

# AUDIO\_GATEBURTON\_PRELIM1\_SESSION 2\_040723

00:07

Hello ladies and gentlemen Craske is settled on Please return to your seats. Thank you very much

00:20

thank you it is 25 past and the hearing is resumed. We're on to Agenda Item five, which is the interrelationship of get Burton energy Park project with other end CIP projects. Item five relates to the interrelationship of this project with other entered projects that are occurring nearby, and which have the potential to impact on this project and the wider area. I've set out in Annex C of my role six letters, some general comments about Hi, I have and will take account of those other projects in this examination. Again, I would hope that parties have had the opportunity to read that information. And therefore, I do not intend to spend a lot of time reiterating what it contains are reading it out, but I will make a few general remarks. Firstly, as I've already made clear today, there's a general acknowledgement that there are a number of significant ENSET projects developing in the area. And this has the potential to have a resource impact and implications for those wishing to engage in the examination of those projects. Secondly, I've confirmed that my appointment is only in respect of this scheme, and therefore my examination is only in respect of this scheme. However, an important and relevant matter in my examination will be the cumulative impact from other schemes. And that is reflected in my initial assessment of principle issues. 30 in my draft examination timetable, I've sought to avoid significant clashes with significant deadlines of other single end tip examinations. And we've discussed that earlier in the timetable. And I can only do what I can do with the information that's available to me at this point in time. Given the present situation where cotton's and West Burton's preliminary meetings have not been set, and their draft timetables are not yet available, I cannot predict how they will be set out. But what I will seek to try is to move forward this examination at a reasonable pace to ensure we get through some of the early significant deadlines before those examinations commence and thereby seek to try and reduce the potential for conflict. I will, as I've said earlier, also keep the timetable under review, so that if significant clashes arise at a later date, we can see what we can do about that. But also, as I stated the purpose of setting a timetable at the start of the period is to give people certainty. And to ensure the examination concludes within the statutory timetable. I've set out some broad areas where overlapping issues will be important and relevant to the examination and to give an indication of the areas where I will wish to ensure I have a full understanding of the effect of the proposed development and the seek to provide further clarity and build upon the issues identified in the initial assessment of principal issues. Final finally, in recognition that the examination process is one in which further information would be submitted explanation. Further information. Potentially, I say changes can occur although there's limited opportunity for significant changes, obviously, I have drawn attention to my request through a procedural decision to have the applicant provide a report on the interludes relationship with other national infrastructure projects. My thinking there is that that will provide a formal vehicle that will enable the applicant to submit information into the examination in respect of any discussions or information submitted in those other examinations that may have an

influence or have some importance for my examination and raises important or relevant matters for me undersecretary of state to have regard to in me formulating my recommendation on the Secretary of State in reaching their decision. This will also afford the opportunity, obviously for interested parties to then comment on that information. Given the nature of the matters I've identified that report should cover those are set out in Annex G and other procedural decisions. This should provide a useful coordinate document for other parties to understand the relationship with the other project, their locations, the relevant TCO provisions, shared mitigation and the information relied upon to consider cumulative impact report is requested to also include a summary of the matters coordinated with the other project, and how the applicants are resolving any inconsistencies or outstanding matters. Again, I've got a wish to speak from a couple of parties. Firstly, Lincolnshire

05:35

as I Stephanie Hall, Lincolnshire county council, I think we've probably had concerns about terms of public participation for just kind of came into effect or already said, I don't, I'm subject to being kicked under the table by my team, I don't have anything to add to thank you for

05:50

not that's very useful for not sort of going over old ground, as well. So thank you very much. 7000 acres.

06:01

So I'd like to introduce my colleague, Simon Skelton.

