



## Hearing Transcript

<b>Project:</b>	<a href="#">Cory Decarbonisation Project</a>
<b>Hearing:</b>	Issue Specific Hearing 1 – Part 4
<b>Date:</b>	6 November 2024

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FULL TRANSCRIPT (with timecode)

00:00:05:05 - 00:00:11:25

Okay. It's, uh, it's 22 to 4. And time for me to resume this, uh, this hearing. Um,

00:00:13:13 - 00:00:45:24

there were still some more questions I had. I'm conscious that, uh, Mr. Wilson from Tim's, uh, Tim's water. Uh, I sort of asked him to hesitate on, uh, on a on a point he wish to make, uh, until the appropriate moment. I think this might now be the appropriate moment. Um, and just to get the screen in front of me, I can't see that. Um, uh, we do have, uh, Mr. Wilson, uh, I did ask you to, uh, to hold on to a point. You're making it. I think now might be the, uh, the opportune time to to make it if you're available.

00:00:52:23 - 00:01:01:03

Or maybe not. Okay. Uh, I'll. I'll come back to Mr. Wilson. Uh, Mr. Wilson shortly. Um.

00:01:03:11 - 00:01:34:22

Just, uh, take taking the discussion about, um, just before we we we we had the break. Mister Fox, you were talking about, uh, the arrangements with the Thames Water and the cross ness nature of, um, what? The proposal for the, uh, the the, uh, in the draft development consent order. Is that the, uh, the the particular requirement in the 106 obligation for the, uh, the sludge incinerator would be abrogated.

00:01:34:27 - 00:02:07:01

But I'm conscious that part of the, uh, part of the local nature reserve, um, uh, is is within sort of it's outside the applications outside your application site and within, uh, Thames Waters site. What the implications of, of that be. Um, I'm just just testing to see, you know, would my abrogating that whole, I think clause four of the, of the planning obligation effectively mean that, uh uh, Thames Water weren't required to provide the local nature reserve that would remain outside of your application site.

00:02:07:21 - 00:02:41:12

Uh, Mr. Watson, the applicant said this this is the the point about the interaction with the 106. So yes, it would, but the idea is that that would work with, um, the one of six with Thames Water would then be bound, um, with us to manage their land in accordance with the, the birds, um, which would cover that area as well. As I said before, if Thames Water are not in agreement with that, we will then tweak the drafting of this article and the, the birds, um, and the 1 to 6 would look different. Um, but that is supposed to be seen as a package across the three documents.

00:02:42:04 - 00:02:42:25

So, so.

00:02:42:28 - 00:02:59:07

So can you just just say a bit more more about that? Um, would that be within when you mentioned that the 106, would that be within your 106 or is this a requirement? How is that mechanism going to work. So can you say, I I've traced the point there.

00:02:59:18 - 00:03:18:00

Sir. This was supposed to be a tripartite 106, so Thames Water would be a party in order for that to work. So they would be becoming a party to agree to that overall strategy. That's that's our proposal at the moment. And it's dependent on they may not be willing to be a party to the 106 and if that's the case, we will have to amend the documents accordingly.

00:03:19:12 - 00:03:36:24

Thank thank you. Thank you for saying that. And in terms of the, um, the approach to the management of the, uh, of, of the nature reserve, would that approach mean that there would be a single management arrangement for the whole nature reserve inside and outside your side?

00:03:36:26 - 00:03:37:24

Yes, sir. Right.

00:03:38:03 - 00:03:42:00

Okay. Thank you. That's helpful to, to to understand that, um.

00:03:46:22 - 00:03:50:08

Sorry. So I was like, coming back from the break, so I'm okay. I'm conscious.

00:03:50:10 - 00:04:02:14

I'm conscious. It was a short, short break. Um. Yes, sir. So I did ask you to sort of hold your hold your question for for a while there. So, um, if you'd like to, uh, to, to to make your point.

00:04:04:14 - 00:04:30:03

Um, just to pick up another point you just raised, I don't think the applicant fully responded because we had noticed as well that all of the Crustless nature reserve is not included within the red line for the application. So the western side of the existing Cross Ness Nature Reserve is outside of the red line. So if the whole of the section 106 is going to be withdrawn, we had a question like you did over what would happen regarding that western strip which is outside the application.

00:04:31:22 - 00:04:38:19

Did, uh, did you catch Mr. Fox's response to to my question, uh, about about that.

00:04:40:22 - 00:04:46:01

But I did I'm not sure how they could include that within the section 1 or 6. If it's not within the application line.

00:04:47:24 - 00:05:02:08

It isn't needed. Sorry, Mr. Fox, not the applicant, because the section one six can cover whatever. And it needs to. For example, the Thames Golf Meet Me golf course is not in the ordinance, but is going to be subject to a separate 106 relating to that.

