

Mallard Pass_ISH2_13 July_PT5

Created on: 2023-07-13 10:35:01

Project Length: 01:26:26

File Name: Mallard Pass_ISH2_13 July_PT5

File Length: 01:26:26

FULL TRANSCRIPT (with timecode)

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

Good morning. It is now and time for the issue specific hearing to to continue.

00:00:13:06 - 00:00:27:21

I'd like to welcome you all to this final part of the hearing on environmental matters. To finalise the agenda as we began yesterday in relation to the proposed Mallard solar farm. Kind of just confirm that everybody can hear me clearly.

00:00:29:13 - 00:00:30:00

Thank you.

00:00:31:22 - 00:00:37:05

Can also confirm with Michelle Gregory that the live streaming and recording of this event has commenced.

00:00:39:20 - 00:00:51:19

Thank you. My name is Mark James. I've been appointed as a member of the panel to examine this application. I'd like to ask my colleague to introduce himself. Good morning. My name is.

00:00:51:21 - 00:00:53:26

David Cliff, and I'm the lead member of the panel.

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

I don't intend to go through the rest of the formalities in terms of instructions from yesterday, but I think it would help at this point if there are any interested parties here today who went to yesterday. If you could introduce yourselves, please think that would be helpful point at this at this moment.

00:01:18:03 - 00:01:22:04

Julie Smith. Rutland County Council. Local Highway Authority.

00:01:22:28 - 00:01:23:15

Thank you.

00:01:27:13 - 00:01:29:21

Mr.. Fairfield.

00:01:30:15 - 00:01:32:06

Trevor Burton, Parish Council.

00:01:32:20 - 00:01:33:05

Thanks.

00:01:36:16 - 00:01:43:09

Other new interested parties joining us online today. Mike Wallace, you have your hand up.

00:01:45:17 - 00:02:06:11

Yeah. Good morning, sir. Mike Wallace, Lancashire County Council. Yeah. Just to say I've got some colleagues on the line today will be joining us, if I can introduce those. That's John Allen and Matthew Adams, who are historic environment officers within the County Council, and Mr. Andrew Savage, who's the public rights of way over to let them introduce themselves.

00:02:18:02 - 00:02:26:15

Good morning, sir. My name is Jan Allen. Ms. or Mrs. is fine. I'm an archaeologist working for Lincolnshire County Council.

00:02:29:03 - 00:02:29:18

Thank you.

00:02:33:14 - 00:02:43:11

Good morning, sir. My name is Matthew Adams. I'm a historic environment officer with Lancashire County Council. Mr. is fine and I'll be coming commenting on the cultural heritage action today.

00:02:45:13 - 00:02:46:00

Thank you

00:02:47:27 - 00:03:18:07

for the benefits. Who are people who weren't here yesterday? I'll just recap on some of the housekeeping matters and can everyone please set their devices and phones to silence, avoid any disruptions during the hearing? And the toilets are located out to the rear on the left and side of the room there. There are no plans for our alarms this morning, and if anything does arise in that matter, the fire exits out of the rear there as well.

00:03:19:11 - 00:03:50:20

Um, in terms of the agenda, um, yesterday we didn't manage to get on to item number ten socioeconomics, which is a discussion around permissive paths. And however, because there is some crossover with the item and the item number 12 in relation to in combination effects and effects on users of rights of way and we're minded to take item ten after item 11 if everybody is agreeable.

00:03:50:22 - 00:04:06:23

So that would mean we're starting with cultural heritage this morning. Is that. Is that great? Where everybody. It appears so. Okay. Thank you. We'll proceed on that basis then. So and over to my colleague, Mr. Cliff, for item number 11.

00:04:13:01 - 00:04:13:19

Thank you.

00:04:17:08 - 00:04:27:10

Think it's clear from those introductions. I was going to ask who's actually speaking on this item. But think as we've just done that, that's already clear, so I won't go over that again. But welcome, everybody, who's joining us today for the first time.

00:04:29:16 - 00:05:00:13

Most of the questions I've got that I want to explore this morning at this hearing relates to archaeology. Um, and if could start, that's both the evaluation and the proposed mitigation and could just start by asking the applicant if there's any particular update that everyone should be aware of

beyond the position at the last deadline. Or are we as we are in terms of the position at the last deadline?

00:05:02:08 - 00:05:02:23

Yeah,

00:05:04:10 - 00:05:06:12

no update since deadline three.

00:05:09:19 - 00:05:10:04

And that.

00:05:11:09 - 00:05:31:21

Okay. And are the discussions going on between the relevant parties seeking to iron out two possible matters or find agreement if there is agreement? Those discussions are ongoing, discussing requirements and for example, and things like that. Sorry, just be specific. If you're asking about all the discussions about heritage generally.

00:05:32:21 - 00:05:54:16

Uh, yes, but in terms of that matter, in terms of the extent of evaluation, um, then I think we kind of are where we are on that, right? Um, if it helps. And then I'll introduce, um, Mr. Rob Sutton is director at Cotswold Archaeology and is our archaeological and heritage expert. He bit more colour on that.

00:05:57:20 - 00:06:06:08

So, yeah, very specifically, in answer to your question, though, no further conversations have been had, haven't always already been presented in the evidence that's come forward to you, sir.

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

Okay. Thank you. That's that's clear. Thank you.

00:06:17:01 - 00:06:57:01

Okay, In that case, I'll move on and think the position. Think I'm writing saying the position of Lincolnshire County Council and Rutland County Council is broadly similar. Uh, and as I understand it, that Lincolnshire County Council are sort of acting for an historic matters for South Kesteven District Council. Is that is that a fair summary? Uh, presumably when you have applications under section 78 regime for matters that affect archaeology or or designated assets, whatever it might be, is it Lincolnshire County Council who provide your specialist advice?

00:06:59:13 - 00:07:24:27

And Phil Jordan for the district council. Not usually. We have a service level agreement with Heritage Trust, Lincolnshire, but that agreement doesn't extend to projects. So for the purpose of this application and this proposal, we've deferred comments on archaeological matters to Lancashire County Council.

00:07:26:11 - 00:07:38:13

Right. So is it fair to say that Stephen's view on historic cultural heritage matters then follows Lincolnshire County Council's view?

00:07:39:14 - 00:07:40:20

It would be, yes.

00:07:40:24 - 00:07:43:04

Right. Okay. And.

00:07:45:08 - 00:08:13:23

Yesterday morning we heard about the Stantec review of the environmental statement. How does that fit into these discussions? Because obviously in the Stantec review, in the environmental statement, it agrees with the methodology in the environmental statement, whereas obviously there are issues about, I suppose, not so much maybe the actual precise nature of the methodology, but as I'm sure we'll be hearing in the next half hour or so, the actual amount of trenching carried out have been one of the things which obviously we have picked up.

00:08:18:22 - 00:08:36:22

Phil Jordan for South Kesteven District Council. I think the comments I've made with similar to yesterday, in fact that review effectively being commissioned by Rutland and Southwark, Stephen being a high level review of the environmental statement and

00:08:38:11 - 00:08:43:16

notwithstanding that sort of where the more detailed.

00:08:45:24 - 00:08:49:11

Responses or views on topics. We have

00:08:50:26 - 00:08:57:04

referred to those and think in this case, for the purposes of archaeological matters, we would,

00:08:59:06 - 00:09:01:15

you know, support the views of Lincolnshire County Council.

00:09:04:05 - 00:09:06:15

Okay. Thank you. And if can come on to.

00:09:08:06 - 00:09:35:01

Assuming that the views of Lincolnshire and Rutland are very similar. I don't know. It'd be useful just to get an overview just so everyone is clear of what the main issues are in relation to archaeology. So who would like to? To lead on this. Don't no mind of you both want to do it. There's one one of you in particular. Again, assuming that the position is broadly broadly similar to avoid to avoid duplication.

00:09:37:07 - 00:10:05:04

John Allen, Lincolnshire County Council. Thank you, sir. We both work together on projects. You'll be aware that Lincolnshire is leading the field in numbers of insects. So Matt and I both cover each other on these things, so I'm happy to lead or happy to defer to Matt if he has anything to say on specific questions. But between us, we'll we'll answer whatever your questions are. Thank you.

00:10:05:18 - 00:10:18:03

Okay. And would you like to just then give an overview of what Lincolnshire County Council's position is regarding archaeology? Just the just this the main highlight points. So in a way to set the scene for the for the discussion that will follow.

00:10:19:10 - 00:11:08:21

John Allen. Yes, sir. Okay. So you'll be familiar with the fact we need to do enough evaluation to inform the mitigation strategy, which at the end of the day is dealing with the impact of the development in terms of national infrastructure projects. That's obviously quite a significant amount of work and amount of money, and it needs to be done in accordance with the planning framework, with regulations, with our own professional Chartered Institute for Archaeology Standards and

Guidance, um, in every other and CIP that we're dealing with, they have agreed to 2% trenching following a comprehensive geophysical survey to inform that trenching programme.

