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FULL TRANSCRIPT (with timecode)

00:00:06:23 - 00:00:22:06

Good morning everyone. The time is now 10:00 and this hearing is now open. Please, could a member of the case team confirm that I can be heard clearly? And that live streaming and recording have commenced.

00:00:41:00 - 00:01:15:14

So I'd like to welcome you all to this compulsory acquisition hearing relating to the application made by West Burton Solar Project Limited for an order granting development consent for the West proposed West Burton solar project. My name is Jonathan Medlin, and I'm a member of the Panel of Examining Inspectors appointed by the Secretary of State to examine the application. Doctor McGinn. Doctor Andrea McGinn is the lead member of the panel. Is not with us in person today. You will hear us being referred to as the examining authority.

00:01:16:27 - 00:01:49:00

Our role is to examine the application and, on conclusion of the examination, to write a report for Secretary of State for Energy Security and Net-zero, with a recommendation on whether the Development Consent Order should be made. The Secretary of State is responsible for the final decision. A team works alongside us throughout the process and they are managed by Louise Haraway. Though today we have. Simon Ray would hear support by others in the background. Uh, Rebecca Evans and Louise Haraway are supporting virtually.

00:01:50:10 - 00:02:00:07

I will now run through some of the housekeeping matters for those attending in person. Firstly, can everyone please set all devices and phones to silent?

00:02:01:26 - 00:02:37:21

The toilets, should they be needed, are exactly opposite the room that we're in. There aren't any planned fire tests today. The nearest fire escape is left out of the room. Through the doors at the end of the adjoining room here. The purpose of the hearing today is to consider matters relating to the applicant's case for compulsorily, compulsorily acquiring or taking temporary possession of land and or the case for taking rights over land. It would generally follow the agenda published on the National Infrastructure website on the 29th of January.

00:02:38:19 - 00:02:42:04

Hopefully, I believe, now being shared on the screens.

00:02:43:26 - 00:03:05:03

In terms of any timings. We will. I will propose that we have a short mid-morning break around 1130. A longer lunch break around one ish. We will also have a mid-afternoon break if we are still sitting at that point. We do intend that hearing this hearing should not go on past 5 p.m..

00:03:06:27 - 00:03:41:01

This hearing is a blended event, which means that some of you may be attending or are attending virtually, whilst others are attending in the room. We'll make sure that you are given a fair opportunity to participate whichever way you have decided to attend today. If you're watching the live stream and please be aware it will be stopped during any pauses or adjournments to the hearing. You will therefore need to refresh your browser page to view the restarted meeting, and will give an indication as to how long that pause may be.

00:03:41:03 - 00:03:58:15

A recording of today's hearing will be made available on the West Burton Solar Project section of the National Infrastructure Planning website as soon as practicable. With this in mind, please ensure that you speak clearly into a microphone stating your name and who you are representing each time before you speak.

00:04:05:25 - 00:04:23:16

Noting that this recording will be retained and published on the National Infrastructure website for a period of five years following the Secretary of State's decision. Can I ask you all to try to avoid referring to any information that you consider to be confidential or private? For those of you joining us virtually.

00:04:25:09 - 00:04:29:26

He wished to speak. Please use the raise hand function on teams.

00:04:31:26 - 00:04:52:17

I'll then ensure that you have the opportunity to contribute. A link to the Planning Inspectorate. Privacy notice was provided in the notification of this hearing. So we are assuming that everyone here today has read that it sets out how personal data of our customers is handled in accordance with the principles set out in data protection legislation.

00:04:54:07 - 00:04:57:14

If you have any queries on this, please do speak to a member of the case team.

00:05:00:02 - 00:05:06:23

Moving onto item two of the agenda, the purpose of the hearing and how it will be conducted.

00:05:10:02 - 00:05:10:29

As I've already said.

00:05:12:08 - 00:05:30:06

The purpose of the hearing is to enable us to inquire into the applicant's case, relating to the powers of compulsory acquisition and temporary possession contained in the Development Consent Order. This

is also an opportunity to hear from those affected by the compulsory acquisition and temporary possession powers sought.

00:05:32:07 - 00:06:02:13

During the hearing, the czar will invite parties to speak and will also ask questions where necessary. As we go through the agenda as a general principle, all comments, questions and answers to be directed through the examining authority and not directly to another party. In most cases, discussion will take place in the form of questions posed to us or posed by us to various parties. Those present will be given an opportunity to comment on matters as we move through the agenda.

00:06:04:16 - 00:06:21:27

I think now we will introduce some of the parties in the room. Please remember to unmute your microphone when you speak. If you're joining by Microsoft Teams, please do switch on your camera when invited to speak. If obviously if you're comfortable doing so,

00:06:23:13 - 00:07:00:25

switch them off. Again, when we move on to the next speaker would also be helpful. I think a roving microphone is available. If anybody doesn't have a microphone in front of them, or if they feel comfortable, can come forward to one of the microphones at the table should that be needed. It's important that all contributions are made into a microphone so that they can be captured for the formal record. So when I state your organization's name, could you introduce yourself stating your name and who you represent? No need necessarily to introduce all members of the team at this stage.

00:07:00:27 - 00:07:23:08

If you're representing an organization, please just introduce yourself and state the nature of your interest in the application. And also, I would kindly ask you to state how you wish to be addressed Mr. Miz, Mrs., miss, doctor, etc.. So to start the introductions with the applicant and their advisors please, who is leading for the applicant today?

00:07:25:24 - 00:07:55:02

Good morning, sir. My name is Claire Broderick. I'm a legal director at Pinsent Masons LLP, solicitors for the applicant, West Burton Solar Project Limited. I can be referred to as Miss Broderick. I'm joined today by Eve Browning, senior project development manager at Island Green Power, the applicant, and Mr. Joel Roche, who is a land agent at Broughton Knolls. Also for the applicant, and that's who I envisage will be speaking today if needed. Thank you.

00:07:56:19 - 00:07:57:05

Thank you.

00:07:59:24 - 00:08:14:29

So moving on to the organizations and individuals that have given notice of their intention to speak, starting with the local authorities, I note, believe that no local authorities are attending today, but I will just check online.

00:08:23:25 - 00:08:25:12

Two pairs not.

00:08:28:02 - 00:08:49:15

Are there any other local authorities? No. Okay, so moving on to affected persons and interested parties who have requested to speak in order that they came in. I have been notified that 7000 acres. So I'm Mrs. Kelton, not here.

00:08:51:08 - 00:08:52:25

Mrs. Warren.

00:09:00:07 - 00:09:03:12

Just talking to it. Okay. Can you hear me? Can you hear me?

00:09:03:27 - 00:09:05:15

No. Not quite.

00:09:12:24 - 00:09:33:06

You know, my name is Christine Warren. I live, uh, underneath the, uh, cooling towers at Westport and Power station, where apparently the cables are going to go across the front of the land in which I live. Um, and common. Mrs. Warren or Christie? I'm not very bothered, actually.

00:09:33:14 - 00:09:35:09

Thank you, Mrs. Warren. Thank you.

00:09:37:12 - 00:09:50:20

So it doesn't look like that. Is there anyone else in the room today who wishes to speak? And. A final check at this point, really, for any virtual attendees who wish to speak.