00:05:02:19 - 00:05:08:15

Okay, but why has that western strip been not included then? We're still not clear on that, as I understand it.

00:05:09:26 - 00:05:22:08

From the applicant, because we recognise that that land is inside the sewage treatment plants operational fence. So we didn't think that, um, it would be appreciated by Thames Water for that to be included in our order limits and all of that.

00:05:22:11 - 00:05:35:12

I think that's wrong. I think it's within the secure area of the nature reserve, not the operational sewage treatment works. There's a part of the nature reserve, which has restricted access to ensure that the wildlife aren't impacted by public access.

00:05:37:05 - 00:06:08:01

Uh, Mr. Watson, without the applicant, I mean, I think in practical terms, it's, um, there's a there's a the kind of square if we can get a plan of the nature reserve brought up. Um, but there is a, a footpath essentially along the western edge of our water limits and to the west of that footpath there is a fence to which the western area. Member's area is behind. Um, which? The other side of that is then? Thames Waters land.

00:06:08:16 - 00:06:28:17

Um, and it was because of that that we felt that that's clearly a separated area. Um, where the restricted access which Thames Water manage the thrust and then come along and um, to include in order limits would not be welcomed. And I think I'm surprised to suggest that Thames Water asking for more of their land to be included in the new order limits.

00:06:30:08 - 00:06:33:18

Well, I think it was a question from Mr. Wilson rather than an instruction.

00:06:34:21 - 00:06:45:10

It was a question of, yeah, about this, the removal of the existing section or six. But I know our agent are in discussions with you about that. So that can be clarified during the ongoing discussions.

00:06:47:11 - 00:06:59:21

So thank you, sir. For the applicant, I think it's just just to make the point that it's the the interaction between the different documents so that that article shouldn't be seen in isolation, should be seen alongside the lads and the one Essex.

00:07:01:19 - 00:07:25:21

So, so to just pick you up from that, I mean, is, is that, uh, the, the, the secure boundary? I think Mr. Wilson explained there's a difference between, uh, Tim's waters operation and what he's referred to as and what is operational land and the nature reserve that's within the secure boundary on their land. And, uh, I think Tim's water also have an interest in land out on the other side of that secure boundary. It.

00:07:27:26 - 00:07:43:06

Is that, uh, secure boundary that you've chosen as well? The I'd rather you've identified as the the site boundary. Um, you know, is it just because that was a secure boundary that that is the site boundary, or are there other, uh, other implications for that?

00:07:46:10 - 00:08:04:00

Uh, Mr. Wilson? Yep. I think it was it was mainly the former. So I think it made more practical sense. We felt for our road limits to be. But it's a clear fence and there's no no other reason to go to the other side. That apart from this issue, which we felt could be managed in an alternative fashion. Um.

00:08:07:00 - 00:08:22:10

I mean, I think, I think I should say that that that area is restricted access. So Thames Water manage that, then we'll be managing the access, given that it's coming from their secondary access road. Um, and so when it's kind of behind that fence, it's within their remit, so to speak.

00:08:25:18 - 00:08:32:08

Thank you. Mr. Lawson, before I ask Mr. Pennington if he for his contribution, is there anything else you want to add to that?

00:08:34:03 - 00:08:38:02

Um, no. I'll let Mr. Pennington ask his question. Thank you.

00:08:38:14 - 00:08:40:08

Thank you, Mr. Pennington.

00:08:43:21 - 00:09:25:13

So, Mr. Pennington, on behalf of Thames, um, I think my general question is, um, I think Mr. Fox mentioned that there would be alternative arrangements in the event that Thames times didn't want to enter into or wouldn't enter into a 606 agreement. Um, clearly that the island field, Lagoon Field and West Paddock as shown on that screen are within terms of title, and that land would need to be bound by section 106 currently anticipated. Um, can the applicant give any more detail as to what would what the alternative would be if negotiations on the section 106 were not successful in terms of terms agreeing to be party to the agreement? And I'm not saying that that will be the case.

00:09:25:15 - 00:09:27:21

It's just worst case scenario, really.

00:09:29:27 - 00:09:31:18

Uh, that was.

00:09:32:23 - 00:10:05:21

The applicant. So I think, um, because that's not what our alternative, that's not our preferred proposal. We haven't come up with the detail, but I think you'd be looking at, for example, the drafting of the DCO to say that the um clauses abrogated, um, only in certain areas, but it, um, is in others, obviously. I'm saying off the top of my head here, and we didn't look at the detail of that. And we probably need more precise drafting than that. Um, and the, um, leopards, which at the moment talks about kind of one consolidated management regime for the whole.