00:11:09:02 - 00:11:48:19

So they undertake a desk based work. Uh, actually in this case, we still don't have a final desk based assessment. Um, we have the geophysical survey and the results of that is then taken forward into the trenching programme so that we target anomalies which may or may not be archaeological. And we also target what are called blank areas which are areas where previous evaluation technique have not identified archaeology, but there's types of archaeology such as burials, which doesn't show up in geophysical survey.

00:11:48:21 - 00:12:39:11

So, um, we then move forward with the process of undertaking trenching and that then informs the archaeology in terms of where the significant areas of archaeology are. And then those move forward into mitigation responses, which is either dealing with the archaeology in an archaeological way, digging it up and then recording it, and then the area is left to the developer, or there's what we call preservation in situ, which in this landscape actually, since the archaeology is very close to the surface, I know in the trenching results for this programme it was from 30cm from the current ground surface, so there's not a lot of impact that could happen that wouldn't have an impact on the archaeology.

00:12:39:13 - 00:13:13:11

And that is not just things like digging holes in the ground, it's also, um, doing a little scrape to level the ground before it's then impacted by putting shoes down, for example. There's also compaction of heavy machines and things like that. So for us in these circumstances, preservation in situ areas, we would need to know where these areas are, where the extensive them are to make sure that we actually have an enforceable preservation in situ programme which consists of putting up fencing.

00:13:13:13 - 00:13:46:20

So the whole area is taken out. There's no tracking, there's no storage of anything and it just stays there. There's also the potential for there to be impacts on things like the soil and the hydrology, which can also impact on archaeology if it's left in the ground. So it's it's a it's a programme, it's perfectly reasonable. It's part of what we do in terms of it being a perfectly normal standard suite of archaeological techniques that moves forward with the minimum possible in accordance with the framework.

00:13:46:28 - 00:13:53:03

And we then hopefully at the end, at the end, end up with a programme of mitigation areas which we then

00:13:55:02 - 00:13:57:27

move forward with once the permission is granted.

00:14:00:18 - 00:14:04:16

Does that cover what you were looking for? So, yes.

00:14:04:18 - 00:14:06:23

That's helpful at this stage. Thank you. And.

00:14:08:19 - 00:14:41:08

You referred think in your written material. You refer to the your view that the applicant's archaeological evaluation doesn't comply with relevant practice and policies. In terms of trenching. What particular policies, practice, guidance, whatever it might be, actually sort of advises or gives

guidance or sets out sort of provisions for this in terms of the percentage or the amount of trenching that should be should be done, because I think you've repaired a few times, but not according with archaeological practice.

00:14:41:17 - 00:14:50:24

But can you just sort of help me with in terms of which particular documents, policies actually sort of go into that detail about saying that what level should actually be carried out by a by an applicant?

00:14:51:13 - 00:15:25:00

Of course. So, Jan Allen, um, this is a massive problem and this is the problem that we have with this team, which is that it isn't written down anywhere. So the guidance says that it needs to be reasonable and it needs to be undertaken to an agreed written scheme of investigation. So I guess the key is to not move forward with anything until we have that agreement. In this case, we had a written scheme of investigation, which was the methodology. The wording was agreed, but the trenching, which obviously was attached to it, the trenching plan was not agreed.

00:15:25:09 - 00:15:39:01

And we decided. Um, to let them move forward so that there would be at least something. But I was actually at a meeting last week with the, um, the Regional Association.

00:15:42:04 - 00:15:42:19

Okay.

00:15:45:12 - 00:15:47:02

And you're frozen, Ms.. Allen.

00:15:49:08 - 00:15:52:04

I don't know if you can hear me. Suspect you might still be able to do.

00:15:56:02 - 00:15:59:28

Just give this one a few moments. It's obviously it's a teams issue, isn't it? Um.

00:16:00:21 - 00:16:01:09

Hello.

00:16:01:16 - 00:16:09:26

You're back. We lost you for about 30s or so. So if you can just rewind for 30s and then continue. You just froze for a short while.

00:16:12:19 - 00:16:13:25

Think you're frozen again.

00:16:15:28 - 00:16:26:01

If you can hear me. But you may still be able to do if you turn off your camera, it might help. Uh, right. Think you're.

00:16:26:28 - 00:16:27:21

Are we better?

00:16:28:12 - 00:16:33:25

Yeah. Sometimes if you turn the camera off and teams don't know, the audio tends to be can be better. Uh.

00:16:35:13 - 00:16:36:04
Am I here?

00:16:36:15 - 00:16:41:28
Yes, I can hear you. Can't see. But think the most important thing is that we can hear you, so.

00:16:42:00 - 00:17:00:02
Okay. Thanks so much. Okay, so I attended the East Midlands Association for Local Government Archaeological Officers, and there is consensus that everyone asks for between 2 and 3% following a comprehensive geophysical survey.

00:17:03:00 - 00:17:13:26
In Lincolnshire, we've asked for 2% trenching with a 2% contingency. Uh, to my recollection, I think there was one site where we asked for an additional.

00:17:17:26 - 00:17:19:06
Think you've dropped out again.

00:17:20:28 - 00:17:21:13
And.

00:17:23:23 - 00:17:25:10
Just give me a few moments.

00:17:30:04 - 00:17:40:23
It may help. If you can still hear me. If you. Log out and log back on to teams. That's my second team's tip. Uh.

00:17:43:09 - 00:17:48:06
Let's just give him this on a moment to see if that can be that can be done.

00:17:53:04 - 00:18:00:15
If I may, sir. Mike Wallace, Lincoln County Council. I can see Matthew Adams has got his hand up. Um, who's Jan's colleague?

00:18:01:26 - 00:18:08:22
Yes. Can see that as well. Um. Is that right? Think you reappeared, Miss Allen, are you back?

00:18:09:03 - 00:18:12:29
I am. I'll turn my camera off. Thank you, sir. Okay.

00:18:13:01 - 00:18:22:10
What sometimes happens that sometimes it just seems to be a bad line with teams. So if you do disappear again or keep disappearing, maybe log back out and log back in to teams.

00:18:22:20 - 00:18:33:22
If disappear again. If Matt could move forward because I'm I'm conscious of taking people's time and and I'm I'm sure he can help you as as much as I can. Um.

00:18:34:07 - 00:18:43:25

Just say also if you go the the the invite that we've got with our team had a telephone number as well so the teams guys then you might be able to just ring.

00:18:44:06 - 00:18:48:13

Okay. If all, if all else fails there is a the good old telephone.

00:18:49:05 - 00:18:52:28

Yeah. Thank you. I do apologize for the technical difficulties.

00:18:54:04 - 00:18:55:08

It happens to us all.

00:18:57:03 - 00:19:02:28

Um, did I get did you get the the percentages bit at the end? Which was the point. Okay.

00:19:03:08 - 00:19:07:18

Yes. And in Lincolnshire you were talking about 2%. And I think that's when. When we lost you.

00:19:08:08 - 00:19:11:16

Okay. Thank you very much. Got to the point.

00:19:12:29 - 00:19:46:23

Okay. And can I just ask. One question arising from that in that. In the case of this scheme. Is the point that you just feel that the overall sort of general coverage, if you like, the density of trenching, I'm not sure density is quite the wrong word, but the sort of the spatial spatial spread of trenching isn't sufficient or is it a case of its particular areas where you feel there should be more concentrated trenching? In the light of the information that's known from previous evaluations or whatever it might be.

00:19:46:25 - 00:19:48:11

Or is it or is it both?

00:19:49:13 - 00:20:28:00

It's a it's the density. You were you were right the first time. So there are the areas that we realized from geophysical survey will be archaeological areas of sensitivity. And in those areas, the process of trenching is to identify the depth and the nature and the the preservation, the significance. And that's part of the requirement of the evaluation process. The part that we are particularly concerned about is the so-called blind areas, because this is obviously an extensively large landscape of space and there will be archaeology there.

00:20:28:14 - 00:20:54:16

Um, a neighboring and within the first two days they found unexpected Saxon humans within 20cm of the ground surface. So our concern is that when the development moves forward, there will be. Unidentified unexamined archaeology which will be damaged or destroyed by the development process.

00:20:58:06 - 00:21:25:20

Okay. Thank you. That is that is helpful. Does Mr. Adams want to add anything to that or is that that that does that cover everything at this point? I think probably some more questions will result and obviously you'll be able to come in to what the applicant say is in response. But that's that's useful. And just from my point of view, just setting out the scene of where where you're the reasons behind your objection and some detail behind that. So Mr. Adams, anything further to add?