00:09:54:24 - 00:09:55:16

No.

00:09:57:09 - 00:10:34:16

Okay, that's all the introductions for now. If anybody else decides that they do wish to speak during the course of the morning's proceedings, for example, to make comments in response to representations made by others, you may obviously do so. Uh, please let us know by raising your hand, either physically or using the function within Microsoft Teams each time you speak. Please give your name and any organization that you're representing so that it's picked up for the formal record. We'd like to request that those speaking today provide any written summary of comments by deadline, for which is the 28th of February.

00:10:35:17 - 00:10:44:24

Are there any questions at this point? On the agenda or the arrangements for this meeting before we move on to item three.

00:10:57:22 - 00:11:43:04

Okay then item three, which is the applicant's case for compulsory acquisition, which may be referred to as CA, and temporary possession, which may for shorthand be referred to as TP. This is an

opportunity for the applicant to explain the case for compulsory acquisition and temporary possession, as the item suggests. We would like to hear how the case meets the test in relation to the Planning Act 2008, what alternatives have been explored, and to provide an update on the progress and expectations in respect of negotiations? In terms of updates, the examining authority has received an update set out in the Schedule of Progress.

00:11:44:12 - 00:12:18:08

Full title of the document. Schedule of progress regarding objections and agreements in relation to compulsory acquisition and temporary possession of the Land Rights and Blight, which is reported to hyphen 014 that was received at deadline to January 3rd. So it's not necessary to go through all of that. Um, just an update on I suppose changes in developments have taken place since deadline to will be sufficient as well as those other items. Really? How? A brief explanation of how of the case for compulsory acquisition, temporary possession and the 2008 tests.

00:12:18:10 - 00:12:18:27

Thank you.

00:12:22:10 - 00:12:53:26

A clever project for the applicant. And so, by way of a brief summary for for those in the room. And the applicant is seeking powers of compulsory acquisition of the freehold of land. And that's the land shown coloured pink on the land plans. Um, and I'll refer to the change request version of those plans following, um, acceptance of the um applicants um, change request. And so that is reference as dash 026. Uh, so yes, that's the land shown coloured pink.

00:12:54:13 - 00:13:28:14

Um, it is also seeking compulsory acquisition, um, powers to acquire, uh, new rights and impose restrictions. And that's in respect of the land shown coloured blue on the land plans. And it is also seeking powers of temporary possession. Um, that is in respect of the land shown coloured yellow on the land plans. However, that power of temporary possession also applies to the land shown coloured pink and the land um shown coloured blue. Uh schedule ten of the draft DCA, which.

00:13:29:26 - 00:14:04:19

Is reference rep 3006. Um sets out the purpose for which those new rights may be compulsory acquired. And broadly, this is to create rights of access to the scheme and rights to install, use and maintain the underground grid connection cables. Schedule 12 to the draft DCO provides the purpose for which temporary possession may be taken and over the yellow land, and that is to facilitate the construction of the scheme, for example, to create temporary construction compounds.

00:14:07:22 - 00:14:39:18

The purpose for which compulsory acquisition powers are being sought is also set out in detail in appendix A to the Statement of Reasons. That's as Dash 043, which goes through each of the plot numbers listed in the Book of reference, which is as Dash 047 and sets out the type of acquisition and the purpose with reference to the work numbers that are set out in schedule one to the draft ECA.

00:14:41:19 - 00:15:16:19

The relevant powers in the DCO relating to compulsory acquisition of article 20 um, which is the power to acquire the freehold of land. Uh, but article 20 is um limited by article uh 22, which states that only rights may be sought. Uh, the acquisition of rights may be sought over the blue land that I mentioned before, and also subject to article 29, which states that only temporary possession powers may be sought over the Yellow Land.

00:15:18:25 - 00:15:51:12

In terms of the Planning Act 2008 test section one, two, two sets out the purpose for which land may be compulsory acquired, and that is that the land must be required for the authorised development, or be required to facilitate or as incidental to the authorised development. And as I mentioned, appendix A sets out the purpose for each of those plots and they meet that test. Section 122, subsection three requires that there's a compelling case in the public interest for the compulsory acquisition of land or rights over land.

00:15:53:05 - 00:16:30:03

The applicants. Um, consideration of that test is set out in section six and section 7.3 of the Statement of Reasons. Um, and the applicant considers that it has demonstrated that there is a compelling case in the public interest for the scheme, um, as it relates to a nationally significant infrastructure for renewable energy. Further details on the benefits and need for the scheme are set out in the planning statement, which is rep three, dash 031 and the statement of need, which is rep app dash 320.

00:16:30:16 - 00:16:42:01

And that provides detail of the way in which the scheme will contribute to the decarbonisation of the UK energy sector. Um, as well as meeting the government's net zero ambitions.

00:16:46:23 - 00:17:08:28

In terms of, um, consideration of alternatives and meeting some of the other tests set out in the compulsory acquisition guidance. Um, the applicant has considered, um, how the scheme will be constructed and operated and sought to acquire the minimum amount of land necessary to construct, operate and maintain and decommission the scheme.

00:17:10:16 - 00:17:32:14

Uh, wherever practicable, compulsory acquisition um, of rights has been um sought instead of compulsory acquisition of the freehold, that being a lesser power, and similarly where temporary possession powers are sufficient. So, for example, in respect of construction compounds and then only temporary possession powers are being sought rather than permanent rights.

00:17:34:05 - 00:18:13:26

Uh, there are areas such as for the grid connection route, where a wider area of land is being included in the compulsory acquisition powers, so that the detailed design and microsites of the grid connection cable can be done at the detailed design stage. The applicant will only seek to exercise compulsory acquisition powers over the land it actually requires for the installation of the cable. Once that detailed design is known and temporary possession powers will be utilised to ensure that the minimum amount of land required for permanent rights for the cable um, is sought.

00:18:21:07 - 00:18:54:10

In terms of, um, alternatives. More generally, the applicant has sought to um, acquire the land and rights necessary for the scheme via voluntary negotiation, and has entered into option agreements with the landowners for the uh, sites required for the solar PV panels, substation and energy storage to those of the West Burton one, West Burton two and West Burton three sites. However, it remains necessary to include compulsory acquisition powers within the draft DCO over this land to ensure that the scheme can be delivered without impediment.

00:18:54:12 - 00:19:43:29

For example, if there are any unknown, uh, third party rights, or in the event that the terms of the option agreement were not complied with. Uh, this is a standard approach for nationally significant infrastructure projects to ensure deliverability. Uh, chapter five of the environmental statement, which is Alternatives and Design Evolution, which is app 043 and the site selection um, revision A, which is A00 four, sets out the applicant's approach to site selection and consideration of alternatives, both in terms of sites and routes for the cable corridor and, um, technology in terms of between, uh, consideration of different types of solar PV, um systems.

00:19:46:17 - 00:20:26:14

Uh. Further detail obviously can be provided in terms of site selection, but I believe that's been covered in in other hearings in issue specific hearing one. Um, as you referred to, negotiations are ongoing. Um, and we did provide an update at um, deadline. Um, to um, since then, negotiations have been continuing. Um, we don't have any, um, significant updates to provide you with, but the applicant, um, remains confident that a number of voluntary agreements will be concluded by the end of the examination in terms of landowners affected.