00:10:06:00 - 00:10:22:02

The wording of that will need to be changed to reflect the fact that Thames Water would be managing that bit separately to, um, the bit that we are managing. Um, but, you know, have language about seeking to work with them to manage it in the most collaborative fashion possible.

00:10:23:28 - 00:10:51:18

But I think the bottom line position is we would be wanting we'd be wanting to say that the 1994, uh, agreement requirements no longer apply to, uh, what's in our order limits at the moment. Our best position is that also includes the area to the west of the fence. Um, but if Thames Water don't like that, then we would have made it to the east.

00:10:55:13 - 00:10:57:01

Thank you, Mr. Pinkerton.

00:10:59:14 - 00:11:34:19

That's appreciated. Thank you, Mr. Fox. Um, and the only other question, I think. Obviously, you have a requirement of requirement 12. I think it is, um, to comply with the detailed and the bars, what, six months has been approved? Um, obviously, that requires. And we may come on to this, tomorrow's session, to be honest, um, that requires a deal to be made with the terms land. Is it is it the applicant's preference to acquire that as freehold, um, or or is it is there an alternative, um, preference for.

00:11:35:12 - 00:12:08:05

Uh, Mr. Fox and the applicant? So we have put in our preferred approach into the, into DC obviously, because we've applied for for that question powers on the basis that, um, everything that LaBarge requires is, is not just doing the works, but also to maintain it and preventing other activities happening that would, um, rent it from, um, you know, continuing to be achieving the biodiversity objectives that we have. Obviously, we are, uh, having discussions with, with Thames Water about, um, voluntary agreements.

00:12:08:07 - 00:12:21:12

Um, but that, you know, in the absence of the voluntary agreement being done, then we would seek the full powers to enable, um, everything that we need to do to be able to be achieved. Um, I think we want to go beyond that. That's probably the matter for tomorrow.

00:12:24:04 - 00:12:38:06

I just I mean, obviously there probably are some, uh, crossovers between what we were discussing today and, uh, some questions I might have about, uh, the applicant's approach to compulsory acquisition, uh, to tomorrow. But is there anything else you'd like to add, Mr. Pennington?

00:12:39:23 - 00:12:42:17

Uh, no, thank you, sir. That's that's fine. We'll we'll pick it up tomorrow again.

00:12:43:20 - 00:12:54:06

Okay. Thank you. I'm just looking through, uh, my questions, and I think I've covered it all the detailed points. Uh, I wanted to. Um.

00:12:56:07 - 00:13:29:11

I think, um, it one thing that's, um, come over, I think from my, uh, from my questions and what other people have said. And also the applicant's response is, um, because I think a number of the the issues have spread around different, uh, different application documents. What I think I'm going to find helpful is just particularly around, um, in terms of sort of what the what the situation is in regard to sort of obligations on the site, uh, what baseline conditions are what you're proposing to do, etc..

00:13:29:13 - 00:13:56:06

It would be helpful if that could somehow be brought, brought together in an easy to digest, uh, form. Um, whether that's, uh, sort of includes, uh, sort of a plan or illustration as well. Um, that might be helpful. Um, I just wanted to ask the, the applicant, um, you know, unless it is, is is that in the in the documents that I've missed that in already exists that I've just not not seen that and.

00:13:56:08 - 00:14:29:28

Miss not everything that you just ask for is there is a specific section of delivery about the delivery method in the laboratory, about delivery mechanisms, but not full throttle, everything you asked for. And we can definitely provide that. So because um, that's what we had planned to speak to. Um, if we had been able to do the presentation so we can provide for that. Um, just I just wanted to clarify just one point related to that, which is this issue around the Norman Road field and the Meridian Business Park. So as I said, we've only just become aware of that.

00:14:30:00 - 00:15:11:01

One is what we know about it is what is in, um, save them to common ground that they submitted to you, that procedural, um, deadline a we are liaising with Bexley. Um, and, and I think we would also seek to liaise with the friends to try and get the details of that document say that a you have it, and b that we can improperly reflect that in our documentation. Um, and then the second point I want to do was just to clarify something I was saying before the break, where I think it might have been may have, um, come across as conflating two issues was, um, which is that, um, from a kind of pure ecological basis.

00:15:11:03 - 00:15:41:12

I was trying to say that we are going to be improving on the baseline as it stands. But we recognize from a planning double counting point of question questioning that, um, obviously there is a situation where, um, once we see those details, it may be that it could be argued that if you want to understand what is the difference between if this had actually been fully complied with, if it hasn't been, what is

the difference between that and what we are proposing? We recognize that that's where that line of questioning is going.

00:15:41:21 - 00:16:07:20

Um, and as part of this note, to the extent that we are able to get that information in time, we would maybe be clarifying that point, because I think the problem is. And the reason I kept on referring to the baseline is because that's currently all that we know is what's there. Um, but we appreciate that to fully report on that double counting position. You need to understand what should be there so it can be a proper benefit. Because if we weren't here, enforcement action could have been taken to make sure it was delivered.