06:05

I'm Simon Skelton from 7000 acres. On the issues, I don't think it's been properly clarified, yeah, is you say the cumulative impact will be considered for a bought, I don't really understand how you could make a recommendation to the Secretary of State, saying that there are three other unzips within short distance of gay burn, because you don't know whether the other three will be approved or not. So you can't really approve or, or reject gay Burton on the proviso that the other three will get approved. So

06:55

we will know, I mean, I don't want to get into the merits of the case, but the assessment that will be undertaken, and the information that will be put in front of us. In terms of UN there are some concerns about what you mean by the Rochdale envelope and the discussion about that. I've heard some of your comments, and seen some of your comments about that. But the environmental statement is set out in terms of a worst case scenario, and what the potential environmental impact of that scheme will be, as part of that assessment, they need to consider what a worst case scenario would be, should other development come forward? So you would look at let's take one of the most obvious elements visual impact, and assessment, and you would say the visual impact of this scheme is x. But then you also need to consider what the visual impact of that would be. Also, should other schemes come forward? And then make a conclusion as to whether or not the harm that would arise from that or the impact that will arise from that and how negative that would be? And then we hit that and give that certain amount of weight? So yes, there is there's a consideration of the potential cumulative impacts that arise from

other schemes that may be given consent. You don't necessarily go down that line of saying, if this, this is given consent, because as you say, that's not within your remit, and this one?

08:28

No, I still don't. The Secretary State won't have anything to say that gay burden will exaggerate the impact because there's no other soul, large solar farms at the moment, and the other three may get rejected. So I can't see how he could reject gay burn on the fact that cumulative impact because the three might also get rejected. So that ended up being non

08:58

what we will need to do and the recommendation will provide and then the Secretary of State is obviously the Secretary of State in terms of their decision is to identify what the harms would be in certain circumstances. And then it will be to work out and then to determine from that, but you can't get to a conclusion, which is, this is only acceptable on the basis of those other ones not being permitted. You don't have that that degree of control. No, that's perfectly right. Thank you.

09:32

Sorry, did you have any further comments? No, thank you. Okay. Thank you.

09:51

I would like to your attention obviously, whenever you produce your written representations and things of that nature, then you know, that's when we stray into the merits of it then Make sure that you put forward your viewpoint on that, and the cumulative impact and your assessment and consideration of those issues. So that that's in front of me.

10:23

Thank you very much. Is there anything the applicant would like to make any comment on? is

10:29

me standing on behalf of the applicant? And yeah, so just the fact that the applicants OR gate Barton cotton West Brighton told Ridge have been working collaboratively, collaboratively. And the pre examination period, including, for example, on drafting of protective provisions when they're common stakeholders at issue, and we are preparing them to relationships, documents and the statements of common ground that have been requested. And we'll submit those that deadline one, also just I'd take the opportunities to confirm that those parties have also been working together and have no agreed cooperation agreement as to how they will manage the examinations amongst them. And we'll provide more of the details of that cooperation agreement, also a deadline one, which we hope will provide further convert and to examination that these issues are being taken seriously, and the parties are working hard to manage them.

11:21

Thank you very much.

11:35

Does anybody else have any comments that they wish to make?

11:43

Okay, thank you all very much for your contributions there. If I then turn to your agenda item six, which is procedural decisions. This is just an annex G of my real six letter, you will see that I've asked for a number of procedural decisions about the management of the examination. Annex F explains the reasons for the procedural decisions. I have assumed that you've all read the annex sorry, Aniki.

12:22

Software annex G. I assume that you've all read the annex. And so I'm not going to go through that detail. Furthermore, I do not appear to have received any comments in the procedural aid deadline comments, identifying a wish to speak on any of these matters, or raising any specific issues. Therefore, I'll make some general comments. If you wish to comment you may do so part one of annex G sets out the amount of data requested to be submitted at deadline one, along with my reasoning for those. So that includes things like the local impact reports, post hearing submissions, comments on oral submissions, relevant reps. Notification by statutory parties of a wish to be considered as an interested party and other matters. So requests for Oh f h is and things of that nature. So you've seen deadline one actually sets out various documents which have identified and which will provide updates during the examination by the applicant in terms of the types of documents that I want submitted, which includes things like changed versions of the developed content or the explanatory memorandum, book of reference statement of reasons which is also a fairly common process. And then the various reports that I've asked for, which includes that into relationship with other national project, a statement of commonality, statement of common ground and other matters. Part two, of annex G refers to statements of common grind, acknowledge and welcome the preparation of the number of statements of common ground that the applicant has done. Thank you very much for those very helpful in the first instance, I have suggested that it would be helpful to have some additional Common Ground statements, which include from the representatives of the promoters of the other nationally significant infrastructure projects, including Colin West Burton and tilbage and also one from the canal and river trust given their relevant reps. The applicant any comment on those requests?