00:20:26:19 - 00:20:38:28

Um, discussions in terms of the detail of those um option agreements are progressing. Um, we hope to have a more substantial update for you at the next deadline, where we'll be updating those schedules.

00:20:45:29 - 00:21:20:06

Thank. Uh. The other point that you had on your list was, um, section one, two, seven and section one, three, eight of the Planning Act, which relates to statutory undertakers and the impact, um, of the scheme on, um, those with apparatus within the order limits. Um. Details of the progress in relation to discussions with statutory undertakers was again provided at deadline two in rep 2-015.

00:21:20:17 - 00:21:44:21

Um, those discussions are ongoing. Um, and uh, amendments to the protective provisions that are included in the draft DCO, as well as separate side agreements where they've been requested are ongoing, and the applicant remains confident that those will be concluded prior to the end of the examination. There remains only a few points outstanding. Um, in relation to the majority of statutory undertakers, uh.

00:21:47:13 - 00:22:22:02

In terms of human rights considerations. Again, the applicant's position is that out? In the statement reasons. And that's in section nine, um, of the statement of reasons, um, which sets out each of the um, the articles, um, that are affected and the human rights that apply to this particular project. Um, and

sets out how these tests are met via the Planning Act 2008 process in terms of the ability for people to participate in that process.

00:22:22:07 - 00:22:36:10

Um, and also, um, the provision of compensation, um, for anybody that is affected by the exercise of compulsory acquisition powers. I'm happy to provide any further detail on those points if you would like. Thank you.

00:22:39:01 - 00:22:41:10

Thank you. Okay.

00:22:46:19 - 00:22:55:08

So just a number of queries or questions really, um, to the applicant on that basis.

00:22:57:15 - 00:23:39:02

I'm aware, and you've kindly set out the approach proposed in the use of article 29. Um, one a small two of the draft DCA to take temporary possession of the land required to install the cable, and then subsequently seek to compulsorily acquire permanent rights for the cable over the smaller area of land. Um, and in that way, and as you have, I believe, just set out just described power in article 29 reduces the exercise of compulsory acquisition powers is therefore of benefit to landowners.

00:23:39:04 - 00:23:45:26

Could you just partly for my benefit, really explain how that works in practice?

00:23:48:23 - 00:23:53:11

Uh, the applicant? Um, yes. So when, um.

00:23:55:01 - 00:24:21:27

Putting together the detailed design of the cable route. And then obviously, um, the amount of easement width will depend on, um, the configuration of the cable circuits. Um, there will also be, um, further survey work, um, and ground investigations undertaken at that point in time in order to establish the preferred route for micro citing uh, the cable, uh.

00:24:23:12 - 00:25:00:01

Once that's known. Um, typically speaking, where you haven't reached a voluntary agreement with the landowner, a temporary possession notice would be served on that landowner, including all of the land required for construction purposes. So that will include if it's being carried out by way of open cut trench technique, the actual width of the, uh, cable trench, but then also a wide area required for construction. So for example, things like um, soil storage, um, temporary haul roads, uh, and maybe construction compounds, the lay down of equipment, etc..

00:25:00:19 - 00:25:36:12

Um, so that temporary possession notice would cover the full width of land required for construction. Um, in those circumstances, compensation is payable for um losses and damage um incurred throughout the period of construction. Um, the land is then required to be restored, um, under the



temporary, uh, use provisions. Um. However, once the cable has been laid, then a, um, either a notice to treat or a general vesting declaration would be served in respect of the, uh.

00:25:37:12 - 00:25:53:03

Easement for the final location of the cable as built. Um, and that would mean that then those rights in relation to the cable, um, would exist in respect of that smaller area, and the wider area would be restored and returned to the landowner.

00:25:54:06 - 00:25:54:21

Okay.

00:25:58:20 - 00:25:59:07

Thank you.

00:26:01:06 - 00:26:36:09

Okay. And turning or not necessarily turning to but the schedule of progress which we've mentioned. So rep to oh 14 I'm aware and I can see in many cases heads of terms have been issued and signed, but those heads of terms are not legally binding, um, in and of themselves. So I was going to ask the applicant to please explain what the applicant expects will happen once heads of terms have been signed.

00:26:36:11 - 00:26:37:15

What's the next steps?

00:26:39:21 - 00:27:16:10

Uh, the applicant. I guess as soon as heads of terms have been signed, then solicitors are appointed for both sides, so the applicant's own solicitors will be liaising with the landowners solicitors to agree the form of the option agreement. In some cases, um, the same firm of solicitors are acting for a number of landowners and therefore there is a fairly there's a sort of a precedent form of agreement that they are happy with, and it's only the land specific provisions that need to be negotiated.

00:27:16:24 - 00:27:57:05

Um, and then once that's um, those negotiations have been completed, um, then the agreement will be sent for signature and it may be that an additional consent is required. So so for example, if the landowner has a mortgage, then it may be necessary to get the consent of the mortgagee. And that can delay the signing of the agreements until that consent has been obtained. Um, the schedule um, that you'd refer to, which was wrapped to 014, sets out the negotiations and the status of those with those parties or those affected persons who are participating in the examination.

00:27:58:00 - 00:28:42:11

Um, there is also a another schedule which is rep 2-013, which sets out the status of negotiations with all landowners. Um, which is an update to the schedule in the statement of reasons. Um, and that um includes in a number of cases updates which um detail that discussions are further along and, and solicitors are engaged in a nearly complete. So whilst there obviously are a number of landowners who either, um haven't reached agreement yet or heads of terms are still to be signed, they are actually

quite the minority compared to all of the landowners on the routes where discussions are quite well progressed.

00:28:45:28 - 00:28:46:25

Okay. Thank you.

00:28:48:15 - 00:28:57:07

Yeah. So, um, rep two over 30 needs to be read in conjunction with rep 2014. Um, that's noted it.

00:28:59:09 - 00:29:05:13

I suppose this may have been answered in your overall summary, but, um.

00:29:07:01 - 00:29:44:01

Certainly. That doesn't seem to have been significant progress in a number of cases between deadline one and deadline two updates. Is there anything that the applicant can say on timescales? Um, really from the point that heads of terms are signed to final agreements? I appreciate this will vary depending on landowners and status of those discussions, but it's just. The confidence and the certainty that many of these may have been completed by the end of the examination I'm interested in.

00:29:46:20 - 00:30:25:02

A clever project for the applicant. Um, I've been informed by the applicant's, um, in-house property solicitors that, um, that progress has been made in terms of the number of outstanding points, um, with a number of the, uh, agreements being negotiated with landowners, but they're not quite there in terms of being able to confirm to you that they've been signed, uh, yet. But we are hopeful that come the next deadline towards the end of February, that there will be, um, a more substantive update, um, where negotiations, obviously over the Christmas period, um, they were slowed down, as it were.

00:30:25:04 - 00:30:31:15

And as I said before, there are a number of circumstances where an additional consent is required to get that agreement over the line.