00:16:07:26 - 00:16:40:08

Yeah, that's exactly right. And I think again, in your discussions with the cross, this sort of save cross ness nature reserve and, and Bexley council, I think it's just understanding that and say I'm not I'm not making any any comment on the position. It's just understanding. Yes. What what what was required. What what what has happened. What should something happen that hasn't happened even if that has happened? What's the position that's got to the baseline that you're now talking about and what your proposals are just so I can have that holistic understanding.

00:16:40:16 - 00:16:57:19

Uh, and as you say, uh, you know, just understand that. And, and that's why I was also asking similar questions about ten speed golf course, which I think you're in a position to provide a slightly clearer, uh, clearer answers on. So, uh, a sort of a concise capture of those, uh, those issues would be very helpful. Thank you.

00:16:57:21 - 00:17:02:07

And we we will do that and we'll seek to do the same for the nature reserve as well.

00:17:02:12 - 00:17:05:11

Okay. Um, uh, miss Mr. Pennington.

00:17:09:07 - 00:17:45:01

Um, I thought of another question after I said no more. Uh, so I apologize for that. Um, it's Mr. Pennington on behalf of terms. Um, the question is more, um, to the local planning authority, I think in relation to the section 106 and discussions, um, with regards to the cross, uh, nature reserve, um, do that it would be useful for, for terms to understand what, um, their position is on, on this new section 106. And, and I think the main question is whether they would need that at a particular point in time, um, before agreeing to the abrogation of the existing clause for.

00:17:47:07 - 00:17:52:04

Uh to the the the existing clause for if they if they do indeed object.

00:17:53:00 - 00:18:24:27

I will pass that on to the council to, to uh to to respond. But, um, just just to be aware obviously the, the, the proposed planning obligation is proposed part as part of the applicant application. Um, and though obviously the council will be involved in that, ultimately the Secretary of State will take a



decision on the application, even though obviously Bexley Council will have a very important role in dealing with requirements and no doubt the, uh, the monitoring and uh, and uh, implementation of the, of the planning obligation.

00:18:24:29 - 00:18:32:21

But, um, is there anything the council would like to, uh, to, to, to say in response to Mister Pennington, uh.

00:18:33:12 - 00:19:08:22

Mister Chair for the council? Um, I think at this moment in time again, I don't wish to, uh, repeat myself too much, but I think at this moment in time, we we do need to understand all the documents in play, and we don't yet have that where we're seeking to find, uh, uh, the Virgin, uh, sexual witnesses ourselves. And we do have the, uh, uh, Thames Water, uh, sewage pumping station, section one research. But we need to review that, um, before we absolutely make a definitive decision.

00:19:08:24 - 00:19:14:24

But, um, at this moment, I'm I'm relaxed about the position, uh, set forward by Mr. Fox.

00:19:16:09 - 00:19:56:03

And, uh, also, I mean, there is, again, uh, proposal for a statement of common ground between the council and the the applicant. And this sounds like it would be a helpful, uh, point, uh, that, that you can reach, reach a position on so I can understand that if there are any differences between yourselves and the, uh, and the applicant I'm conscious of, the question comes from from Thames Water, though, rather than, uh, uh, rather than the applicant. Um, uh, obviously I think, uh, again, given that Thames Water would be involved in that, uh, proposed planning obligation rather than the existing planning obligation that relates to the, uh, the such, such power station.

00:19:56:09 - 00:20:05:09

Um, I think, again, that would be something that'd be helpful to, to make sure that, uh, Tim's water and the applicant a clear on what the implications are on that. Mr. Fox, was there something you wanted to add.

00:20:05:20 - 00:20:26:19

To just to agree to Mr. Fox and just just to agree with that? We're conscious that the, um, examination timetable has the draft 106 that you were asking for a deadline, one iteration of it. Um, we have in the background, um, in beavering away working on that, and we were hoping to send that out to two parties to consider.

00:20:28:07 - 00:20:35:00

Okay. Thank you. Is there anything else the council wanted to add, or did you conclude your comments on that one?

00:20:36:17 - 00:20:37:22

Uh, nothing more, sir.

00:20:38:03 - 00:20:45:29

Okay. Thank you. Um, I unfortunately, the way my screen is showing, I can just see initials, but I've got a CC on on the screen.

00:20:48:11 - 00:21:09:28

Caitlyn Cahoon for closeness. Nature reserve. Closeness. Nature reserve. Just to say that we will be providing and written representations for the detail on the information that Lauren's provided and her oral statement earlier, and also on the section one and six agreements referred to for Norman. Norman Fields, and also for other information on the nature reserve itself.