14:49

Me standing for the Applicant? No, the only thing I would like is the canal and river trust is a good example where the parties have been working collaboratively on protective provisions and there's an all parties meeting hanging around 10 days time, I'm going to so we expect this statement of common grant or sort of like that.

15:05

Excellent. Thank you very much. I would expect the initial draft of the those students who come going to deadline, one with further iterations provided various deadlines. My deadline one document also introduces a request for a statement of commonality. Rule six letter requests at each point that the updated statements of common ground submitted to meet the deadline in the examination, so they're just updated and refreshed track versions and clean versions, preferably, statement of commonality should provide an overview of the position of each statement of common ground up the relevant deadline, for example, noting whether discussions are ongoing, where a final sign statement of

common ground has been submitted. It will also assist me to have summaries of the commonality in respect of the main topics in the examination, presented in some form of tabular form with color coded format. I think it's a fairly standard document. Thank you very much. Part three of Annex D deals with company site inspections and other matters. And we talked through that earlier on. So I don't intend to go through that. And then Part Four deals with additional submissions. And I've accepted a number of additional submissions, and I mentioned those before. I don't think that there's any things significant there. So I don't intend to go through those in any great detail other than to draw attention to them. And if you've got any comments about them, then put those in a deadline one. terms of future submissions once the examination begins, which is after this meeting closes, I will generally take the approach of only publishing submitted document once a deadline has passed. So parties should be aware that any documents submitted between deadline would not normally be published until the subsequent deadline has passed. That basically concludes what I wanted to say about the annex G and any other procedural decisions. Does anybody else wish to raise any matters with me? Applicant?

17:23

Me standing on behalf of the applicant? Nothing further from a sir.

17:27

You definitely hold Lincolnshire county council? No, thank you, sir.

17:33

So Michelle at West Lindsay district Councillor Thank you, sir. 7000 acres? No, thank you.

17:40

The parties right, thank you very much.

17:48

That takes us to item seven on the agenda, which is any other matters? I have got one in 7000 acres submissions. They did raise some issues under Agenda Item seven. Do you want to raise those with me now?

18:13

Thank you, yes, let's go about 7000 acres, I think. So you've alluded to previously having a different venue, which will be really appreciated because a lot of people in the district feel that this isn't the appropriate place. And in fact, people in this meeting had to go back this afternoon with left already. So that's appreciated. Thank you. And also as evening meetings, that would be much appreciated. So it's something that we really feel strongly about that should be examined within our area. Thank you. Secondly, we felt that due to the sort of procedural aspects of this, which we appreciate have to be followed, there is an element that people feel excluded from being able to understand I think, and maybe alluded to this before, understand the process and get engaged with the process and therefore feel apart from it. And this is obviously their area where they live. They're the ones that are impacted, how the inspectorate yourself does this, I'm not sure. But it is a real issue have been people in disenfranchised and disengaged throughout the process. I'm sure you've come across this before. And, and people do feel very, very strongly about this mean, perhaps an option is some public day that the

inspectorate could offer links to show ground where residents feel they may be able to come and get some more understanding of the schemes. Thank you.