00:30:33:00 - 00:30:43:29

Thank you. Okay, so before I come on to my set of specific queries in relation to progress, um. Just really a.

00:30:45:25 - 00:30:50:05

Uh, reminder that any issue.

00:30:51:24 - 00:31:08:13

If it does appear that there will be issues with agreements being reached before the end of the examination, then if you could do your best to alert the examination on those at the relevant stages. And I think you mentioned some progress update at deadline for which would be very helpful.

00:31:09:22 - 00:31:38:29

For the applicant. Yes, that's correct. Obviously there are a number of landowners who at the moment are not willing or minded to enter into an agreement with the applicant, and we have set, you know,

those noted in the documentation. And whilst obviously the applicant remains willing to negotiate with those landowners, it may well be that they remain unwilling, um, at the close of the examination and therefore we'll see, compulsory acquisition powers may be required should that position not not change. Okay.

00:31:40:00 - 00:31:44:21

Okay. Thank you. Um, in relation to.

00:31:46:20 - 00:32:12:19

So noting obviously rep 2013 is the overall progress, including where agreements are being reached in relation to Rep 201 for the Schedule of progress regarding objections and agreements, um, etc.. So this is rep two and one. And for there there are a number of entries in the schedule. Um, the note.

00:32:14:29 - 00:32:28:00

Just call this up. It's so, given the nature of this subsoil interest and the temporary possession, power is being sought by the applicant in the draft, UCO is not considered necessary to seek a voluntary agreement with this land owner.

00:32:29:26 - 00:32:30:22

So this.

00:32:32:18 - 00:32:44:27

This progress update is repeated against the number of entries. Could the applicant clarify the implications of. This in terms of the land rights for the affected parties, please.

00:32:47:16 - 00:33:28:00

Claire Bishop, the applicant? Yes. Though the book of reference requires you to list all persons that, um, might, using diligent inquiries, have an interest in the land. Um, and that includes, um, subsoil interests in the public highway. Um, if the public highway is not registered at the land registry. Um, and in the event that there is no evidence to the contrary, um, that has been, um, discovered through those diligent inquiries, there is a presumption that the adjoining landowners own up to the midpoint of that public highway.

00:33:28:04 - 00:34:06:24

So they have a subsoil interest in, in the public highway up to the midpoint. And that has resulted in a number of um landowners being listed in the book of reference as potentially having a subsoil interest in a public highway. However, from a voluntary property agreement perspective, because there are other powers that are utilized to layer utilities in the public highways such as the streets works powers, it is um, not typically, um, you don't typically enter into a voluntary agreement, a voluntary property agreement in relation to somebody's interest in the subsoil.

00:34:06:26 - 00:34:39:15

However, we need to, um, note that interest in the book of reference, um, where a landowner, um, also owns other land that is affected by the scheme. So if the cable is going through their land before it then crosses the highway, then obviously we'll be negotiating a voluntary agreement in respect of the

rights required across their private land. But those that are listed with that particular um, status update are persons that only have subsoil interests.

00:34:40:02 - 00:34:43:00

They don't own any other land that's affected by the scheme.

00:34:47:06 - 00:34:51:18

Thank you. Okay. I think that clarifies the.

00:34:53:21 - 00:34:55:23

My query there. Um.

00:34:58:11 - 00:35:01:13

Had one query over energy 12.

00:35:08:28 - 00:35:15:12

So in relation to energy, 12 category two interests are referred to.

00:35:16:27 - 00:35:23:03

Again, there is a reference to the right sort in the draft DCO not being inconsistent with these rights.

00:35:31:28 - 00:35:43:16

No further updates. Deadlines 1 or 2. Could I ask the applicant just to provide a clarification on that point if possible, please?

00:35:50:11 - 00:36:21:14

Uh, project the applicant. Uh, yes. So the book of reference lists, um, in the category two, um, column in part one. Um, everybody who's got an interest in the land, uh, regardless of whether that interests would be affected by the scheme. Um, so it's everybody who's got an interest just in the order land generally, not whether their interest needs to be, um, uh, suspended or overridden or interfered with in respect of the scheme.

00:36:21:16 - 00:36:47:25

So there are a number of persons who have, um, the benefit of, uh, rights and restrictive covenants, um, in respect of the order land, but where a voluntary agreement is not required because no consent is necessary to carry out the scheme. Um, because there won't be any interference with that. Right? Um, so, for example, if somebody had, um, a, uh.

00:36:49:15 - 00:37:18:00

A right of way for a, um, private water pipeline, for example, that was not being impacted by the scheme. Um, there would be no need to enter into a voluntary property agreement with that person, um, particularly if they don't have any restrictions on the use of the use of the land. So, um, that's why they're not, uh, we we're not required to do a voluntary agreement with them. However, they do have to be listed in in the book of reference because the right exists over the land.

00:37:22:14 - 00:37:23:16

Okay. Thank you.

00:37:40:04 - 00:37:50:11

So again with reference to. Rep 2014. Schedule. Entry five.

00:37:56:07 - 00:38:20:21

Which cross-references sheep for of the land plans. Plots 040 44 040 46 048 4704 845. It relates to the cable corridor between West Burton and West Burton two. The negotiations have taken place in the states of agreement. Um, but the landowner is not willing to enter into a voluntary agreement.

00:38:22:08 - 00:38:30:21

That was a deadline one. Deadline two. No further update and I appreciate. But there may not have been again.

00:38:32:17 - 00:38:48:06

Substantial amount of time between those two deadlines. Well, that's be an update, but have any further efforts. Been made to reach voluntary agreement, and are other options being considered in regard. Item five. Entry five.

00:38:49:21 - 00:39:26:06

A clever project for the applicant. Um, yes. Mr.. Um, Elliot's concerns, as I think set out in his, um, relevant representation, um, relate to, um, EMF related concerns about the scheme. Um, the applicant has obviously responded, um, to those to confirm that, um, the scheme complies with the limits on EMF, um, and that, um, and try to give some reassurance that, um, his concerns, um, uh, well, you know, we're not materialised.

00:39:26:08 - 00:39:56:24

And the applicants also looked, um, at, um, sort of micro siting, um, the cable, you know, as far as possible to the sort of the, um, the boundary of his land to try, um, and give again additional, um, reassurance to the extent possible. Um, however, at the moment, it's not considered likely that he will be willing to enter into a voluntary agreement in light of those concerns.

00:39:56:29 - 00:40:03:24

But yes, the applicant has taken steps to try and, um, answer queries that he has about EMF.

00:40:08:12 - 00:40:11:03

Thank you. Yeah. That's understood. Understood.

00:40:12:27 - 00:40:13:12

Um.

00:40:14:27 - 00:40:21:28

Entry seven and eight. This may be.

00:40:23:22 - 00:40:52:22

Getting ahead of myself. Maybe dealt with under item five site specific matters. But I think as we're as we are here now, I, I entry seven relates to the hills. Um. So we have an update of deadline updates with basically discussions are ongoing. Is there any further updates beyond that which has already been submitted in the schedule for entry seven and eight?

