularly helpful for us as examining authority.

00:34:56:09 - 00:35:03:13

So that's our proposed approach on site inspections. Any comments on that approach?

00:35:06:01 - 00:35:14:06

And I'll go to you last, Miss Fox, because probably easier that goes for interested parties. And I'll go to the applicant finally, Mrs. Holloway.

00:35:16:16 - 00:35:54:15

This is Holloway on behalf of Marlow Pass Action Group. As you can imagine, we very much welcome the opportunity to accompany an unaccompanied unaccompanied sighting inspection. Um, we looked very carefully at the locations that you went to and feel that no doubt based on limited time, there were some missed opportunities and we're working on a very detailed spreadsheet to kind of give you a sequential experience of some routes, um, to take into account a wider set of issues.

00:35:54:27 - 00:36:34:14

Uh, and that we were planning to submit for the deadline of the 30th of May. Now, obviously, if you're coming back to the site before then, maybe there's an opportunity just through a written communication to provide some early information on that. But we would very much welcome the opportunity not just for future site inspections, accompanied ones just to be on private land. Given the size of this scheme is is so huge, it needs to be given the opportunity to be seen in its entirety.

00:36:35:09 - 00:36:47:26

So, you know, very much request the opportunity, as I say, both if you intend to go in the next few days to give some feedback, but also for the our input into the 30th of May submission.

00:36:48:07 - 00:37:21:24

I think for the one we do in the next few days, we'll we'll do. It will be a general site inspection to get our, you know familiar with with particular sites for Mr. James to get familiar with the the site rather

than the sort of the detail and the detail will then come following the itinerary which will be produced with helpful submissions that you've just talked about. Think if you provide those submissions, we can then see what the itinerary is and at that point we can then decide which sites had looked at, accompanied which unaccompanied and how many days, hours, etcetera we need for it.

00:37:21:26 - 00:38:00:17

And I'm aware of the size of the site. I've already walked several of the footpaths, but I think one of the useful things think we should do together is walk all the footpaths in and around the site. Obviously that's going to take a bit of time and I wouldn't necessarily want everyone to accompany. I don't think we need to be a company on that. And what people would necessarily might want to don't know. But there are some things I think we can do helpfully unaccompanied, whereas other things could be particularly private land. So if everyone can make those submissions and the local authorities as well on that, and then there can be a, if you like, an itinerary for the site inspection, then we can decide how long is needed for it and when it is.

00:38:01:06 - 00:38:15:14

Bearing in mind that we are thinking about putting an extra two days in the schedule or the timetable for this. Any further views on the site inspections before I come back to Mr. Fox?

00:38:18:15 - 00:38:20:01

Yes. Please give your name, please.

00:38:20:03 - 00:38:20:18

And

00:38:22:03 - 00:38:34:09

Andrew Beamish. Events in Tents and Mallard Point. Will you be doing visits for both the application and compulsory acquisition separately or at the same time?

00:38:34:20 - 00:38:50:00

We do them as part of the together with the um, both issues at the same time for the site visit because obviously it makes sense if we're in one location looking at one thing and there's a compulsory acquisition issue on something else, it makes sense for us to see that at the same time.

00:38:50:02 - 00:38:51:12

So okay, Thank you.

00:38:58:08 - 00:39:00:08

Okay any more.

00:39:03:03 - 00:39:04:05

Okay, Mr. Fox.

00:39:04:26 - 00:39:37:14

Thank you, Mr. Fox. On behalf of the applicant. I just wanted to make two practical points. Um, firstly, I'm sure you would have seen in your unaccompanied inspection is that the, um, the parking situation would be quite difficult. Um, so I'm conscious of what you said. We would be, you know, willing to organise as many of us, for example, if that became necessary to facilitate journeys and appreciate your talking about going on to private land, but to get between them and to park, etcetera.

00:39:38:05 - 00:40:12:21

It would be, it would be difficult think with 12 different vehicles, for example, when we want just one minibus. Um, some of us on the applicant team went out yesterday and that was very noticeable that, you know, you know, especially with the verges being protected etcetera, we'd want to be minimising impacts. So just to, to say that. Um, secondly, in terms of getting access to private lands, now obviously we would be, um, you know, definitely willing to facilitate access onto the land for the people that we've been working with to reach option agreements.