19:56

Thank you. The nature of this person process is, as you say, it's quite driven by legislation and procedure. It is primarily a written process. So you know, all the information is available on the website. And you can engage with us, primarily in writing, which, which is good. There are hearings. And we do provide for what are called open floor hearings, which enables you to directly communicate, and we've got one of those this afternoon. And obviously, if other parties want to have further open floor hearings, then they need by deadline one, to communicate that to me to request those are done. And then we can set up further sets of open floor hearings. In that sentence for me to listen to what you say and to gather information, not necessarily to explain the scheme. That's more of the applicant perspective, in terms of of how that's engaged. But yes, I hear about the disenfranchisement but I think having the information as widely available as possible, there are locations where the hard document are available as well. And that set out in Annex. It's each of my real six letter where those documents are available. They are also obviously available on the websites, and where the interactive element of most of these documents are available. Mr. Skelton, you looked at your

21:37

thank you sounds, guns and 1000 acres? Yeah, I think what mainly is sort of alluding to is if this event today, which is obviously a preliminary event would have been a link show ground where people could have driven, you know, a few miles to with free parking, hassle free. I think that would have been 800 People would have loved to have the ability to listen to this and what the process basically was all about and, and people's questions and, and answers. And it's just not happen today. We've got like, I when I say,

22:16

Yeah, I hear what you're saying. But I would also sort of say, we have live streamed event, we have recorded the event, it will be available on the website for people to view, if people wish to listen into that. There's also the publication of the comments that have been made today. So there are various mechanisms whereby they can engage with the process to actually understand and hear what's been said today. You know, that all we can do is provide various opportunities for that. And I would say that, as with any sort of hearing, or anything of that nature, it's not necessarily the the number of people that save the matter. It's whether the matter is relevant and important, and how important that matter is. One very significant issue can be raised by one person and be very significant. Whereas, you know, it 100 People, if you say could raise an irrelevant issue, which is irrelevant. So it depends how high that that how they engage with the process. If it's simply about also gathering information and informing information, then there's a number of mechanisms and mediums by which they can engage and find that information out. You also have, obviously your parish councils, your district council County Council, as representatives of many people, which I'm sure they can engage with their local councillors.

23:45

Yeah, I appreciate that. I just think a lot of people have expressed a wish to have attendance today, which was too fast.

23:54

Thank you. I hear the comment. And I've seen the number of representations that have been submitted as well, which gives an indication of the level of public participation and concern. So yes, I'm well aware of that. Does anybody else have any other matters that they wish to raise with me? Okay, thank you very much. I do notice that yes, there are a number of parties who are here who have not spoken and they're just here to attend. That's perfectly fine. That's happening. We've got an open floor hearing this afternoon that starts at two o'clock. I don't know if you're staying to view that you're more than welcome to it's, as it says open floor anybody can do. If any of you who'd like to actually say anything to me, please put the case team at the back end. Give them your name as well so that we can program you into that event. I've got a couple of representations from people who are prepared to or want to speak to me At the open floor hearing, but obviously, if there's any other parties who having heard the discussion this morning, want to make some contribution, feel free to do so and just approach my colleagues at the back there and give them your name.

25:18

Okay, I think that's me concluding with it. Any other matters? Nobody else has anything else to raise for me. Thank sorry, yes. Sorry, I use a roving mic, and I can hear you properly.

25:59

It's more, it's more for other parties in the live stream and things like that. They may not be able to hear you. If it goes through the mic, and at least I can hear that.

26:07

Hear me now. Yeah, yeah. It's just I'm just wondering as a matter of interest with regards to the consistency of inspectors in your position, are you able to look at all of the proposals from just yourself? And if not, how do we ensure that they will take the view that they should be taken as a whole rather than individual as a cumulative development?

26:40

We've talked a little bit about that this morning. And my examination, and for me, as the examining authority of this examination, is to look at this scheme. As part of this scheme, I will look at the cumulative effect of this scheme, and other schemes that have affected that, but I will not have an influence on those other examining authorities.

27:02

So a different inspector could take the view where they're not going to consider it as commutative.

27:09

No, no, the environmental regulations and the environmental statements require that a scheme must take account of cumulative effects.

27:21

Okay, now, thank

27:22

you for the clarification.

27:25

Yes, sir. Can you just say your name and your address?

27:31

Yeah. So my name is Danny stall. I'm on sorry, Danny Stromlo.