00:40:55:19 - 00:41:30:10

And their project for the applicant. Um, discussions are ongoing. Um, as you may be aware, Mr. and Mrs. Hill are affected by the shared cable route corridor. So, um, affected by not only this scheme, but also the Cottam solar project and the Gate Burton Energy Park project. So discussions, um, have been ongoing amongst all of the developers, um, with the landowners. Um, it is um, at the moment, um, discussions are relating to the quantum of compensation payable.

00:41:30:13 - 00:41:43:06

Um, and some further work in terms of, uh, land values is being undertaken. Um, the parties at the moment are quite far apart in terms of the value. Um.

00:41:44:23 - 00:42:15:24

That's appropriate for this particular plot of land. Um, so in terms of an update, uh, all I can really say is that discussions are ongoing. There is still an ongoing dialogue, and there is the possibility of a voluntary agreement, should there be, um, resolution on the matter of compensation, which I appreciate isn't a matter for this, um, for this hearing process. Um, but we can obviously provide a further update at the next deadline in the event that matters have progressed since then.

00:42:15:26 - 00:42:55:12

We also did, as I'm sure, have noted, um, submit a, um, uh, a deadline two an options report which looked at um, or set out, um, some alternative route options that are being considered by all three of the projects in the vicinity of that land. I think that's Rep 2009. Um, and which concluded, um, that, um, the route that's set out in the DCO application, um, remains the preferred preferred route, but further work was undertaken in response to comments made by those landowners.

00:42:55:21 - 00:42:57:27

Um, and yes, discussions are ongoing.

00:43:01:21 - 00:43:02:06

Thank you.

00:43:10:03 - 00:43:35:22

Yes, I suppose I'm conscious that the these plots are within that shared area, and that progress may be. Being made or achieved through the combined, uh, number of schemes which affect the land. And really, just then, uh, as you've already said, an updated deadline for on on those entries would be very helpful. Thank you.

00:43:56:27 - 00:44:14:25

Turning to entry nine and ten. This relates to the acquisition of rights and temporary possession of Sdn, said limited and SNC limited land.

00:44:16:10 - 00:44:42:18

I believe I saw in the book of reference. There's also a reference to NSN esm limited. Um, it appears to relate to the land required to the construction of the cable route corridor connecting with West Burton Power Station. Um. Deadline one. Update indicated that discussions are ongoing over option easement value due to mine and mineral safeguarding.

00:44:44:11 - 00:44:47:15

There was no further update at deadline two.

00:44:49:15 - 00:45:23:06

Also note that there were relevant representations objecting to the inclusion of this land relating to these interests. Um, as I say, the name, the name and organisation there under entries nine and ten. So just to clarify really what what are these ongoing discussions? What do they refer to and is there anything to update. In the option and easement value and the mineral safeguarding and mining in those cases.

00:45:25:27 - 00:46:06:01

A club project for the applicant? Um, yes. So the applicant met with the landowners on Friday the 2nd of February. So Friday to Scone, um, and their agent to discuss, um, the, uh, heads of terms for the cable in this area. Since, um, the DCO application, um, was submitted, it has now come into the public domain that these landowners, um, have entered into an agreement with another solar developer for, um, another um and CIP scale solar project to be located on land to the south of the um, West Burton Power Station.

00:46:06:12 - 00:46:49:12

Um, and so they, um, parties are working together to ensure that, um, this scheme, um, does not, um, adversely impact on their, uh, solar development proposals, um, for that area. And that is the reason why, um, the plot of land that's to the south of um, West Burton substation, um, is is so wide. Um, we have purposefully allowed greater flexibility in terms of the location that we come into West Burton Power Station grid connection in order to be able to microsite, um, our cabling around their development proposals.

00:46:49:14 - 00:47:22:24

So obviously that scheme wasn't in the public domain when we were providing the previous updates. It is now in the public domain, so we can provide a bit more information about that. But yes, we have purposefully made the order limits wide there so that we can ensure that, um, the, uh, cable can be, uh, can coexist with their development proposals, but their proposals are very early stage. So they don't have, um, any kind of detailed design as yet for their scheme.

00:47:22:27 - 00:47:44:06

Um, but we are confident that the two projects can coexist as we are co-existing with other developers. Um, throughout the rest of the scheme, both other inset projects, um, and also, um, smaller town and country Planning Act applications. So we don't believe there's any technical issues associated with that.

00:47:46:15 - 00:48:03:02

Thank you. Okay, I noticed that we may be having some. Technological screen items. I just need to check that we're not losing connection virtually. I think it's just in the room. Okay.

00:48:04:21 - 00:48:09:20

Apologies for that. Every one seems to. It seems to be corrected now.

00:48:11:15 - 00:48:16:27

I've got confirmation there's no problems online, so we will carry on.

00:48:18:20 - 00:48:19:12

Okay.

00:48:51:21 - 00:48:56:26

Okay. Item or entry rather 16.

00:48:59:08 - 00:49:01:15

Again in, um.

00:49:03:03 - 00:49:05:18

Rep to hyphen 014.

00:49:09:28 - 00:49:23:24

Temporary possession correspondence received in relation to this person's land ownership, which is plot oh six. Hyphen 080. Access to Martin Moor Farm from Tilbrook Lane.

00:49:27:21 - 00:49:32:27

Specifically, I understand the land concerned is registered land adjacent to an adopted highway.

00:49:35:14 - 00:50:02:19

The applicant responded to the written reports received stating that this person has been included on the basis, but the land concerned is registered land adjacent to an adopted highway, and the presumption that an owner of the land, which abuts either a public or private highway, also owns the soil of the highway up to the mid or center point. The schedule sets out that, given the powers being sought by the applicant in the draft, it is not necessary to seek a voluntary agreement with this landowner.

00:50:04:24 - 00:50:34:17

So I think that refers back to the points that we discussed earlier about subsoil, but I'd appreciate some confirmation and clarification on that. But it also appears that this person is not responded to consultation notices sent in February and May 2023. This is not necessarily being taken any further. However, their written rep suggests that there may be some confusion by the situation. Um.

00:50:36:12 - 00:50:42:20

And dates around which notices were issued specifically. August 2023.



00:50:44:17 - 00:51:01:23

Is there anything the applicant is able to assist with on this? Any, um, discussions or clarification for the parties concerned over those dates and over the, um, responses to any consultations?

00:51:36:18 - 00:51:38:11

Uh, Claire project the applicant. Um,

00:51:40:00 - 00:52:06:21

we don't we haven't. As far as I'm aware, we haven't, um, met with this particular, um, affected person specifically. Obviously, there has been an exchange of correspondence, but we all need to, um, look into it in more detail, um, to see what was sent. Obviously, he's received the, um, statutory notices, which I believe is what he's, um, referring to. Um, but it sounds as if perhaps he, um.

00:52:08:24 - 00:52:35:21

There may be merit in trying to write to him again if he's still confused about, um, the extent to which, um, he may be affected. Um, if the initial response that was given was obviously not, um. Clear enough for him. So we will look into that and see whether a further letter can be sent and can be sent to him. Thank you.

00:52:36:16 - 00:52:59:15

Thank you. I think that would be. Quite helpful. In this instance, it's just the reading of the, um, the schedule here against. The comments that have been made in written representations. It. It would be helpful just to clarify those issues and if possible, provide the update then by deadline for. Thank you.