00:40:13:06 - 00:40:49:08

Um, but um, the example you gave there of going into the kind of the gardens and residences, a lot of time they're not in our red line. We don't necessarily have a relationship with them. Um, kind of contractually or from a property point of view. Um, so whilst obviously we can do our best to facilitate those things in properties that were the subject of our residential amenities, for example, where I imagine you'd want to look, I would just say that in terms of being able to, we can't make any promises essentially because they're not parties who we have a relationship with.

00:40:51:11 - 00:40:52:12

Okay. Thank you.

00:40:52:17 - 00:41:23:03

I agree with what you said on your first two points. On the last point, I think if everybody. I'll come back to you in a moment. If everybody can contribute to that process in terms of if there's a particular residential property, for example, that we should go to and the applicant can't get a arrange access because of the lack of relationship with the actual person, if Mrs. Holloway and others can help to implement that. That seems to work quite well on another site inspections that that we've done. So I'm sure that that can be facilitated.

00:41:23:05 - 00:41:31:01

Obviously, we're not allowed on land, we're not allowed on land, but hopefully access can be facilitated where needed. Okay.

00:41:31:21 - 00:41:32:06

Uh.

00:41:33:11 - 00:42:03:22

This baffled parish council from a practical point of view and to help facilitate the site inspections. I appreciate the comment on car parking and minibuses. So the village hall has a very large car park and we would be very happy to accommodate you as long as it's booked accordingly with village hall. Equally, in our village of Sandy. We have a bus company called Bland's Bland's. We respectfully request that you bring your money and give it to Bland's when you are hiring a minibus.

00:42:03:24 - 00:42:10:09

Please. They run everything from very small 12 seaters up to 54 seaters.

00:42:10:14 - 00:42:14:27

Okay. Thank you. Thank you, Mr. Berthold. That is noted. Thank you.

00:42:16:08 - 00:42:17:01

Right.

00:42:26:23 - 00:42:27:08

By some.

00:42:27:10 - 00:42:29:09

For on.

00:42:29:16 - 00:43:07:03

Procedural decisions relates to the applicants additional submissions. I think part four of Annex four sets out the the details that we previously decided to accept as or the documents. Rather, we've previously decided to accept as additional submissions and these primary related information documents that were requested by the Planning Inspectorate in section 51 advice alongside the Planning Inspectorate decision to accept the application for examination on behalf of the Secretary of State. And this is also, I think, a convenient place to discuss the further documentation more recently submitted by the applicants at procedural deadline.

00:43:07:05 - 00:43:22:09

A a copy of the updated draft development consent order was an item that we requested in our previous section 51 advice, and that was due to the omission of some protective provisions from that original document, including Network Rail.

00:43:24:10 - 00:43:40:11

So before I invite any comments on the additional submissions that have been provided as part of the applicants or procedures that deadline a submissions. Mr. Fox, would you just like to explain the reasons for the submission of the further documents at that deadline?

00:43:41:03 - 00:44:14:00

So Mr. Fox I'm part of the applicant. Um, so we submitted updated clean and change versions of the Construction Environmental Management plan, which is examination by reference PDA zero five and the Soil Management plan, which is examination reference 007. Um, both these reports were submitted because Natural England had made a number of comments. And, you know, in order to try and resolve these things as soon as possible.

00:44:14:08 - 00:44:52:00

Um, we have changed in a reflection of their comments. Um. It's not that those reports and then the other report that we submitted, it's a supplementary trial trenching report. So this supersedes the interim report that was submitted with the application and presents a consolidated document reports and results of all the trial changing activities carried out and including accounting for the final tranches, the trenching. And because of that final trenching being completed, allowing for more detailed consideration of the findings, which weren't in the interim report.

00:44:52:18 - 00:45:05:25

And I think it's important to emphasize that this document was a factual report and brought reporting what we found. It doesn't contain any information which changes the conclusions of the or the accompanying appendices.

00:45:07:15 - 00:45:16:12

Nothing's changed in terms of these estimates of significance of effects or the suitability of the mitigation proposals that the applicant has put forward. So it's a factual report.