00:21:26:27 - 00:22:00:04

Matthew Adams. Thank you, sir. No, I think Jan Jan's outlined the position very well. It is it is a matter of of there aren't enough trenches in the blank areas. And we found from other sites that the non-intrusive surveys and the desk based settlements haven't identified significant archaeology. And it's only through the trenching process where we have got a full picture of the the archaeology and what the impact can be. And without that, we can't have an informed mitigation strategy.

00:22:00:19 - 00:22:03:12

And I think that's the salient point, sir.

00:22:04:00 - 00:22:22:16

Okay. Thank you. And we'll move on to mitigation when we've covered the evaluation. So, yeah, Thank you. So you can turn to Mr. Sutton for me to go straight to Mr. Sutton. Obviously, we've heard a bit there from Lancashire County Council in terms of the rationale for their response, if you'd like to respond to that, but also just give.

00:22:24:01 - 00:22:41:01

Some background detail on the rationale and the reasoning for the approach taken for the, uh, the trenching. Obviously the actual methodology as understand it before that is agreed. So it is purely or primarily the, the trenching issue that I want to concentrate on.

00:22:41:23 - 00:22:43:03

Do you mind if I start with the question?

00:22:43:05 - 00:22:43:25

Can I take my jacket.

00:22:43:27 - 00:22:48:08

Off, sir? Yes, you may. Yes. You were doing that all yesterday, so absolutely. It does get quite warm in here. Yeah.

00:22:48:15 - 00:22:49:14

Despite the small fan.

00:22:53:10 - 00:23:03:15

Thank you. So I'll take it in reverse then in starting on the rationale. And then maybe you have an opportunity to come back on response to the positions made just then.

00:23:05:28 - 00:23:50:06

Although we're focusing on the archaeological trowel, trenching as a methodological approach for prospecting for buried archaeological remains, we have to remember that this is just part of a suite of the techniques that have been adopted on this scheme to prospect for previously unknown remains. So the test based assessment looked at previous examples and investigations that have taken place in the wider area and within the site itself to build an understanding of the likely potential that was supplemented by reviewing aerial historic aerial photos of the site, which are useful tools for identifying buried archaeological remains through crop marks and soil maps.

00:23:50:17 - 00:24:26:00

We also reviewed the LIDAR data, which can pick up micro topographical differences, which again are useful indicators for buried archaeological remains. We then move into the field and we undertake site visits to see if we can better understand the topography of the site and some of the things that were picked up in the initial disc based assessment. That's then supported by the geophysical survey,

which is obviously in front of you, sir, and which covered the the vast majority with a few small areas, very small, discrete areas next to hedgerows and things like that where it wasn't possible.

00:24:26:02 - 00:24:30:15

But the vast majority of the footprint of the site was covered by the extensive geophysical survey.

00:24:32:00 - 00:25:17:14

All of those things come together and they can test the quality of the other results. For instance, with some of the soil marks or crop marks in the aerial photographs picked up in the geophysics And did the geophysics pick up some of the other things. And they all come together to give us a better picture of what we sometimes call deposit modelling or landscape modelling, where we can look across the whole site and test the quality of the techniques that have been employed. And then we moved to the point in question here, which is the trial tension. And specifically in this case, as is certainly my in my experience, best practice, we targeted a program of archaeological trial trench in over 200 trenches which are presented in the supplementary Trial trenching report, over 200 trenches across Rutland and South Kesteven.

00:25:18:12 - 00:25:26:15

Specifically targeting the areas that are most likely to include important or potentially important buried archaeological remains.

00:25:29:19 - 00:25:43:04

So that included in and across some of those features what we call anomalies that were picked up in the geophysical survey and across other features that were identified as crop marks or soil marks from the aerial photography or from disc based assessment.

00:25:45:04 - 00:25:45:19

Um.

00:25:47:20 - 00:26:06:26

In and around those areas. We also targeted some blank zones, specifically in closer proximity to other areas of potential interest that have been revealed from the geophysics. To further explore whether there were potential remains that hadn't been picked up through the geophysical survey.

00:26:09:03 - 00:26:27:28

So that was the the rationale, if you like, behind the targeted approach we took. Now, that is, in my opinion, specifically in line and in accordance with the guidance. Both emerging in the new draft. Ian three.

00:26:30:06 - 00:26:40:00

But also best practice within the existing one, which is, as you'll be familiar with so broadly replicates what was in the as best practice.

00:26:42:19 - 00:26:55:00

What's key to that process is about proportionality. Getting enough information to understand the potential for impacts on the buried archaeological remains in this instance.

00:26:57:15 - 00:27:05:15

But also what's really critical in this case is the specificity. Got that right. The specifics of the proposed development itself,

00:27:07:02 - 00:27:45:00

and this is included in our representations and other answers to some of your questions, which we've done in written responses. And that's the fact that the likely ground disturbance that can come from a solar development such as the proposed project is very different from other types of far more disturbing types of construction activity that might be found associated with road construction, rail construction, residential or industrial development, where one would see wholesale excavation and earthworks that would disturb very large areas.

00:27:45:02 - 00:28:17:18

And again, just for the rights of any doubt, this is also picked up in the merging three with the recognition of this type of development having a much lesser impact. And hope you don't mind if I'll just bring your attention to what I understand. A recently consented for a solar scheme in Essex long field, which I believe has been referred to before, where exactly the same approach as was adopted for our scheme here was adopted at Longfield in the sense of a targeted programme of archaeological trial trenching.

00:28:18:12 - 00:28:48:06

Um, I hope not to be corrected, but a scheme which is a little smaller than than the mallard pass scheme. Big sort of beg your pardon. A little bit bigger than the scheme. My apologies. Um, and they undertook a somewhere in the region of 40 to 50 trowel trenches which are smaller in length than the ones we adopted here. That was deemed to be an appropriate approach, a proportionate approach, and was signed off by the local authority as, as a as the correct approach to take what was there.

00:28:48:08 - 00:28:58:13

Sorry to interrupt. So please don't lose this question because I might forget it. What was there for long field? What was the actual percentage coverage you were about?

00:28:58:29 - 00:29:13:06

I don't know. Well, if if the development is larger than Mallard Pass, then it would be a fraction of half of 1%. Um, if they only undertook 45 trenches across the larger scheme compared to, well, 200 plus.

00:29:13:08 - 00:29:25:12

Okay. I'll ask that question also with the caveat that obviously every scheme is different in the background. Is there is, there is. And I don't know about the background of the archaeology on at long field. I'm sure it's probably sort of in the application document somewhere. But it is.

00:29:25:14 - 00:29:25:29

And just to.

00:29:26:01 - 00:29:34:24

Give you sorry, what to look at long field and what happens at Long Field is right for Mallard passing. That's the same with any project. It has to be it has to be specific justification for the scheme.

00:29:34:26 - 00:30:07:21

It does. But there's specifically interesting points within that decision insofar as when it reflects on the mitigation, which maybe we can come back to later if that's okay. So but for instance, they employed the same kind of evaluative techniques as I've described as we employed here, which think is useful and relevant to now. And actually again, without delving too deep into the background of that project, the quality of the geophysics results was acknowledged as not being the best, if put it that way, because their particular geology and it wasn't a particularly conducive technique for identifying previously unknown remains.

00:30:07:23 - 00:30:23:17

Whereas I'm of this firm opinion that the quality of the geophysics results on the geologic, on the geology and the typical topography across our site has given a very good understanding and a robust understanding of the potential for buried remains. Thank you. And.

00:30:24:17 - 00:30:25:21

Obviously we heard from

00:30:28:06 - 00:30:43:28

Alan that Lincolnshire seek generally 2%. What's the percentage actually in this case of coverage for trial trenching? I've seen a figure of 0.21%. I'm not sure that's the fear. That figure came from Lincolnshire. I'm not sure that's something you agree with or not. But what's the.

00:30:44:12 - 00:31:22:27

It's if we were to. Sometimes we're talking about what's in Lincolnshire versus what's across Lincolnshire and Rutland. Um, but my interpretation is if we just treat it as the scheme as opposed to what's just in Lincolnshire and Rutland as a percentage of the area which includes the solar PV and other infrastructure, it's close to around between a quarter and a half of a percent. Right. So I wouldn't contest that. Think what's useful and relevant to know is that in certain land parcels where one has evidence of the possibility for buried archaeological remains, that percentage would be anywhere between 2 and 5%.

00:31:22:29 - 00:31:25:05

So, for example, for the.

00:31:28:01 - 00:31:34:05

The Iron Age activity which you've identified in your in the.

00:31:35:23 - 00:31:37:14

Or in the supporting documents to. Yes.

00:31:39:19 - 00:32:11:16

I think Lincolnshire have identified this as well. And so it's it's towards the central, the order limits full extent not known but identified by previous archaeological investigation. In terms of presumably that's one of the areas where there might be potential, particularly potential for further unknown archaeological remains based upon what is known to be there or already or certainly for a high potential for something in that sort of area. What was done in this case? Was there a further trial, trenching done in that particular area and around that particular area?