27:37

Can you spell that

27:38

S T R? O Double L. O. Vice Chair of XP, parish council. Following on from that point, if you are aware that there are other schemes, is it not within your power to ask the applicants to submit one application? So we as the public and our counsels, representatives, who are very busy, are not overwhelmed, which seems to be the point here, as far as I can say that these have been submitted individually, four to six applications. So we have to do this on a repeat basis.

28:27

Okay, I can answer that very quickly and say no. I don't have that power. They are different applications. They are different sites. They are different applicants. They're not the same applicant. They're not the same parties. They're not the same interest. We do not have that authority. No, thank you.

28:55

My name is Pat Mitchell. At Mitchell MITC H E double L.

29:02

And could you just help me your interest?

29:05

I'm just an interested party, her resident, local resident local resident. What I would like to know is as low carbon have already stated that they have all working collaboratively with Westburn and the other two kottam and tilbage. If they're working collaboratively, Surely they must be seen as one development. They're using, as far as I'm aware, the same legal team. And I also believe they're going to be using the same cable and so I can't see how you can separate for on that basis.

29:39

That they are different applications. They are different applicants, although they are doing collaborative working, that's a matter for them. Part of this process and part of my Annex C and the documentation that I'm getting to submit is to ensure that I'm aware of what the nature of those relationships are, and



to ensure that I understand What the nature of the effects from those other schemes are so that I can have proper regard to them during my examination, but that information shall be submitted into us,

30:10

it does seem very unfair, though, that they can do that. And yet, we have to deal with each one as an individual. So they're already forming a relationship and know the difficulties everybody else is going to be raising about these projects.

30:23

If you have particular issues, which are similar, there is nothing stopping you submitting the same documents to each of the different examinations. So that cuts down the type of information that you can do. So there are ways in which you can you can reduce your impact as it were in that sense, but they are at the end of the day, separate legal entities, the determination of the development consent order would be a separate order for each of the development, and they will be considered independently.

30:59

But even though to one of the company's island green power is West Burton and cotton, yes, they're surely the same company. So they can't be seen as two separate projects.

31:09

They are separate applications or separate site areas. They're not my examination. So it's not something that I would get involved with.

31:17

It just seems unjust that to say, I hear what you're saying, Thank you.

31:28

Do you wish to make any comment?

31:29

Any standing on behalf of the applicant? Yeah, just to comment, just sticking with process for now, for the purposes of preliminary meeting just to confirm that. If there are any particular suggestions on how we could streamline or signpost information that's already been provided, then we'll be more than happy to consider those and endeavor to consolidate and make the information more accessible. If it's failed, there is not already accessible enough. So if there are suggestions and other documents that we can provide to assist others in this process, then if those cookies can be submitted for deadline one, then we'd be happy to consider those. Likewise, we'll also have to work with the planning Inspectorate to identify other venues for future hearings if those are necessary.

32:18

Yeah, thank you very much, sir. helpful suggestions. You heard my comments, and you'll have heard the comments from local residents about trying to find a location closer to the venue closer to the development side and community. They have made reference and I've seen it in a number of representations in terms of the show grand you're aware of where they are. So you know, if if we can

facilitate something, even if not for the for all of them, at least for some of them so that they can feel that they've been heard. Okay, I thank you all very much. Thank you for those joining remotely. And thank you for those who have turned up today. I very much look forward to working with you all in the examination of this application. May I remind you that both a written note and a digital recording of the proceedings today will be made available as soon as practicable after the good Britain energy park or which will be available on the Get Burton energy Park page of the national infrastructure website. I also take this opportunity to remind you of the next stages in the process. We've got an open floor hearing one which will commence this afternoon at two o'clock. I've gotten issue specific hearing on the proposed development and the draft developing content order here again tomorrow at 10am. The issue of the finalized timetable, and my first set of written questions will be made as soon as practicable. Hopefully that will be during next week. And draft deadline one is Tuesday the 10th of July. Time is no 1159 12 o'clock and the plenary meeting forget button energy Park project is now closed. Thank you all very much