00:45:22:01 - 00:45:31:02

Thank you. Any comments from any party on those on the submission of those additional submissions?

00:45:34:27 - 00:45:38:24

Okay. Thank you. There will be obviously opportunity to.

00:45:40:13 - 00:45:59:22

Parties make comments on those as part of their written representations. Cross Local Impact Report as relevant. We will make though, a procedural decision in our Rule eight letter on whether or not to accept those documents that we haven't accepted so far because just wanted it raised at the.

00:46:01:29 - 00:46:31:28

At this meeting because they weren't documents that were particularly invited at that that that deadline. Thank you, Mr. Fox, for your explanation for why they were submitted and in writing as well. Okay. Moving on to item five, which is compulsory acquisition updates. And I think, Mr. Fox, in your letter you suggested the use of a schedule and negotiations and powers sought document as provided for by application reference app 24.

00:46:34:26 - 00:47:05:02

From our point of view? Not necessarily. Don't think you probably need to introduce this, but from our point of view, I think that sounds acceptable in principle, providing that all the information that we would normally request in our normal pro forma is included in there. I know that's been used in other examinations that I have seen, and I agree that a single document is advantageous, but some documents would and I'll draw attention to your response to relevant representations.

00:47:05:04 - 00:47:29:28

Document had lots of different appendices, but there was no page numbers for those who actually defined appendix for know response to individual relevant representations takes a bit of finding. So if you could bear that in mind for those sorts of those sorts of documents, but we'll confirm our agreement or not in our in our earlier letter on that. But don't let anybody else get anything to say. This is a schedule of

00:47:31:25 - 00:47:38:14

updates on where the applicant is on compulsory acquisition matters that this relates to. Is there anything further you want to say?

00:47:38:28 - 00:47:41:24

No, Thank you, sir. Okay.

00:47:42:17 - 00:48:17:07

Similarly, think the updated guide to the application. This will be regularly provided by yourselves as the applicant and the idea behind this document. Obviously there are some documents that change throughout the examination and this updated guide to the application document just sets out clearly about what version is the most up to date version. So it's a really important document so everyone can understand which is the most up to date version and which has been superseded and that will have to be submitted by the applicant at any deadline where there are updated documents provided.

00:48:18:15 - 00:48:20:12

Anything further on that point?

00:48:23:04 - 00:48:35:11

Similarly, item seven is. Policy tracker or policy accordance table, whichever one you want to call it. And again, I think you've already mentioned, Mr. Fox, that a

00:48:36:26 - 00:49:10:07

well, a summary version was submitted, wasn't it? But the expectation is obviously there's a variety is that this is submitted as necessary through the examination to deal with any changes in policy. I don't know yet where the draft when the even when the draft national policy statement policies of relevance will be designated. But that obviously would be a critical one where that would need to be updated, but also where anything else changes as a result of other submissions during the examination.

00:49:11:03 - 00:49:44:26

Mr. Fox The applicant, yes. So at deadline two will submit updated trackers which account for the draft revisions to the NPS. I should say also that at that same deadline we are currently the team is currently determining whether it will be a whole new version or whether there'll be addendums of the planning statement and the statement of need to account for that as well, because the trackers were an appendix and planning statement. But the front end of the planning statement had kind of analysis as well in an overarching sense.

00:49:44:29 - 00:49:53:14

So we're just thinking what's the most efficient way to to update that and and whichever method we choose. We also met that at that 19.

00:49:54:19 - 00:49:58:06

Okay. Okay. Thank you. Um.

00:50:00:01 - 00:50:09:12

Any comments from anybody else? Any of the matter under procedural decisions is the submission of the updated draft development consent order, which has already been covered.

00:50:10:00 - 00:50:10:15

In.

00:50:10:17 - 00:50:13:27

Our discussions. So I don't think I'll need to come back to that.

00:50:16:02 - 00:50:20:19

Okay. Any further comments on our procedural decisions that we've made so far?

00:50:22:09 - 00:50:30:23

So we can now move on to item six. That is any other matters of relevance to the preliminary meetings or any other procedural matters.