00:32:11:27 - 00:32:45:18

Absolutely right. So that's exactly what was undertaken. So in all of those areas where the previous results, that desk based assessment, the geophysical survey, identified what can sometimes actually be interpreted relatively easy from the geophysical survey. The shapes and patterns that come out from the geophysical survey. One can get a reasonably good interpretation of what might be buried under the ground. The the shapes and patterns of iron age, roundhouses or enclosure ditches the boundaries that would have circulated, circled around the settlement areas.

00:32:45:20 - 00:33:14:28

And one can interpret that relatively straightforwardly. And and in those locations, we've undertaken trial trenching across those areas. And when gave the example of areas where we've done some trial trenching in some of the blank areas, they would be right next to those areas that you just described, some of those Iron Age settlement sites. So specifically, there's a land parcel within Rutland and a land parcel within Lincolnshire where the percentage sample was between 2 and 5%, just like. Okay.

00:33:17:00 - 00:33:26:11

And asked about the guidance in relation to this, and I think she said there wasn't really guidance that drills down to this, this, this level.

00:33:28:13 - 00:33:49:06

Just for any pun there, but. Is that your view, too? Is there any particular guidance that could help us as the examining authority in the secretary of state in terms of actually what sort of level, what amount of what percentage even of trial trenching should be carried out? Or is it in case there's not much out there? And it has to be sort of just considered on a site specific basis? Is that that is.

00:33:49:08 - 00:34:19:17

Exactly the response I'll give you. It's very important that it's undertaken on a site specific basis and that actual decisions made around arbitrary levels of percentages. You just mentioned that Mrs. Allen referred to their preferred approach of 2%. I think she may have also made reference of 2% plus a 2% contingency, which is often you hold back some trial trenches to deploy them while on site if the initial sample size reveals potential interest in remains.

00:34:19:26 - 00:34:47:23

Um, but there isn't a consistent approach across particularly solar development there isn't a consistent approach across individual county by county level, across regions. It's really important to make that point mean it's not even a consistent response in Lincolnshire themselves. I mean, they're written reps say 3% and I've just heard that 2% mean that's an example of the fact that there isn't written anywhere with my with.

00:34:47:25 - 00:35:21:19

My earlier caveat on, on looking at other schemes as precedent as precedent. But what about Cleeve Hill and Little Crow which think the two other consented ones in the national infrastructure regime? Do you know what the trial trenching coverage was for those? Because those are sort of the most the most comparable national infrastructure schemes along with that long view that are being well, the only ones that have been consented so far, they're obviously sort of larger than a lot have been in the gone through the town and country planning regime.

00:35:21:21 - 00:35:33:01

Do you know what those are and also does in a way shouldn't make any difference, though, should it? Because if it's if it's ten hectares or whatever it hundred hectares, does that actually make any difference to the. It shouldn't do should it, because of the.

00:35:33:18 - 00:35:50:17

So no, you're absolutely right. It really should be um horses for courses site by site, depending on the quality of the evidence and the techniques you've employed before, you've got to trial trenching and specifically, again, importantly, the nature of the proposed development to ensure that it's proportionate to the potential impacts.

00:35:50:20 - 00:36:07:17

If it's an action point, you could find out what the actual approach was for the two of the consented inset regimes with a little bit of commentary around that, because I'm do need to be careful because particularly for cultural heritage, the site specifics could be completely different, but it would be quite interesting to get.

00:36:09:15 - 00:36:12:00

The short summary of that.

00:36:12:18 - 00:36:15:13

Was it just those two? We could widen it a little bit?

00:36:15:15 - 00:36:49:02

Well, there is obviously there's obviously there's long field and obviously senior careers and just report it just the report's just gone in, hasn't it. Think so but that's obviously not been there consented or otherwise yet. So so so we don't know the outcome of that but that would be interesting. Be interesting to to see that. So it would be interesting background information. Would it be completely determinative, but it'd be interesting background information along with a sort of a short assessment of actually what is the are there any sort of comparisons or other site specific details different.

00:36:49:23 - 00:37:06:27

And have the applicant think, think we can do that in general terms, but think we will be caveat that not just at the determinative but also that just picking a number in the context of the sensitivity of the archaeology of each of those sites, different approaches of the different.

00:37:07:09 - 00:37:14:26

Entirely. And we can't just go to others and pick those and say, yes, we're going to use that in this mean it's absolutely. So that's that's that's that's absolutely taken from my point of view. Yeah.

00:37:14:28 - 00:37:34:24

And and the other point I wanted to make really was that in the absence of any other specific guidance on number. Then I would say that we must look at what the emerging says. Yeah. And understand that. Yeah, that can must be the guidance that we follow.

00:37:35:21 - 00:37:39:25

No, understand that. Okay, That's helpful. Thank you. Um.

00:37:42:01 - 00:37:50:25

Does this. Alan, do you want to come back on what's been said? Uh. But also at this point.

00:37:53:11 - 00:38:06:23

Mr.. Mr. Johnson for Rutland. Do you or your. Representative of those. Want to make any comment on what's been. What's been said. Sorry. Nicholas Rutland County.

00:38:06:25 - 00:38:07:15

Council.

00:38:07:25 - 00:38:08:10

I'm not an.

00:38:08:12 - 00:38:10:20

Archaeological specialist, but looking back over our.

00:38:11:00 - 00:38:11:16

Adviser's.

00:38:11:18 - 00:38:12:06

Response, it.

00:38:12:08 - 00:38:15:08

Does seem very much to to correspond.

00:38:15:10 - 00:38:15:28

With the.

00:38:16:00 - 00:38:16:23

Comments that.

00:38:16:28 - 00:38:25:06

Mrs. Allen has made. Right. That's what I just wanted. And you've not actually got your historic. I'm afraid not. Specialist here. Yeah. Okay. Well, that had a further.

00:38:25:08 - 00:38:28:08

Written update on the deadline for. Okay. From them.

00:38:28:11 - 00:38:42:18

That's fine. Still want to sort of leave you out of the discussion, but what you said sort of clarifies that for me. So so fine. So yeah, if you'd like to respond or Mr. Adams is it's up to you who responds. But if you'd like to respond to what's been said so far, please. That would be helpful.

00:38:43:10 - 00:39:19:15

Of course, Sir Jan Allen, like we don't have specific numbers, which, um. We're really disappointed about because we have these we have these discussions every time, as you can imagine, across the country with every curator. But we are guided by our professional Chartered Institute for Archaeology Guidance and Standards and their definition of a field evaluation. It's quite short. Would you mind if I just quickly ran through it? Um, which is short? Yes, it is short.

00:39:19:22 - 00:40:01:20

Um, the definition of field evaluation is to determine the presence or absence of archaeology, to define their character extent, quality preservation, and enable an assessment of their significance. So while I agree that those areas that that Mr. Sutton pointed out in those areas where he did trenching, it was between 2% and 5%. In those parcels, we would say that that's great, but what you have there is confirmation bias where you're only looking at where you already know those things, which is very useful and helps in terms of moving those areas forward.

00:40:01:22 - 00:40:34:12

But what we're left with is huge blank areas where we have seen in evaluations in every other project of any size. As you say, the scaling up shouldn't make any difference. The fact that it's what is reasonable in a small proposal is just as reasonable because it's the same application of the same facts. So in these large scale developments, we have very large areas which have not been investigated in terms of ground truthing.

00:40:34:19 - 00:41:06:08

And archaeology is nothing if not a potential showstopper. And what this does in terms of project management and risk management is that it defers the risk, a really high level of risk to the developer in a post consent situation of dealing with unexpected archaeology. While the work programme has already commenced and things need to be stepped down and dealt with. So this is something that is effective ways of working forward and that 2 to 5% that Mr.

00:41:06:10 - 00:41:14:25

Sutton was talking about, that would be brilliant. But we needed across those areas where we don't have information from from other evaluation techniques.

00:41:16:20 - 00:41:24:02

Uh, Matt, was there anything else that you wanted to say? Because I know I kind of jumped in ahead of you Think there. Thanks very much, sir.

00:41:25:09 - 00:41:33:10

Okay. Thank you. The points being raised about. What has been said in what he said in the draft in three and three about

00:41:34:26 - 00:41:45:28

and what was it written down? I've not got the paragraph Mr. Sutton helped me by. What's the paragraph of the draft and three with the you made the reference to it. I just want to get your, your view on that in about about.

00:41:46:06 - 00:41:47:10

310 one six.

00:41:47:12 - 00:41:49:03

So it's paragraph 310.

00:41:50:04 - 00:41:53:16

When sex. 3.10 .16. Right.

00:41:53:18 - 00:41:55:15

3.10 0.106.

00:41:59:04 - 00:42:01:10

If Mr. Sun just read that to us again and I've got it.