00:21:11:18 - 00:21:30:14

Uh, thank you. I mean, uh, and I think, as we mentioned before, um, you know, without any, uh, prejudice to your, to your position, um, if it's, if it's helpful to, to parties, there is obviously opportunity of sharing that information, um, before you actually or rather, in addition to making any written representations that you make into the examination.

00:21:31:16 - 00:21:38:17

So yes, I think I think we would we would welcome that because it would help inform better our own, better submissions at deadline one to reflect the discussion today.

00:21:40:10 - 00:21:40:25

Thank you.

00:21:46:12 - 00:22:15:17

Thank you, sir. Lauren Spencer, Road safe cross Ness Nature Reserve. Just to add that we have commissioned a detailed botanical survey of, um, parts of East Paddock and Norman Road field. And the ecologist who has conducted the survey was very familiar with the site at the time of the section 106. So we'll be able to make comparisons there and to understand more what happened with this site.

00:22:16:18 - 00:22:23:24

And can you just give me a bit, a bit more information about it? Is this something you're intending to submit with a written representation?

00:22:23:27 - 00:22:28:09

Yes of course, yes. We will share the survey with you.

00:22:29:01 - 00:23:11:08

And uh, obviously, uh, if any information that comes in a written representations, uh, sage, the the applicant will have an opportunity to to comment on that. But just be careful with Mr. Fox's comments before, um, again, uh, I understand that, you know, there is a potential for a, uh. Uh, some segment of common ground. I think I would encourage, encourage parties to, uh, to. To talk to one another on that, uh, particularly if, uh, if your, you know, your findings are going to be something that, uh, that challenges the, uh, the applicants if obviously that's uh, that in some respects, for my purposes, I need information that the deadlines I've, uh, I've encouraged.

00:23:11:10 - 00:23:26:00

But, uh, part of the examination process, um, you know, it, uh, it can be helpful for parties to, uh, to talk to one another to make sure that, uh, again, as I mentioned before, I can be clear where there's disagreement, but also where there's where there's no where there's no disagreement as well.

00:23:26:15 - 00:23:48:29

Thank you, sir Lawrence Spencer also safe cross nature reserve, just to say that we are working with Mrs. Berry on a statement of common ground for the safe Cross Ness Nature Reserve. There will be another statement as well with the Friends of Cousins Nature Reserve, which is made up of about 800 people who regularly use the site.

00:23:49:18 - 00:23:54:09

Thank you. Yeah, I'm conscious there's there's two different organisations. Yeah. Thank you.

00:23:57:18 - 00:24:04:25

Are there any other comments or queries on, uh, that uh that that section of the, the agenda.

00:24:07:28 - 00:24:31:14

I don't see any hands up. So, uh, thank you for that. Um, I'm conscious that during today's meeting, there's been a number of things that I've been jotting down in terms of actions arising. But before I get to that, I just wanted to see if there's any other business that everybody wants to raise, including an opportunity for the applicant to make any comments. Uh, just in terms of summary, if they if they need to.

00:24:34:01 - 00:24:36:09

That is supposed to happen now. Okay. Thank you.

00:24:37:13 - 00:24:37:28

Yes.

00:24:40:04 - 00:25:11:03

Thank you, sir. Lawrence Spencer road safe cross nature reserve. I wanted to make a comment about this concept of accessible open land that was raised by Mrs. Berry earlier. This is not a designation that is recognized in planning policy. And, um, the nature reserve across this nature reserve is currently accessible through a network of footpaths, and people derive pleasure from being surrounded by nature.

00:25:11:08 - 00:25:43:01

That is why they attend the site. But many vulnerable or protected species, on the other hand, benefit from restricted access to visitors so that, for example, ground nesting birds do not get disturbed and rare or, um, species and the threat do not get damaged by people trampling all over the site. So we would certainly resist very strongly to more accessible access, accessible land.

00:25:43:03 - 00:25:49:00

And as I said, that's not a definition which has any standing in planning terms.

00:25:49:22 - 00:26:01:22

Um, yeah. I'll ask the the applicant to respond to that, but it doesn't have a particular meaning in terms of compulsory acquisition, which is, I think, why the term has been used. But I'll ask the applicant to respond to that.

00:26:02:14 - 00:26:41:29

Mr. Fox yeah. So we recognise that so accessible open land is a term that we created for this, for this scheme. Um, and it was used um, in the. Yes, but also referred to um in our, in our auctioneering processes where we were directly impacts to mall as a designation. Um, the local nature as a protected species uses a public rights of way and accessible open land. And we're and the reason we've used that phrase very much for the reasons just just stated, which was to appreciate the area that we've termed as accessible, open land is used by people who recognize it as an area that they want to.