00:50:41:00 - 00:51:08:19

I've got a short list of these to introduce from written submissions that have been made already. Conscious of time. Hopefully get through these quite briefly. Mr. Fox, one of the things raised in the your letter was the rebranding of the development arm of Canadian Solar, which was mentioned in the permitted in the procedural decision a letter. Would you like just to summarize that so that everybody is aware, please?

00:51:09:20 - 00:51:29:18

Yes. Thank you, sir. Folks, I'm half the applicant. So as we explained in the funding statement, the majority shareholder in the applicant companies Canadian Solar. Last month, Canadian Solar announced a rebranding of its utility scale. So don't energy storage project developer to recurrent energy.

00:51:31:12 - 00:51:46:02

Current Energy had previously been the developer of its projects in North America and it will now do so globally. But the key is that that rebranded company will continue to be the majority shareholder in the applicant.

00:51:49:27 - 00:51:53:11

And the further information is available on the Canadian side of websites if people want to talk.

00:51:54:18 - 00:51:55:09

Okay.

00:51:55:11 - 00:52:25:15

Thank you. There's one point general point for me. Think on that submission. There was a website link attached to the submission. Think or it might have said refer to the website. I think from my point of view. If a document is going to be taken account, it has to be actually submitted the document. We can't look at website references. It's a general point for everybody. We can't look at website references. We don't know if things have been updated. Sometimes you go on to a website and simply you can't get to it. So if you're relying upon a document, then send send us a copy of that document.

00:52:25:17 - 00:52:31:08

Obviously, electronically is fine rather than relying on a a website link.

00:52:31:17 - 00:52:39:20

Yes, understood. Just to clarify, in this situation, we weren't we're not relying on that website. It was more for the interested parties to be aware.

00:52:42:12 - 00:52:43:02

Okay.

00:52:46:14 - 00:52:55:00

And there's some further points raised on other matters from parties, not necessarily in the room today. One of them is from a mr..

00:52:57:18 - 00:53:31:07

After asking whether or not the Secretary of State for Environment, Food and Rural Affairs will have a say on whether or not the proposed development is approved. And I would say that our recommendation will be made, obviously in accordance with the Planning Act 2008 and talking taking account of all important and relevant matters and will be considered by the Secretary of State for Energy security and net zero who is responsible for making the final decision? That is how the process works. As I understand it, he or she will be the decision makers. It's not something really that we can comment on anymore and.

00:53:37:01 - 00:53:40:00

There's a point in writing being raised by.

00:53:44:13 - 00:54:08:22

Mr. Davis expressing concerns about opportunities for residents to make representations orally and in writing, and also questioning what checks are undertaken to ensure the validity and integrity of reports. I think it was something that we discussed briefly earlier on in terms of our role and the role of local authorities, etcetera, in that. And we've.

00:54:08:24 - 00:54:09:18

Tried to.

00:54:09:20 - 00:54:20:09

Provide as much notice as possible for written representations and we will also also for hearings within the timetable. There's a minimum notification period for 21 days for hearings, for example.

00:54:20:19 - 00:54:21:10

And.

00:54:22:27 - 00:54:30:23

Obviously the written representation deadline is an important one for parties to send in their detailed written representations on An on point.

00:54:30:25 - 00:54:33:14

B would simply with regard to the B.

00:54:33:16 - 00:55:07:04

Like questioning what checks are undertaken. It's our role as examining inspectors to examine such documents, taking into consideration representations from members of the public and statutory consultees and local authorities. There is a it is possible for the examining authority to appoint an assessor if this is required to assist with evidence of a particular specialist or complex nature. However, this is not considered to be required at this point, probably fairly infrequently that it does happen, but it can happen and we have the ability to appoint an accessory.

00:55:07:06 - 00:55:13:12

We need particular assistance on any particular specialist or complex information.

00:55:17:24 - 00:55:53:27

Another the point in writing being made by Miss Linda Davis, and this relates to, again, time needed to understand documents which we appreciate. And we're trying to give people as much time as possible in deadlines, acceptance of late representations. I think the deadlines are important and I would really stress how important the deadlines are and in terms of not missing them. I think if a submission is late for a really legitimate reason, then when the when the submission is put in, then set out the justification for why it is late.