00:42:01:12 - 00:42:25:09

I've got in front of me, so. 310 106 is the extent of investigative work should be proportionate to the sensitivity of and extent of proposed ground disturbance in the associated study area. So that links directly to the way in which we've looked at certain types of ground disturbance that would come from the proposed development, specifically the pilots.

00:42:26:01 - 00:42:53:24

Okay. And if you'd like to sort of comment on that, I think the points being made to that solar farms are less likely to be archaeologically intrusive than other forms of development. Uh. And you think you made the point before that actually there will be still ground disturbance from the sort of talked about soil scraping and other things. Could you just elaborate on what that concern is in particular about solar, about solar development?

00:42:56:14 - 00:43:00:09

Sorry. So was that me? John Allen. Thank you. Thank you.

00:43:02:17 - 00:43:40:21

In terms of impacts. It's a very difficult one. Um, if you forgive me to get your head round, because what it is, is. Individually. A very. Small implant impact, but a very deep impact. So there are basically millions of 2.5m spikes that are going to get hammered into the ground in a way that is non mitigating able. During the process of the development. There's also obviously all of the associated Groundworks and across this landscape, as I said, the archaeology is very near to the surface.

00:43:40:23 - 00:44:11:14

So any sort of impacts tracking across with a tracked machine on a on a wet, windy February. Uh, archaeology may be impacted by that. And the difficulty is that with all these blank areas, we just

don't know what's there. So we can't move forward in terms of dealing with the impact of that development until we have an understanding of where the significant archaeology is.

00:44:11:18 - 00:44:43:02

And we are absolutely aware that that we are not in a position to and would not want to ask for everything. What we need is the minimum at every stage in order to inform the next step. In the archaeological process and in the planning or in this case, in the Pins process. So it's to do just enough to have an understanding in order to move forward. And then that is every step is taken in an informed way.

00:44:43:04 - 00:45:16:09

What this is, is a blanket area, except in those areas that have been identified as being archaeologically sensitive. And then some trenches have gone in for that to confirm that and a very small scatter of things across blind areas. But certainly when you compare those with sites where they've done enough evaluation such as Great Britain, that's another one, that's another inset that's coming through and that works absolutely perfectly. Um, we went through the process, as Mr.

00:45:16:11 - 00:45:50:19

Sutton said, of the desk based assessment and all of that. The lead are in their photos. They undertook a trenching programme. We identified, I think, 5 or 6 mitigation areas, several of those came up in the geophysics and we knew that, but there were also several that came up as a result of the trial trenching. Those areas were then identified. We worked through mitigations for those and that application sorry, that was submitted with an approved mitigation strategy and that was a lovely process.

00:45:51:12 - 00:46:21:20

It can be done and it can be done very well. In this case, what we are objecting to is the the very large areas that are blank. And I'm doing the little, you know, fender quotations because we don't know that they're blank. And certainly in other blind areas, there's things like. Uh, cemeteries. There's things like settlements, there's whole settlements that have been identified.

00:46:22:09 - 00:46:53:24

Uh, and they're serious and they're significant. And it's not reasonable to say that it's okay. They're just spikes and they'll probably avoid anything significant. That's. That's not based on informed understanding. It doesn't have sufficient baseline evidence to support these statements. To say that you're going to put shoes on things rather than spouts, we don't know how deep those shoes are going to settle within the amount of time that the scheme will be running.

00:46:53:29 - 00:47:12:09

How are they going to be lifted out? They're not going to be gently lifted out by hand. They'll go in with a tooth bucket. And if the archaeology is at less than, you know, at 30cm in the surface, these things are all just going to get destroyed and they won't be recorded and we won't have learned anything from it and there won't be any

00:47:14:05 - 00:47:26:25

there won't be a reasonable mitigation of the archaeology that is going to be impacted by this development. And this is why we're all here for that to happen. Okay.

00:47:26:27 - 00:47:38:07

Thank you. That's that's helpful. Just ask Mr. Sutton a question about the point about archaeology being there. The surface in this case.

00:47:40:12 - 00:47:45:07

Is that is that what your evaluation so far as is found in assessments?

00:47:45:27 - 00:47:48:18

Yes. Mean in in a typical room.

00:47:48:20 - 00:47:49:07

I agree with that.

00:47:49:24 - 00:48:23:22

Yes, absolutely. In a typical rural environment, it's worth identifying the fact that plow soil can range between 300 and about 600 mil. Fairly typically, the average is about 400 mil. And so that that isn't too dissimilar to the situation that was encountered during our trial, trenching across the sites here. So that kind of type of archaeological remains and its and its presence within that stratigraphy is is very, very typical of a rural environment.

00:48:24:02 - 00:48:42:28

In terms of the. Sounds point about settlements being found or being understood to be in areas which are under siege in areas which haven't been trialed trenched. Is that your understanding too, that there is the likelihood of settlements or from previous evaluations that have been settlements to be found? Is that would you agree with that?

00:48:43:09 - 00:49:03:13

Two parts if that's okay. So so there is no evidence for prehistoric or medieval or previously unrecorded settlement sites within the scheme area that hasn't been trialed, drenched. So that just make that absolutely clear. Um.

00:49:05:13 - 00:49:15:14

We have no specific evidence to suggest that any of the evaluative techniques that we've employed have been unsuccessful, as in they just didn't work.

00:49:15:29 - 00:49:35:27

At one point, can I just ask Ms.. Allen? Do you agree with that, that the points where you said there are settlements or likely to be settlements or evidence of settlements, that Mr. Sutton said that those areas have actually been trial trenched? Do you agree with that or use what you were saying that there were areas that haven't been tried trenched where there is evidence of of of settlements and another interest.

00:49:36:25 - 00:50:11:20

John Allen Lincolnshire County Council. So we have another site which is Accrington Fen, which is an incident which is coming through which my colleague Matt may be able to comment on more, but virtually all of the significant areas of archaeology were found in trenching. They were not found as a result of the disc based assessment or the geophysical survey. So absolutely, settlements are found only when there is trenching. There certainly indications of settlements in other evaluation techniques, but there can be.

00:50:12:25 - 00:50:48:09

Incredible amounts of variation. So things like the condition of the soil, the amount of water that's in the in the ground. But there are various reasons. There are things like Medieval Ridge and Furrow, which can be masking earlier features. There's all sorts of things and it's not a problem. It's what we deal with every day. But we do need to have trenches to actually show us what is going on where, and it needs to be a reasonable sprinkle, if I can say it like that, so that where there's blank areas, that's fine.

00:50:49:13 - 00:51:11:07

Where they really are blank, where there's areas that are significant archaeology, that's fine. We just need to identify those, have an understanding of their depth and significance and the extent of them to move forward into mitigation. So on a site this size, there will absolutely be archaeology that is not currently identified.

00:51:14:21 - 00:51:40:20

Okay. Thank you. And Mr. Sutton, about the point about disturbance from shoes cetera. Could you respond to that and the point about sort of whatever the number was of the spikes, etcetera, and the activity that would be taking place. What is the risk of what is the what is the risk of. Damage caused by things like the shoes and the piling, etcetera, and putting in the actual arrays.

00:51:41:06 - 00:52:12:00

So in. Breaking that into to parts if that's okay. So in specific reference to the the shoes opportunity for certain types of buried archaeological remains and it wouldn't work for all types of buried archaeological remains, the deployment of ballasts, concrete or otherwise, shoes can be a useful technique to avoid ground disturbance. Um. They would only be deployed if you had the confidence that compaction or ground disturbance wasn't required.

00:52:13:05 - 00:52:26:12

To build them out. Because they wouldn't achieve the aims then. Um, but again, it's a technique one would employ when you have very specific evidence to suggest that that would be a useful technique in that specific instance.

00:52:28:22 - 00:52:51:29

Um, referring back to the parts about the piles. Um. And genuine apologies to Mrs. Allan on this point. She said millions think it's in the region of about half a million, about 500,000 piles panel excuse me, panels. Um, so my apologies. Rob That's okay. Um, and so what we have here is.

00:52:56:21 - 00:53:40:03

Thank you. Yeah. Yeah. It's definitely not millions. It's considerably less than that. But in specific instances, the nature of the impact. Um, again, they are very tiny. And we've made reference to the specifics of how we've evaluated that in our written response to you, giving examples of the cross sections, again, playing the very worst case scenario and for the vast majority of the types of archaeological remains one would would discover on this site and we have discovered on this site or potentially maybe yet undiscovered on this site, um, those types of impact are so minuscule that the displacement of of archaeological material, the damage and loss of archaeological remains would be insignificant.

00:53:40:05 - 00:53:49:02

In other words, such sufficient archaeology would be left behind. That it would still retain its archaeological interest and significance.