00:53:20:29 - 00:53:53:00

So I think that those are my points on that schedule, on the schedule of negotiations relating to compulsory acquisition, which is the is the appendix B of the Statement of reasons, which has been updated with the recent change request. This is the schedule that includes the reference to progress of negotiations with landowners. And as mentioned, I note that in most cases.

00:53:53:26 - 00:53:58:06

At deadline two. Negotiations were ongoing.

00:54:00:05 - 00:54:03:27

Mostly with the hope that they will be finalised before the end of the examination.

00:54:06:25 - 00:54:19:15

You may have already concluded or answered this, but does the applicant foresee any obstacles here to finalisation before the end of the examination?

00:54:26:15 - 00:54:59:10

Uh, temperature of the applicant. Um. I think it's previously mentioned in relation to um. So we obviously have agreements with all of the, uh, landowners for the, um, solar PV sites, the battery energy storage and the um, substation. So we're only talking about outstanding agreements in relation to the grid connection cable. Um, as I mentioned before, we are hopeful that agreement will be reached with the vast majority of landowners prior to the end of the examination.

00:54:59:19 - 00:55:34:24

Um, but what I would say is that those, um, attempts to reach voluntary negotiations won't, um, stop. Once the examination ends, the applicant will continue trying to progress those, um, agreements, um, during the, uh, recommendation and determination period, and obviously can provide the Secretary of state with an update, um, prior to a decision being made if requested. But, um, as is, um, required by the guidance, those those voluntary negotiations will continue with the use of compulsory acquisition powers always being a last resort.

00:55:34:26 - 00:55:37:00

Thank you. Okay.

00:55:38:14 - 00:55:40:19

That's noted. Thank you. Um.

00:55:56:24 - 00:56:23:11

I suppose. Just to reiterate then, before we move on. If it does appear that there will be any issues with such agreements being reached. To kindly, helpfully keep the examining authority up to date through the various deadlines that we have. So you know, that does conclude my questioning under item three. Going to moves on to item four.

00:56:24:27 - 00:56:26:00

Which is.

00:56:28:01 - 00:56:59:23

The applicant's recent change request. Um, item four is applicants update. As a consequence of the change request, there is a hyperlink in the agenda which links to that change. Request the applicant submit the change request at the beginning of January 2024. Thus far. There are five relatively small scale changes proposed there, said to reflect the applicant's ongoing engagement with landowners or affected statutory undertakers to reach agreement at specific points.

00:57:00:19 - 00:57:32:19

As an examining authority, we have accepted the proposed changes into the examination. The implications of the changes proposed in terms of the need for additional consultation have been set out in the examining authority's our rule eight three letter issued last week. Specifically, these modifications have implications for the acquisition of land or interest in land at the specific points which do engage the compulsory acquisition regulations and therefore there is a need for further consultation.

00:57:33:05 - 00:57:50:18

So at this point, I'd like to invite the applicant to explain the implications of the change request in terms of compulsory acquisition and temporary provision, temporary possession provisions sought and how these meet the test of the Planning Act 2008.

00:57:52:24 - 00:58:16:15

Accepting. I think, Miss Broderick, that you covered part of this in and under item three. So really, a brief a brief summary. If. If I may just ask for that relating to, again, compulsory acquisition and temporary possession. Thank you.

00:58:19:22 - 00:58:56:16

And for the applicant? Um, yes. So as you've identified, um, the minor changes to the order limits, um, that were requested as part of the change in application also included, um, uh, a request for compulsory acquisition powers, um, and, uh, temporary use powers over those, uh, new areas, um, of land. The additional land in each case, um, the powers being sought were similar, um, to those of the adjacent land.

00:58:56:25 - 00:59:33:04

Um, so, for example, uh, where rights were being sought for the, um, cable route and Network Rail's railway, um, we have widened the area to give some flexibility. Um, but the same nature of rights as being sought over that wider area. Similarly, where um, the order limits were widened to um as a result of discussions with another solar developer. It's the same nature of of rights being sought, but yes, just over a, a wider area.

00:59:33:06 - 00:59:52:07

So in terms of the application of the test in the Planning Act 2008, um, the applicant's case is the same as I set out earlier in the agenda because the nature of the rights and their purpose, it is, is the same or similar to that that were formed part of the original DCO application.

00:59:54:08 - 01:00:17:12

I can go through each of their changes if that would be helpful. But they are very minor in nature and really just extending extending the order limits. Um, as a result of discussions that have been had either with Lincolnshire County Council in terms of visibility splays or with landowners in terms of the location of access points or the grid connection cable itself.

01:00:17:14 - 01:00:36:06

Yeah, I suppose. That would be helpful in this case. I appreciate there were discussion at the was a discussion around this at the DCO hearing a couple of weeks ago, but for the purposes of this CCA hearing.

01:00:37:21 - 01:00:58:29

It would be useful if. You could just set out very briefly those five, um, changes and the implications arising from them in terms of CA and TP, that's compulsory acquisition and temporary provision. Just so it is very clear in this hearing as well.

01:01:02:03 - 01:01:06:26

I care about the applicant. Yes, I will. I'm just gonna locate the correct document. Bear with me one moment.

01:01:32:05 - 01:01:37:13

Whilst you're finding the the the document, it's probably worth.

01:01:39:22 - 01:01:58:01

Noting that. The consultation period will open and run for the required amount of time. And in the examining authority's rule eight three letter, there is a revision to the timetable to accommodate further hearings if necessary.

01:02:04:03 - 01:02:36:19

Membership the applicant. We just finding the relevant reference number for the actual change application itself. Um, but in terms of going um, through those, the first change, um, which is change one comprised an extension of the order limits, um, from the uh, public highway, um, to the West Burton one site. Um, and that was as a result of discussions with Lincolnshire County Council's highway department about the potential need for temporary passing places within the highway boundary during construction.

01:02:36:28 - 01:03:07:13

Um, so that, uh, the yellow land plot has been extended, um, all the way up to the, um, public highway in that location that can be seen on sheet one of the change land plans. Um, which was S-0 to seven. Um, and yes, the changes themselves are set out in the application, the change Application and consultation report, which was S-056.

01:03:08:07 - 01:03:20:04

Um, so this was an extension of temporary use powers, um, to take the access all the way back up to, um, the A1 500, um, for those temporary passing places during construction.

01:03:21:29 - 01:04:04:09

Um, change to um relates to um, as I mentioned before, um, the interactions between, um, the scheme, um, cabling and um, another solar project being promoted by Luminous Energy, um, who are under the Town and Country Planning Act. Um, and so this is the cable connection between West Burton two and West Burton, three sites. Um, and the corridor in that location has just been widened slightly to allow, as I mentioned before, for that, um, uh, micro siting flexibility as they are, um, developing the detailed design of their scheme.

01:04:04:11 - 01:04:17:03

Um, and in the event that they get planning permission, um, to ensure that the two schemes can coexist. Um, so it was a widening of the cable corridor to give, um, some additional flexibility in that area.