00:26:42:01 - 00:27:14:18

Want of a better term? Recreating? Um, within that, though, we also have recognized that in our view. Um, what we have delineated as acceptable open land also counts as public open space or special category land. Um, for the purposes of section one three, one of the Planning Act 2008. So you will see that the, um, I don't have the reference. Sorry, but the figure in the is, which shows the accessible open land matches exactly to our special category land plan and volume two.

00:27:15:07 - 00:27:48:14

Um, so, um, that term is, is covering a lot of, um, implications. But um, another 1st May, for example, ndVi assessment. We are recognizing the visual impact of people traversing and recreating in that that, um, accessible open land. So that's what that term means. It's not meant to have we're not saying it's a term in planning terms, but it's a phrase that we have used to recognize that people in that land and using it and using it for different reasons, and there are different things happening, um, within it.

00:27:48:27 - 00:28:07:06

Um, I think what we will come back on in, in writing is this the, um, tension position around, um, whether it's acceptable for, for us to be encouraging more use and recreation within that area in the context of our economic ecological objectives.

00:28:09:26 - 00:28:10:18

Thank you. Thank you.

00:28:14:12 - 00:28:45:02

Um, so, yeah, I'd now like to, uh, to to move on to a review of, uh, issues and actions, uh, arising of which I'll put a list. Um, largely for the for the applicant, as might be expected. Um, I, I think there was a although we identified a number of, um, uh, issues that I would find helpful to be explored further through the the continuing dialogue with the applicant on statements of common ground. Um, and I think that included some of the issues we discussed this morning.

00:28:45:04 - 00:29:45:00

Mr.. Mr.. Attorney um, so an encouragement to all parties to please, uh, you know, continue to, uh, uh, collaborate in terms of, uh, pulling those those documents together. And I think, again, uh, particularly with the council in terms of some of those aspects we talked about in terms of the relationship of, uh, of obligations on the on the land as well. Um, I'm conscious that just going back

to, um, uh, going back to this morning, there were quite a few things which I, I sort of asked the, the, the applicant to, uh, provide a bit more detail about, um, that that included, uh, I think in the audience that there was, uh, I think had some questions about some particular questions about, uh, uh, vehicles traveling the anticipated to, to travel between parts of the site were the site effectively separated by by footpath four that was in one of the, uh, one of the, one of the options.

00:29:45:11 - 00:30:41:27

Um, there are a number of other, uh, facts and figures that were asked for, uh, just regarding some clarifications, including, I think the number of, uh, the number of staff anticipated and sort of where and when there would be in different parts of the of the site as, as, as anticipated. And I think that came out of one of Mr. Attorneys uh, to to in his questions uh, there um I, I think there was also um, uh, a request there could be some, uh, just a bit more explanation about the, uh, the, the timing and dates in the phasing of of how the options were pulled together, uh, between the different sort of scales of the site and when that was, uh, applied to, to the, to the options, um, as particularly whether the sort of the, you know, the largest extent of the site was, was the options or whether any smaller configurations were applied.

00:30:41:29 - 00:31:20:12

And if so, what stage during the option hearing process that was that was done? I think that's just helpful to understand. Just just to see on what basis the comparisons were were made. Um, another point relating to the um, options side was, um, uh uh, I think, um, particular Miss Berry did provide an answer to my question about the, uh, uh, that I think I think I'm not, uh, misrepresenting to you that you use the phrase a sort of a high level assessment of the the financial implications, not necessarily of economics in terms of jobs, but in terms of the the consideration was carried out.

00:31:20:14 - 00:31:47:20

And I think we we agreed that you just confirm that position. Uh, not not to do further work on that to just to be clear, but to convert confirm that position. Um, in a note, um, I think, uh, Then, uh, I think that's picked up the issues which came out of this this morning. Although, again, if the applicant has a note of, of anything additional that I've missed, uh, I've missed from there. Um.

00:31:50:27 - 00:32:01:25

I undertake for the applicant. So I've got a note of liquefied carbon in the river and the potential for that to be put on stilts or otherwise. I think Mr. Hewitt may have raised that. Yes.

00:32:02:01 - 00:32:14:20

Thank you. Thank you very much, Mr. Mr. Tate, you're quite correct. I had actually missed that off my, uh, uh, off my list. There was just just to understand understand that, um, and then Mr. Fox.

00:32:20:02 - 00:32:20:17

Okay.

00:32:25:20 - 00:32:28:11

I can see Mr. States finger hovering over the button. So, um.

00:32:29:02 - 00:32:40:04

There is also the, um, the heat network requirement. We were going to explain that the context of our Riverside one and Riverside two. Yes.