00:53:51:09 - 00:53:57:28

Okay. Miss Allen, briefly, what's your comment on that point, please, about the fact that the damage will be so would be so insignificant?

00:53:59:12 - 00:54:16:24

John Allen el-Sisi The thing is, if you haven't got an understanding of what you're driving these piles into or any of the associated infrastructure, the cabling and everything else, or just tracking over things and squishing things.

00:54:19:00 - 00:54:27:09

I mentioned that there were a number of Saxon skeletons that we found. They were in a very delicate state and crumbling.

00:54:29:03 - 00:54:45:26

And I would not want to see spikes hammered into human remains. Uh, and I know that that's an emotional one to pick out, but that is perfectly possible. On this stream anywhere.

00:54:47:24 - 00:55:17:27

There is also his statements Mr. Sutton's statements on. Basically, there's lots of other archaeology where that came from. It's not a mitigation response. It's not moving forward from getting an understanding of the potential of what's going to be damaged or destroyed. It's just saying it's probably fine. And that is not an effective mitigation strategy. That is not the way we should be moving forward.

00:55:17:29 - 00:55:22:16

And it's not in accordance with guidance, with regs, with

00:55:24:01 - 00:55:35:26

with professional standards. We have to do the minimum possible, but we have to do it so that we can get enough information for an informed process.

00:55:37:16 - 00:55:38:01

Okay.

00:55:38:03 - 00:56:00:12

Thank you, Mr. Satan. They just came back to us. One question because it just flows from what's just been said. The example of the Saxon skeleton being effectively, presumably badly, not the right word is, but, you know, significantly harmed by the works. Is there is there a risk of that?

00:56:01:08 - 00:56:23:27

So in the general sense, and this is actually specifically identified in our written responses and in the environmental statement chapter on cultural heritage itself identified the types of buried archaeological remains that you would want to safeguard from potential effects of piling and human remains, specifically one of those.

00:56:24:04 - 00:57:01:28

And how would they how would then that occur? I mean, this may start to sort of lead us into the next item, which I want to get into quite soon, which is mitigation. But but are you saying then that in those areas where there's not currently being trial trenching, and if, for example, let's use the example of the Saxon skeleton, obviously the archaeological remains are likely to be found as well. But in that example, what would happen? How would it actually take place when the construction when they just talk me through how that would how the works would take place in order to ensure that that that wouldn't be damaged or could be dealt with in whatever way it would need to be dealt with.

00:57:02:00 - 00:57:22:08

So this this does become a bit of a Rumsfeld and response about the unknown unknowns. But for the avoidance of doubt are the areas where the greatest likelihood of finding that type of archaeology, those are the areas which have been evaluated. So we targeted the areas where you are most likely to find that type of remains.

00:57:22:10 - 00:57:43:06

What about the other areas that haven't been where? Because think Mrs. Allen point is the areas have not been investigated where there is still a risk of of finding out that archaeological remains. How

would how would how would the Saxon skeleton be preserved for the other areas where there's been no evaluation? So unknown the unknown archaeology.

00:57:43:08 - 00:58:24:25

So the the which will form part of the requirement, which I think you alluded to. So we're about to come on to, but I'll just touch upon it now if that's okay. Would set out a sweet as the already suggests, a suite of mitigation measures specifically including additional trial trenching in locations where. Not the pylon, but where some of the more extensive ground disturbance would take place, such as at the inverter station locations and some of the compounds and access roads, etcetera, where larger areas of disturbance may take place during the detailed design process.

00:58:24:27 - 00:59:08:01

When those locations are identified and additional trial trenching will be undertaken there and that will give us a better understanding of the potential for remains at those specific locations. And again, that's best done when we actually know where they were going to be in the detailed design process. But on the specific point of how would we know whether we've disturbed a Saxon burial or not, the simple answer is we wouldn't, sir. And I would go forward to say this is a really important point, is that if you were to undertake 2% trial trenching across areas, which we have no previous evidence for, buried remains in effect, you can't target those trenches on anything specific.

00:59:08:03 - 00:59:42:19

So we often call it a standard array or a random array, in which case the trenches are just located around an area to kind of get decent coverage. Um, and that isn't foolproof. And this is really critical that this is understood. Trenching to 2% doesn't give you the 100% confidence that sometimes described. In Lincolnshire's Local Impact Report. Specific references made to 99.79% of the site has not been evaluated.

00:59:43:15 - 01:00:06:01

What that obviously refers to is to the 0.2% that has. Well, if we was to have undertaken 2% trial trench in that sentence would read 98% of the site hasn't been evaluated. That's the point I'm trying to get across here, sir, which is about the arbitrary nature of the discussion of these percentage samples in the way it's been discussed by some of the local authorities in this case.

01:00:08:24 - 01:00:12:06

Okay. Thank you. Mr. Fox, did you have something you wanted to. Yes.

01:00:12:18 - 01:00:47:25

Make three, three brief points. So first of all, I'm talking lot about numbers and the reference has always been to the site, whereas of course, the site is made up of a lot of areas that will have no disturbance at all. So going back to the paragraph about proportionate and relating not only to this, to the sensitive in the area, but also the amount of ground sensitivity that will be. Um, secondly, on on the piles, just to make the point that it's not even a case of one pile per panel, we're talking at naught point between 0.16 and 0.33%.

01:00:47:27 - 01:01:19:28

So actually you're talking roughly 100,000 piles, not millions. Um, thirdly, in reference to other schemes and mentioned such as Seneca and Gate, Burton, um, was involved in Seneca and my colleague Mr. Phillips, who was with us on Tuesday involving Kate Burton and obviously building the point earlier that each site is different, but also think can say from experience that essentially it was agreed to get in order for the scheme to be able to keep going. That doesn't mean that it was great that that was what was necessary.

01:01:20:11 - 01:01:27:26

And the third point I'd like to make is, um, in the context of, of this examination is.

01:01:29:12 - 01:02:04:28

Kind of where are we going with this in terms of the amount of trenching? The criticality is what? What are our mitigation measures going to be? And our position is that we don't feel we need to do any more evaluation trenches at this point in the process. Nicholas, you have a different view and yourselves will come will come to view and think Our position would be on this point, we'll come back to mitigation. If it's helped by the secretary of state that it's not sufficient, then he has the powers with his gifts to tell us to do more through some in some form of requirement.

01:02:05:01 - 01:02:08:28

We're not going to be suggesting that because we think that it's sufficient. But for the purposes of.

01:02:09:19 - 01:02:16:24

To do more trenching or to resolve it through whatever mechanism is in the written scheme of investigation, etc.. Yes.

01:02:17:27 - 01:02:31:06

Um, so I think. I suppose I'm just thinking about the amount of issues that we're discussing on this project and this issue and the airtime that we'll continue to have through examination. We can each continue to give our points, but think no.

01:02:31:08 - 01:03:00:12

Absolutely don't want to go round and round. The discussion has been used so far, though, for me. But yeah, yeah, I get the point that because the two parties are going to agree on on this and and it's and it's presumably is it or is it not too late to do further trial trenching during the examination before the end of the examination might be might be you might have no intention to do that whatsoever. But actually, is there actually opportunity to do that?

01:03:02:25 - 01:03:16:21

The relatively simple answer would be yes. Um, but as you alluded to, sir, um, wouldn't be able to identify the specific rationale or justification from that based on the approach we've taken to date. Um.

01:03:19:12 - 01:03:35:11

One needs to consider a few points around that, which would be crop damage that influences the programme of works. So there would be there could be some crop damage and some seasonal issues associated with that which sometimes influence when the work could and take place.

01:03:37:29 - 01:03:58:21

And so wait until harvest time, that kind of thing. Um, and also just generally thinking about the, um, the effect and, and I'm going to use this word the cost of potentially undertaking another if you get to to two plus 2% or 3 or 4%, it would be another 1000 or so trenches.

01:04:02:15 - 01:04:06:12

Okay. Thank you. Miss Allen, what's your view on on that those last points that were made?

01:04:09:17 - 01:04:45:18

Jan Allen. Um, we would be very happy to engage with, uh, more trenching. And I think you're absolutely right. There certainly is the capacity for there to be more evaluation, trenching undertaken before the determination. And obviously Mr. Sutton is right in saying that there will be issues about crops and things we would never expect there to be, um, identification, say placement of a thousand trenches and that all of these trenches would be complete before, uh, before the determination.

01:04:45:20 - 01:05:31:26

But certainly moving forward with that would, uh, would be brilliant in terms of informing the mitigation process and also, um, in terms of if we are looking at the granting of a development consent order. And obviously that's, I understand in the afternoon, um, we would, we would be in a position of having more understanding across more of the scheme. Um, I'm sorry, I didn't know the gentleman's name, but when he was saying that there were certain parts of the stream that would not be impacted, obviously the, the, the archaeological evaluation would only be for the impact zone, uh, not for things that might be having no changes.