01:04:18:22 - 01:04:50:14

Um, and that can be seen on, um, sheet five of the land plans, um, change three related to the location where the, um, cabling, um, for the West Burton three site crosses beneath, um, the, uh, railway. That's the link into Gainsborough railway line. Um, as a result of further discussions with Network Rail, um, there are a number of different design solutions for that crossing.

01:04:50:20 - 01:05:04:11

Um, and so an extension to the order limits, um, was included. Um, and that can be seen on sheet six of the land plans to give um, more flexibility for the design of that railway crossing.

01:05:06:09 - 01:05:22:08

Um change for um relates to, um, visibility display. Um, that has been agreed with, um, the other developers for the, uh, A156 high Street. Martin. Um.

01:05:23:25 - 01:05:54:05

It was a an extension of temporary use powers for the village display. And that's just to make sure that the order limits for this scheme, um, align with the order limits for the gate Burton Energy Park scheme and the Cottam solar project in this location. Um, there are no works proposed, um, in this area. It's just a longer visibility display to ensure that consistency of approach. And that's on sheet seven of the land plans and additional temporary use plot.

01:05:54:15 - 01:06:29:26

And then the final change relates to access, um, to the West Burton Power Station from Gainsborough Road. Um, as a result of ongoing discussions with EDF, um, the uh, an additional um access route into West Burton Power Station has been included. And that is just the use of the existing access route into West Burton Power Station. Um, to the north of the um, uh, proposed uh, route that was originally shown in the DC application.

01:06:29:28 - 01:06:54:00

So no works or, um, changes to that, um, access are required. It's just an ability to use the existing access that EDF use to access the West Burton Power Station site, and that's to facilitate, um, construction of the actual grid connection point itself, um, within their land and for ongoing maintenance purposes.

01:06:57:11 - 01:07:02:21

That's. Sorry. That's sheet ten of the land. Plans for that change can be seen on.

01:07:07:28 - 01:07:10:07

Thank you. Okay.

01:07:15:05 - 01:07:16:08

So at this point with.

01:07:17:28 - 01:07:44:10

With the change request. Um, there are a number of steps to go through under the regulations which are being complied with. The change request has been accepted. Um, and as I stated, there will be provision for further hearings, including compulsory acquisition hearings, if they're required into those changes at a later date once the consultation has. Been undertaken.

01:07:47:04 - 01:07:54:05

At this point on the change request, I would, uh, invite questions on it.

01:07:56:11 - 01:07:57:03

Mrs..

01:07:57:27 - 01:08:06:27

Warren as the attendee in the room. Do you have any queries or questions relating specifically to that change request?

01:08:08:13 - 01:08:39:18

Warren. Um, underneath the West Burton cooling towers. Um, the cabling. Um, regarding the Network Rail, does it, um, come underneath the railway in front of, uh, West Burton Power Station, front entrance. Um, and impact on the lane in which I live. And, um, the quarry which is in situ at this moment in time.

01:08:41:01 - 01:08:50:09

Thank you. So that's a number of questions relating to to some of the specific cabling routes around the power station.

01:08:54:08 - 01:09:46:08

So many years ago. Well, I've owned the property I live in since 2008, and in 2010 I applied to increase the voltage of electricity into my property. And you would think the fact that I live next door to Westport and Power Station, um, and the grid, it would come from the grid and it didn't. The lady that quoted me in 2010 suggested I sat down. Uh, when she gave me the figures and the figures to, um, put electric into my yard was 32, 64 or 100,000 because the of the only way they could get the cables through was round the, um, the railway line which runs at the side of Westport and Power station.

01:09:46:12 - 01:10:17:02

So they always there's always been the impact of the, the, um, the trend lines with cabling when it's when the solar panels have started and if it impacts on me, it's got the amount of, um, solar panels and projects that are, are heading the way to, to certainly steeple and the cabling and the fact that the grid is the prize. It's not um, because, um, unless you can plug something in, everything's pretty damn useless.

01:10:17:12 - 01:10:52:07

And so the cables are the thing that is going to destroy the land and the landowners, and there is not. And I think the fact that they're minor changes, I find, um, you know, if you live there, it's not minor. And the other change is the fact that you're going to use the main entrance of Westport and Power Station in last year. Um, I was approached by the battery pack people, uh, Gail Abbott or, like Gail or somebody and Christina Greenwood, who, um, came to tell me all about the battery packs.

01:10:52:15 - 01:11:28:15

And one of the things they, they, they talked to me and, and they would do a fairly helpful and the things they're going to do, and they won't they won't respond to me anymore. They don't answer an email. They've never talked to me since, but the amount of traffic was 340 vehicles a day that was going to, um, to go into West Burton via Gainsborough Road. And if if we have this minor, uh, impact from this, this minor changes, you got the impact of the, of the, um, of the traffic is going to be beyond belief.

01:11:28:17 - 01:11:54:06

We have not got the infrastructure for the amount of traffic that the these solar projects will, will, um, will produce. And if you come in. Can I just finish? If you come and look at the roads we have at this moment in time, they are there already. Um, in a right state. And it's a village. It's not the A1, it's not the M1, but it feels like it's some days.

01:11:54:18 - 01:12:22:25

Okay. Thank you. So from that, specifically with regards to I think your question was around. Cabling routing in the Network Rail or the rail corridor. I'm just going to invite the applicant to respond to that point, bearing in mind we're in a see a hearing at the moment. Is there anything you can respond to with within Mrs. Warren's, um, comments? Thank you.

01:12:23:28 - 01:12:55:25

Uh, for the applicant. Um, just to clarify that the, um, railway crossing that I was referring to for this particular scheme, um, relates to, um, the railway that is to the, um, east of, um, Martin rather than, um, it's proximate to, um, West Burton Power Station. So it's different, different railway crossing that we're, um, specifically, um, discussing for this scheme.

01:12:56:10 - 01:12:56:25

Um.

01:12:58:20 - 01:13:39:27

All I would say is I appreciate that. It's probably very confusing because there is a lot of information, um, in the public domain about, um, a number of different schemes in this area. Um, and it's very easy to get confused between which scheme is doing which and how those schemes have, um, evolved over time. Um, so back at the um, statutory consultation stage for the West Burton scheme, which was obviously what we're discussing today, um, the applicant was looking at locating um, substation and, um, energy storage in the vicinity of uh, Westborough and power station.

01:13:40:05 - 01:14:14:14

There was also another site known as West Burton for um, which was also being considered for solar panels. Um, in response to feedback at statutory consultation and ongoing environmental surveys and design evolution, um, the uh order limits for this particular scheme were changed such that West Burton foresight was removed from the scheme, and the energy storage and substation were relocated to within the West Burton three uh site.

01:14:14:16 - 01:14:44:26

So for this particular scheme, um, the cabling, um, for the grid connection cabling, um, obviously does still connect into West Burton, uh, power station, but it comes up from the, from the south, across um, uh, from sort of the south easterly direction up into West Burton Power Station. Um, and when we're talking about construction vehicles for this particular scheme, um, they're only minimal construction vehicles.