00:55:53:29 - 00:56:18:24

But our general approach will be that any any submission after a deadline won't be able to be accepted unless there's a particular reason, because obviously there's quite a lot of detail, a deadlines and examination process. There's lots of information that we've got to go through and once deadlines start to be missed, it really makes it very difficult to manage the examination process. So if you can please keep some of the to the deadlines and.

00:56:21:26 - 00:56:24:17

Disappointment raised about the language used.

00:56:26:06 - 00:56:50:15

And we will endeavor and think all parties should endeavor to to provide as clearer language as possible in communications and obviously look at the applicant in terms of its information and that the use of summary documents can occasionally be helpful as well. Bear in mind that some people might not want to read the whole document, so sometimes some reasonings, executive summaries can be helpful and tables can be helpful in statements of common ground, etcetera.

00:56:51:00 - 00:56:51:15

Um.

00:56:52:21 - 00:57:22:02

And about registration on hearings, the points being made about why do people need to register for each hearing. It is important again for the management of the examination. If we don't know who's coming to each particular hearing, it makes it difficult to plan the room, plan the agenda. So whilst they are public meetings, please register at the relevant points in the timetable. If you want to attend particular particular meetings and like for example for the open floor hall meeting to open floor.

00:57:22:20 - 00:57:23:05

Uh.

00:57:24:15 - 00:57:52:22

Hearing tomorrow in the morning and the afternoon. There's only a sort of specific amount of time for those hearing and wants the slot to get full. Then the meeting will be full. Obviously there might be another open floor hearing, but again, that makes registration before hearings important. Okay. That's just a summary of some of the points that have been raised in writing to us on procedure. Is there any are there any other matters that anybody wishes to raise on procedure at this point before we finish?

00:57:54:29 - 00:57:59:04

Mr. Fox. Mr. Fox In part, that's just a minor point.

00:57:59:06 - 00:58:23:01

Really, but it was just for the benefit of the people in the room. Just to highlight that, we've submitted a response document to the relevant representations that were submitted under examination. Library Reference PDA zero 12. Um, so if people, um, to help in the preparation of their written reps, um, of just bear in mind that we have done that.

00:58:28:29 - 00:58:31:12

Okay. Thank you for that clarification, Mr. Fox.

00:58:31:18 - 00:58:34:02

Erm. Here with me a second.

00:58:43:03 - 00:58:47:16

Okay if there's no further comments today. Uh.

00:58:48:08 - 00:59:08:23

Thank you for everybody contributing so fully and usefully to this meeting and for all the submissions made in writing as well. And that includes. Thank you for those joining us remotely as well. And for those people who are just listening in remotely as well. We look forward to working with everybody throughout the examination. We obviously need to go away.

00:59:08:25 - 00:59:09:12

And reflect.

00:59:09:14 - 00:59:38:15

On what's being said today. And our Rule eight letter will include confirmation of the examination timetable and this will be published during the course of the next one. Next Tuesday, we're aiming for publication of that or being or being well, and both a written note and a recording of the proceedings today will be made available as soon as practicable on the Mallard Solar Farm page of the Planning Inspectorate's National Infrastructure website and for any administration questions and administrative questions that you may.

00:59:38:17 - 00:59:39:18

Have, then.

00:59:39:20 - 01:00:14:05

Please talk to Mr. Johansson and his team today who will be able to help you? Uh, please don't approach us as examining authority or try and talk to us. Not because we're unfriendly. It's just that for fairness, if somebody raises a point to us, everybody has to hear that that point. So we can't get involved in individual discussions with any party. Uh, everybody who wants to be present has to listen to, to anything that's said to us in the interest of fairness and impartiality. Finally, I'll take the opportunity to remind you that the open floor hearings will be held at 10 a.m.

01:00:14:07 - 01:00:21:16

tomorrow morning and 7 p.m. tomorrow evening, and unless there's any final.

01:00:22:09 - 01:00:23:03

Points.

01:00:25:19 - 01:00:27:05

I can thank you, everybody.

01:00:27:07 - 01:00:32:01

And this meeting is now closed. Thank you.