01:05:32:00 - 01:06:01:05

The impact zone, though, also includes mitigation measures such as putting in, um, you know, wetland, uh, ponds and things like that. So basically anywhere where there's proposed ground disturbance, that would be the area of the evaluation and not beyond that. But yes, moving forward with, with a programme of more trenching would be really, really helpful in terms of moving this thing forward as far as we are. Um, and we would welcome that.

01:06:01:19 - 01:06:12:27

And from your perspective, would there be areas where obviously there are works proposed, but that would that be just an increased density across the board or would that be actually just looking at some focused areas that are particular that might be of concern for you.

01:06:13:20 - 01:06:43:29

In terms of where you would put archaeological trenches? You've got two options. One of them is just that blanket approach everywhere. The other one is to work with things like LiDAR. So quite often occupation and settlement is in raised areas, particularly if it's marginal land. You don't want your feet wet and no human ever has in history. So he tends to be on higher ground. There are things that we could do to try to raise the possibilities of those trenches which are put in to to have the highest areas of potential.

01:06:44:01 - 01:06:49:16

So we would always approach it with a the most informed, useful way we can.

01:06:51:17 - 01:06:56:05

Okay. Thank you. This is the scope for any further trial. Trenching from the applicant's point of view.

01:06:56:07 - 01:07:32:00

I was going to say, think. Our position is we're not going to do anymore because we don't feel that we need to and just want to build on that to say um, Mr. Allen referenced impact quite a few times and mentioned earlier if the Secretary State decided that he felt that we needed to do more, such a condition requirement could be Grampian so it would ensure that there would be no impact because he said, Well, she said that we need to do more trenching. But for all the reasons that Mr. Sutton has set out, we feel that our approach is appropriate, has informed the assessment and our mitigation strategy.

01:07:32:19 - 01:07:36:18

So I think we're clear that we're we are not intending to do more to our trenching.

01:07:40:14 - 01:08:02:02

Okay. And if there was a scenario where the second state felt there needed to be more trial trenching, it'd be useful from I don't know if you'd wish to do this or certainly miss out on something to think about in terms of how that would be drafted in any development consent requirement or otherwise. So the parties can give some thought to that. And it's a slightly hypothetical point, but.

01:08:05:07 - 01:08:24:28

If I could come back on that mean there are some specific elements that wouldn't need to be hypothetical. So we could talk about areas where there is areas of proposed infrastructure where you might want to target some specific trenches. Um, but beyond that, it would be, as you suggest, a somewhat hypothetical in, in approach. Um.

01:08:25:17 - 01:08:50:14

It comes back to the point that was said yesterday that actually, you know, the state has to be happy that the project is capable of being progressing. And it's rather like some of the matters we talked about with design that there has to be, you know, sufficient certainty that matters can be properly resolved through the flexibility and through the mitigation proposals. Uh, and, and obviously that's something that we have to, we have to consider. Um.

01:08:52:00 - 01:08:56:26

Would you like me to come back on the mitigation options or is that something that's on your agenda already?

01:08:56:28 - 01:09:05:20

So it's just something I want to discuss briefly. Mr.. Mr.. Willis your hand is up online. Do you want to make a comment at this stage?

01:09:05:29 - 01:09:39:07

Yeah. Thank you, sir. Mark Willis Lincoln County Council. It was just, just that point about, um, if the Secretary of State were to be minded to do it as effectively a further requirements. I think the point here, what we're trying to say is that that's supposed decision um, then requirement and the opportunity to therefore look at what mitigation may have been appropriate has been lost. So think and Mrs. Allen has referenced earlier that there's a potential that, you know, one one mitigation strategy could to leave something in situ.

01:09:39:09 - 01:10:11:00

Now if you don't have that evaluation up front and you approve the scheme and then require further trenching later on the basis of a scheme that identifies areas for development, you then lose that ability to exclude those areas. So our concern is we want to make sure that, um, the layout and design of the scheme, make sure that if there are areas of potential interest that they are recognized and if necessary, mitigation aligns with that to ensure it's adequately protected.

01:10:11:16 - 01:10:40:00

Um, and said, think, think that's where our concern would be. And so, and again, just, just to stress that point before on other schemes, whilst we appreciate there's been pre evaluation to identify interest, those previous evaluation exercise hasn't necessarily identified features and they've only become apparent through trenching. So the concern is if you deal with that trenching later and then there is significance, you've lost the ability to amend your scheme.

01:10:42:22 - 01:10:44:27

Okay. Thank you to that. Yes.

01:10:48:07 - 01:11:27:26

Don't want to spend too much in the realms of the without prejudice world of situation that we don't think actually needs to exist. But obviously, in the scenario where Secretary state felt that was necessary could also amend the other relevant requirements to make sure it all links together. So, for example, what we want to get to a position and we'll come to it is WSI that the the archaeological requirement refers to and says do your mitigation in accordance with that. Um, obviously if there was

then a requirement that required um, the Secretary of State to agree the percentage of trenching that was done, you could include a paragraph in the heritage requirement to say that.

01:11:29:25 - 01:11:40:27

Getting into what ifs and what ifs. On the basis of the trenching that's then done, you would update your mitigation document to reflect the results of that before you then have your detailed design approved. Okay.

01:11:40:29 - 01:11:52:29

What would be helpful to give some further thought to that and accepting completely the had first of all point that that some drafting would be helpful for that to be considered. Yes.

01:11:53:06 - 01:11:53:26

As a 21.

01:11:53:28 - 01:12:10:07

To get to the point and understand what's been said. So obviously it would so that would be helpful. And also just moving on to mitigation and apologize, Mrs. Holloway, have not brought you in, but I'm sort of slightly assuming that you're happy for the discussion to go on.

01:12:10:09 - 01:12:10:27

And you.

01:12:13:05 - 01:12:16:08

Mrs. Holloway, briefly confess that.

01:12:16:10 - 01:12:50:19

You know, we we are not experts in archaeology, so, you know, we bow to our colleagues in the councils. The only thing that I did notice when we were doing our evaluation is just understanding of the trenching that was done. I noticed quite a proportion was done in the non solar area. So when people are looking at numbers and percentages, just to consider that because there are areas that were I'm sure there were reasons for doing it outside the solar area, but therefore means that potentially the percentage might be even lower maybe.

01:12:50:21 - 01:12:51:17

Okay. Thank you.

01:12:51:19 - 01:12:53:09

Thank you. Do you want to just come back on that point?

01:12:53:11 - 01:13:06:00

Yeah, just just on that point, I can specifically say we did not target trial trenches in the non solar area and haven't seen any evidence to suggest that we've missed located the trenching. Okay. Apologies if it was in your reps, but if you could just.

01:13:06:02 - 01:13:36:14

Clarify that point. The one thing that we're going to say that obviously the applicant will be doing post submission comments anyway and it would be quite useful, particularly given this discussion to as well as summarizing what's been said. Just to sort of give a little overview of what your position is. The same two for Ms. Allen Lancashire County Council. Just to give a general overview of where your position is, take into account the points that have been discussed this morning. I suspect you'll probably do that anyway, but.

01:13:36:16 - 01:13:48:27

Ms.. Ms. Allen rather sorry if you could do that too, from, from Lancashire County Council perspective and also obviously with Rutland as well. That would be quite, quite helpful just to set out the parties positions.

01:13:50:13 - 01:14:24:28

Following this discussion on mitigation. What's the current position on mitigation? Because whereas it seems that there's not going to be a sort of coming together of agreement on what we've just been discussing necessarily, hopefully there can be more of an agreement on actually the mitigation that is being proposed and the wording of the draft of the draft requirement, which we can consider this afternoon. But what is the current situation on the outlined scheme of investigation? And understand the draft, is being a further draft being done, is that right or it's being revised? You can just update on on what the current situation is so.

01:14:25:00 - 01:15:00:04

That there isn't a an outline written scheme of investigation in place at the moment that's been circulated to any parties, as I referred to right at the outset here, um, we have set out the suite of mitigation options available on this scheme within the year. There's no changes to those, those being further targeted trenching, as we just alluded to in specific locations, archaeological excavation in advance of construction. If those investigations revealed the potential opportunity and need for that

01:15:02:02 - 01:15:14:20

flexibility in the location of, uh, solar panels and other infrastructure to to avoid completely below ground disturbance. And that's the protection of important remains.

01:15:15:19 - 01:15:23:17

Is there going to be an Outland written Scheme investigation submitted by the end of examination? Yes, sir. Right. And when what's the timeline for that? Um.

01:15:24:03 - 01:15:37:11

There was there was a potential opportunity for us to submit it within this month. But if that was okay, so we wanted to listen to the points that were discussed today so we could tailor it specifically to any of the outcomes of today's conversations.