01:14:44:28 - 01:15:22:05

I don't have the number to hand, but we can put those in the, the written summary, um, associated with the construction of the cable corridor in this, um, in this area. However, I appreciate obviously that there is another. And set scale solar project being proposed in this area, um, which obviously will

have, um, far higher numbers of traffic movements associated with delivering solar PV. If that is the proposal in this area. It's at very early stage. Um, so I can see it's very easy to get confused between which scheme we're actually talking about here.

01:15:22:07 - 01:15:49:27

But, um, in terms of this particular scheme, um, we don't consider it will have the impacts that perhaps miss, um, Miss Warren is concerned about because, um, that's not what's being proposed for this particular particular scheme, but perhaps we can, um, uh, show Miss Warren on the plans, um, outside of this hearing, just so that, um, she, um, there is perhaps greater clarity as to which projects which.

01:15:50:15 - 01:16:22:29

Thank you. I think that that sounds very helpful. If, uh, Mrs. Warren would be able to take you up on that offer. Just to go through the various schemes, um, in the area and maybe to outline some of the on that point about the construction traffic and the impact locally, if that could be addressed equally and also through responses at deadline for so that that's available for everyone to to view.

01:16:23:16 - 01:16:24:01

Um.

01:16:27:06 - 01:16:38:27

And yeah, an offer of some kind of assistance during a break or outside of the hearing would, I believe, be beneficial as well. Okay.

01:16:42:15 - 01:16:48:29

I'm about to move on to item five. You can raise a raise the question through me if that's okay.

01:16:51:03 - 01:17:24:11

Mrs. Warren. Um, underneath the cooling towers of West Burton Power Station. Can I ask, is there a cable running across the front, or an application to run a cable in front of, um, the quarry entrance and the entrance to the land in which I live in? Um, because I'm, I, I would like to see and and the village would like to see a map of everything that is being proposed in certainly steeple because the confusion is that, well, I'm not a solicitor.

01:17:24:14 - 01:17:56:18

I haven't got the time to read the thousands of pages that you, you produce, um, to, um, to produce what you are doing. And, and my planning man hasn't got the time to actually sit back and and look at all these, um, proposals that you're doing. But the confusion is that you're bombarding the whole of the countryside in which I live, um, with different projects, to the point that we don't really know which projects books up to the next one.

01:17:56:29 - 01:18:46:26

Um, because you all do your, your environmental service and everything and everything that you're doing, but nobody knows which company is actually using which area. So how how can we we, um, look at what you're doing if we haven't a clue because nobody has written a map of the, the all the areas that have been affected, who it's affected by and and the area and, and everything that's going



on. Because as a, as a 67 year old woman living in a little house that wants to get on with her life, that can't because she's fed up of people traipsing around and droning over her, then, um, will somebody give me a map of everything that's going to destroy the countryside of Lincoln and Stanley Steeple? Because that's exactly what you're going to do.

01:18:47:28 - 01:19:16:18

Thank you, Mrs. Warren. I think some of those questions link to your previous, earlier comments, and I've noted the applicants, um, offer to discuss some of this with you outside of the hearings by way of explanation and hopefully confusing the issues of the various schemes together. Okay. I'm going to move us on to.

01:19:18:20 - 01:19:26:00

Time check. 1119 I'm going to move on to item five, which is site specific matters.

01:19:28:18 - 01:20:02:09

This item relates to outstanding objections to compulsory acquisition and temporary possession. This is an opportunity for anyone. Any of the affected parties present to expand to early on outstanding objections to compulsory acquisition and or temporary possession. So the very specific point rather than any. Yeah, rather than any wider concerns about the merits of the application. So any comments need to be isolated really to points on compulsory acquisition and temporary possession.

01:20:03:13 - 01:20:39:24

Those other points will be addressed elsewhere and we have issue specific hearings following on from the case hearing over the next set of days. We haven't had any specific request to speak from affected persons today. However I'm aware of. Well, from the schedule of progress regarding objections and agreements in relation to see ATP and other land rights, that there is an ongoing site specific matter relating to the shared cable crossing between the A1 five six south of Martin and the River Trent.

01:20:40:17 - 01:20:46:02

Um, but deadline to update suggests that the discussions are on going.

01:20:47:20 - 01:20:49:14

On that point, can I ask the applicant?

01:20:51:15 - 01:21:00:17

To update on the latest position. So this is. The ongoing matter relating to the shared cable route crossing.

01:21:03:00 - 01:21:10:21

Um. That has been reported through deadline. Two discussions are ongoing. Is there anything that the applicant can update on that point?

01:21:17:28 - 01:21:24:03

Uh, collaboration with the applicant. Sorry, could you just clarify which landowner you're referring to?

01:21:24:05 - 01:21:29:06

Yes. So this. We have touched on this. So this is.

01:21:29:08 - 01:21:30:08

The starting.

01:21:30:10 - 01:21:56:14

Point for Mr. and Mrs. Hill, is that I believe or understand that they would prefer cabling not to be in their land. Um, if it's going to be in the land. Preference would be. For an agreement rather than a permanent easement. You have already outlined progress with, uh, those areas of land reflected in and trees. I think it was.

01:21:58:02 - 01:21:58:24

Five.

01:22:01:13 - 01:22:03:28

And six, so there's no need to repeat that.

01:22:09:22 - 01:22:22:06

No. Seven. Yeah. Seven. Entry seven and eight. So the the the preference of cabling not to be on the land, but a lease agreement rather than a permanent easement.

01:22:24:06 - 01:22:55:20

Uh, the applicant? Um, yes. As I mentioned earlier, we did submit, um, the, uh. The options report, which looked into the, um, the viability of locating, um, the shared cable route outside of, um, their land. Um, um, and as I said, which was rep 2-009, um, and that, um, concluded that this was the preferred route. There wasn't a more preferable route for it.

01:22:55:22 - 01:23:27:12

The applicant and the other developers for the share cable route, um, have undertaken significant amount of work to be able to confirm that, um, the, uh, development, the agricultural barn development that the landowner has planning permission for can be built out, um, and coexist um, with cabling. Um, and has also um had discussions about the form of agreement, whether it's um, an easement or, um, a subsoil lease.

01:23:27:18 - 01:23:40:22

Um, but as I mentioned before, the main issue at the moment, um, relates to the consideration payable, um, and the parties are quite far apart in terms of the, uh, money that the landowners want for that agreement. Okay.

01:23:43:25 - 01:23:44:14

Thank you.

01:23:59:09 - 01:23:59:27

Okay.

01:24:07:08 - 01:24:51:19

So I'm just checking online for any other attendees who might want to speak on. Item five, and as stated, we didn't receive any notification of any attendees or affected persons speaking today. Before moving on to item six, which is Statutory Undertakers. I did say we would have a pause around about 11:30. I think that seems like a good time to take a relatively short break and resume at 1140, so that's 16 minutes.

01:24:51:21 - 01:25:10:29

If you're watching online, you will need to refresh your browser. And when we come back, we will take the following items on the agenda during that 16 minute break. If anybody in the room wishes to begin those discussions around.

01:25:11:09 - 01:25:11:24

Some.

01:25:11:26 - 01:25:25:23

Of the confusion and some of the cable route issues, that would be absolutely fine. So 15 minutes now and, um. Just adjourn briefly. See you in a short while.