00:32:40:06 - 00:33:28:26

And so that we could understand the implication was the proposal in the, uh, in the proposed configuration, uh, something that actually provided a combined, uh, effect for, for the scheme, but also then going back to understanding what the implications for each, for each, uh, iteration would be. Um, and um, I think the, uh, uh, the point that I mentioned just, just now was actually trying to bring together, um, the, uh, the various points in items three and three and four, um, in a, in a sort of easy to digest and hopefully sort of visual ways so I can understand that the various implications, um, including the, the various sort of mitigations implications on, on sites such as they are for the other uh, for the other proposals would be very helpful as well.

00:33:29:24 - 00:33:30:09

Um

00:33:31:24 - 00:33:55:10

In terms in terms of obviously the next the next deadline is, is deadline one, which I think would be an appropriate time for, uh, for those. Um, and I'm conscious that other than those statements are common ground, the, the action lies with the lies of the applicant. Is there anything else that I've, uh, I've missed? Um, I'll just ask Mr. Tate first, and then Mr. Tierney.

00:33:55:28 - 00:34:11:04

There's the matter. We, um. That Mr. Fox raised about the sale of Cross Ness Nature Reserve reference to section 106 agreement. So they have a copy of that. Clearly, we would welcome, um, that to be provided as soon as possible.

00:34:11:27 - 00:34:25:24

Uh, yeah. And uh, I mentioned as well as trying to, to, to confirm things in the statement of common ground and the information that if parties can work together, uh, to, to get the information that you require to, to inform me on that matter, that would be very helpful.

00:34:25:26 - 00:34:34:19

And then consequent upon that, um, we will elaborate on the implications of whatever. That's you know, what that says in terms of what we're promoting?

00:34:34:25 - 00:34:50:10

Yes. And I was anticipating that would inform this sort of hopefully a clear, concise capturing of that, that information. So we can see that the different requirements at different levels. Okay. Uh, Mr.. Mr. Tierney, uh.

00:34:50:22 - 00:35:28:29

It's, uh, Richard Tierney for Lancelot and Munster Joinery. Um, I just wanted to pick up again the point. I think you captured it perhaps in the statement of common ground reference. But just to emphasize on the design basis for the indicative layout. So that's the information that has been used to inform that design and just emphasize that given the intention which was agreed yesterday, which is

that or at least agreed with the applicant, subject to your direction, that we would file an expert report at D1, that they would file an expert report at D2, and that D3 would file a statement of common ground.

00:35:29:20 - 00:36:09:23

We need that information to come sooner. Otherwise we're likely to have problems in that hearing week in February for the compulsory acquisition hearing. So I just wanted to really emphasize that. I see I understand you saying that's a matter between us, but it will very quickly become a matter for the examination timetabling if that information is withheld again. So I just invite the applicant to consider the early provision of that information, because if it's provided at D1, we will want to submit a further report D2 they will presumably then want to update their report D3.

00:36:10:10 - 00:36:21:25

And then we're only a couple of weeks off the compulsory acquisition hearing. So it's just making sure that they get that information now to us as opposed to saying that we can't have it.

00:36:23:07 - 00:36:53:10

Yeah. And you're correct, I think I think I did want to try and sort of tie that all up just with the general encouragement of collaborating on statements of common ground and to provide what information the parties are able to, because ultimately that will help help inform me. So I think it is just an encouragement to please, please, you know, identify those areas where you can share information, where you can actually agree points and narrow down those those areas where there's this disagreement.

00:36:55:10 - 00:37:25:12

Thank you, sir. Lawrence Bentley road safe crossings nature reserve. I would like to say that, um, I'm working here in a voluntary capacity. I'm just a local resident. I don't feel it is for me to share documents that should be held by the landowners and the planning authority. I will share what I have, of course, but I think we have, you know, a great number of highly paid people around the table who should have access to these documents.

00:37:25:14 - 00:37:56:05

I have asked it for these documents Repeatedly from um, Peabody, from the local authority. And really, it is not a reasonable position for me to be in as a volunteer, giving up my own time, um, to, to provide documents that should be in the public domain. All these documents should be in the public domain. And it's not for me to work as a detective to dig them out and share them with highly paid executives.

00:37:56:29 - 00:38:08:06

I quite understand your point. And you kindly actually shared the the I think the planning reference number, uh, which hopefully will be enough for the, uh, the applicant and, uh, that that.

00:38:08:21 - 00:38:14:10

Those who have looked into it have not found it through that reference. Yes.

00:38:15:09 - 00:38:15:24

Well.

00:38:15:29 - 00:38:42:21

Rebecca, for the applicant, those the section 106 agreement for that particular reference is not available online. My understanding is that Bexley also don't have it. And that's obviously why we've asked if there is a copy available that save cross ness of scene, but they provide it to us. Obviously if they don't have a copy, they can't provide it to us and we quite understand that position. But the planning reference, unfortunately, in this case isn't of any assistance in terms of the section 106 obligation.