01:15:37:13 - 01:16:00:24

Okay. Understand that. But obviously that process can be sort of hearing along as quickly as possible because the relevant parties will need to obviously consider it as we want to get their comments as well with a view to getting, you know, with a view to getting that agreed by the end of examination would be would be helpful. Is there anything further before us and views on mitigation? Is there anything further you want to add on mitigation?

01:16:01:16 - 01:16:33:12

It would only be to point out so that sorry, Jan Allen, do apologize. Um, it would only be to point out that where there's mitigation, such as Mr. Sutton suggests, uh, flexibility and being able to move panels around, which is great, except that if you don't actually know where the archaeology is because you haven't done enough evaluation, where are you moving it from and to. So there needs to be the, the baseline evidence underneath in order to do any effective mitigation.

01:16:33:14 - 01:17:09:08

And as we stand, um, as they won't be moving forward with any, uh, evaluation, trenching before the determination, we will be recommending that there be an evaluation phase if, if consent is granted, um, and that that be tied to an agreed written scheme of investigation and we will not agree. That

steam until it is sufficient to give us the information that we need. And we will not agree. A mitigation strategy which builds in options such as flexibility and different ways of impacting the ground.

01:17:09:10 - 01:17:26:13

When you don't know where the archaeology is, you could be moving it from an area that there's nothing into something if you were to just shift things around. So to be honest, none of these mitigation options are of use unless we know where we're putting things. Thank you, sir.

01:17:28:09 - 01:18:06:05

Is it, though, that discussions can continue on the mitigation? I mean, it's a bit like rather like the draft development consent order. On the assumption on the assumption that the consent order could be granted or it could be refused. But if it's recommended to be granted, then the second one that's wrong, isn't it, that whatever our recommendation, if the Secretary of State decided to allow the scheme. So hypothetically, we were to recommend refusal of the scheme and the Secretary of State was to then allow the scheme, then he or she would need to have the relevant mitigation in place.

01:18:06:12 - 01:18:18:21

Obviously there'd be discussion about archaeology or discussion in their minds about archaeology that we have just had, but it would be helpful to get the mitigation agreed as far as possible because we make the recommendation, but we don't make the decision.

01:18:19:25 - 01:18:22:03

I can appreciate that, Sir John Allen.

01:18:22:08 - 01:18:33:12

Prejudice without prejudice position. Rather like with the planning condition discussed at a planning inquiry or a hearing that would still be that would still be quite helpful. Think for the for the examination and for the secretary of State.

01:18:34:03 - 01:19:07:12

Understand that. So, Jan Allen, we that document of the mitigation document would presumably be something that said here are the options that we can be using and I'm sure they would be absolutely fine. In terms of methodology, what we actually need is what we had at De Burton, which is a site specific mitigation strategy. Which goes, quite frankly, field by field and tells us. Where these areas of mitigation are going to be and what they are and that they're enforceable.

01:19:07:18 - 01:19:39:29

So for preservation in situ, as I said, those areas that it's the extent of the sensitive areas have been determined and the fencing goes around outside the archaeology sensitivity, and that is held throughout the throughout the stream. We need to have it specific to this stream what's actually going to happen in terms of the ground impact and what the actual mitigation. Is required for those areas where the ground has archaeology that's going to be impacted.

01:19:40:29 - 01:20:24:14

So it either needs to be recorded or it needs to be protected and preserved in situ. And that site specific mitigation is what we need. So for there to be an outline mitigation strategy that says we can do preservation in situ or we could use shoes or we could, you know, investigate archaeology where we have the opportunity, well, you know, we can certainly do things where the mitigation is part of the groundwork. So things like, you know, where you're going to put your compounds, things where you're doing a topsoil strip, these are things where we can just say we'll have an archaeologically controlled topsoil strip and we'll deal with whatever comes up.

01:20:24:19 - 01:20:49:17

It's it's a deeply high risk strategy, but there are things that we could deal with in that way where we just deal with the ground impact from the development. Okay. But otherwise, we're just saying, yes, we agree that there's there's ways of doing things, but it doesn't apply in any concrete way to the scheme. And that's what we need on the ground mitigation. Do you do you have explained that?

01:20:49:19 - 01:21:25:16

Well, yes, you have understand your position. And I would encourage whilst the trenching issue might be a separate issue in terms of getting agreement on that, as much agreement on the mitigation as you possibly can would be helpful. So I would encourage you to have discussions over the next few weeks about the mitigation. Obviously, you're going to outline written scheme of investigation will be obviously a key part of that and for the relative position to be set out in a sort of fair amount of detail in the in the statements of common ground between the applicant and the relevant planning authorities.

01:21:25:18 - 01:21:39:02

So we have a we have a list. Let's go back to discuss yesterday about the areas of disagreement in agreement. It would be helpful to have that, particularly in respect of the mitigation being proposed, but I don't think we can probably take that much further here this morning.

01:21:39:09 - 01:21:47:28

And half the applicant think we can look to do that, but it won't all be at the same time because obviously we will need to share drafts and.

01:21:48:01 - 01:22:19:27

That's absolutely but would like that discussion to go forward in terms of getting a mitigation whilst understanding the parties, you know, fairly entrenched position and to a degree on this matter, I understand that. But it would also be helpful to know where the areas of agreement and disagreement are and for discussions to take place about mitigation. On the assumption, Allen, that in the event that the Secretary of State was to grant the development consent order, I think think of it that way. Don't lose the opportunity to not think about the mitigation. It's the same about the discussion on the consent order.

01:22:19:29 - 01:22:23:27

It's without prejudice discussion for the parties. Thank you, sir.

01:22:24:05 - 01:22:36:04

I think it's just worth emphasising that the in the in the name essentially it's the that we would submit is a framework for how things are brought forward in the future.

01:22:40:02 - 01:22:50:28

Okay. Well, I look forward. We look forward to receiving that into the examination. And I'm sure the other parties will do will do as well. And yeah, we look forward to getting an update on that at future future deadlines.

01:22:52:28 - 01:22:54:24

Okay? Yes.

01:22:54:27 - 01:23:02:02

Think Mr. Sutton can come in if he disagrees. Um. I'm conscious you'll come to the actions later, but, um.

01:23:03:17 - 01:23:10:26

You can tell when we have the statutory the deadlines. We will do our best. But I don't think we can commit at this point to saying that it will be a deadline for.

01:23:10:28 - 01:23:13:00

No. Understand that. No. I

01:23:14:15 - 01:23:34:11

understand that. Think the response to the discussions today at deadline for. But understand where the timetable for the scheme of investigation that might sort of wait until deadline five, for example. So thank you. Yeah, but think it's something that does need to be to be progressed through the examination. Okay. Anything further on archaeology?

01:23:36:10 - 01:23:39:20

I think on the point of.

01:23:41:13 - 01:23:42:01

And.

01:23:43:28 - 01:24:15:24

Significance of designated non designated. Assets only had one fairly sort of understand the positions of all the relevant parties. And to our questions, I've got a point on that which don't actually need to raise today for you actually, because I'd rather get on to doing the socioeconomics and the the things we've got to discuss. So that's not actually essential for us to discuss that today. But is there any is there any particular point on designated and non-designated assets that hasn't been raised in written representations that are all actually quite clear clear on this that anybody wishes to to raise?

01:24:19:27 - 01:24:20:12

Okay.

01:24:21:28 - 01:24:25:27

Mr. Adams, you're online, and we have a point to raise. I understand.

01:24:27:07 - 01:25:03:20

Thank you so much. Matt Adams, Lincoln County Council. Sorry, it was just about mitigation. I was just going to add to what Jan said, that in the areas where they have undertaken limited trial trenching, that we probably could discuss specific mitigation measures in those areas. But obviously the the mitigation strategy that has been proposed is necessarily vague because the evidence isn't hasn't been presented for the rest of the site, the areas that are blank. And that has that we've we've already covered today. But certainly in the areas where where we have that information from the trial trenching that's been done, we could probably discuss some some specific mitigation measures.

01:25:05:26 - 01:25:42:05

Okay. Thank you. Say, those discussions can continue, but. But also think that. They think from my point of view, it would be interesting to get the views of the parties and this can can follow in writing on and include the Lancashire County Council on what mitigation can be provided in those areas where you don't feel the trial trenching is sufficient. I think it's still important to have that considered. Whilst I don't think that would prejudice your overall position that you've set out quite clearly today, so still would like that to be to be considered for the site of the proposed development as a as a whole.

01:25:45:14 - 01:25:47:10

Okay. Yes. Thank you, sir.

01:25:47:28 - 01:26:08:22

Okay. Thank you. That is everything that I want. So it was really principally archaeology that I wanted to discuss today and think that's been a useful discussion for us. So thank you. Um, should we break for. On a short break before we do the next item. So if we come back for

01:26:10:08 - 01:26:20:18

11. 40, please, and then we'll continue with social economics. Thank you. Now adjourn.