00:38:43:11 - 00:39:09:08

But in some sense, I think that's a good point. I think both the council and the applicant understand what the issue is and what the question is. I think there's a task there, isn't there, for, um, you know, so I think the point from save cross nature reserves is, is a reasonable one, um, that, uh, that they shouldn't be the only people trying to find the information that we've decided that we're going to that'll be helpful to look for.

00:39:09:26 - 00:39:30:15

But Rebecca Clayton for the applicant, sir. But yes, subject to that point, if they do have it, it's entirely reasonable to ask that they provide it to us because it will save an awful lot of work. And we, you know, it's better for everybody in the examination to have this sooner rather than later. If they don't have it, that's a completely different position. So we accept that. But if they do have it, it's not unreasonable for us to ask to be provided with it.

00:39:31:03 - 00:39:39:23

Yeah, quite. And that there is, uh, as I understand that the mechanism for a statement of common ground where I'm sure all this information can be, uh, can be provided.

00:39:43:01 - 00:39:55:27

Thank you. Sir. Laurent Pinturault save costs as NATO reserve. I do have a copy of the document, but I think it is quite extraordinary that it should be for me to provide it.

00:39:57:14 - 00:39:57:29

Well.

00:39:58:08 - 00:39:59:24

I can provide it.

00:40:00:04 - 00:40:14:24

But I think it's it's part of your. It's part of your case. I mean, if there is a convenient way, if you share it just so that everyone knows and I think we can understand what the what the, what the implications are, that would be very helpful.

00:40:15:06 - 00:40:15:27

Thank you. Sir.



00:40:16:25 - 00:40:17:28

Uh, Mr. Wilson.

00:40:18:16 - 00:40:28:26

I'm just going to quickly add that we did manage to obtain a copy of the section 106 and the management plan from Bexley. So Bexley do have it so we can provide it if needed, but I actually have had it.

00:40:29:12 - 00:40:37:08

So so can I just clarify? Are we talking about the section 106 relating to terms of water site or the one relating to the the business park.

00:40:38:04 - 00:40:41:10

One relating to the normal road field and the business part? Yeah.

00:40:41:15 - 00:40:48:15

Well, again, if you do if you do have that I think that'd be be helpful. Probably better to have two copies and no copy.

00:40:50:08 - 00:40:51:28

Thank you. Thank you, Mr. Wilson. That'd be very helpful.

00:40:52:09 - 00:40:57:12

Coffee. Greatly received by the applicant. Yeah, I beg pardon. All copies currently received from Thames Water.

00:40:57:14 - 00:40:59:27

And so. Thank you. Thank you, Mr. Wilson, for your help.

00:41:01:25 - 00:41:24:16

And I think I think I've captured all the all the actions there. I'm conscious there's a number of things for the, for the applicant to do. Um, just before I close this, this hearing, is there anything else that anybody needs to to raise? Uh, I think the applicants indicated that you don't. There's nothing else you want to add. Thank you. Um, in that case, so sorry.

00:41:25:09 - 00:42:04:06

Sorry, sir. Um, Mr. Chair, for, uh, the, uh, local council, um, I've been asked to raise, um, uh, deadline one in terms of, um, it's quite clear from, uh, this morning session that, uh, quite a lot of new information will be coming our way. And, um, I've been asked supports whether there is any flex in it or whether there's any scope for in flexing deadline one. Um, in case that is needed, especially if the, the new information is, is it comes forward later rather than sooner, even though, um, we do hear what you say about, uh, parties cooperating and working together.

00:42:05:02 - 00:42:37:05

Uh, well, we did actually sort of deal in the preliminary meeting with, uh, the the arrangements. Um, the the issue, I mean, a number of comments were made about deadlines, which I will reflect on. And,

uh, before I issue my rule relate letter. Um, uh, the issue is that, um, uh, some of the deadlines obviously have knock on effects in terms of making sure that everybody sees information in a, in a timely, uh, timely opportunity that they can then respond. So, so starting to to move them can have implications.

00:42:37:07 - 00:42:49:13

I'll take that on board. But I can't necessarily promise that there'll be any, uh, any, any change there. But I will reflect that, um, in my, in my role, like I said, when I issue the final, uh, timetable.

00:42:52:05 - 00:43:16:15

Sorry. I noticed the colleague was at the same the same point. Thank. Thank you. Okay. Well, thank you very much for everybody's contributions to today. And, uh, thank you for the assistance of, uh, Mrs. Norris, Mrs. Allen and Mr. Hurley, and also from the AV company, and particularly getting us back online quickly when there was a power issue this morning. So, uh, this issue specific hearing is now closed. Thank you very much.

00:43:18:03 - 00:43:18:13

For your time and.