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FULL TRANSCRIPT (with timecode)

00:00:13:01 - 00:00:13:16

Now.

00:00:15:27 - 00:00:21:08

Welcome back everyone. It's now 1151 and the hearing has resumed.

00:00:22:23 - 00:00:31:02

Okay. Um, so I'm now going to move on to human health. Um. And as regards that, um.

00:00:32:23 - 00:00:54:18

Can the applicant please explain why there would only be cumulative adverse effects on the Trent Valley way as we go recreation routes and again can take you to the reference in the chapter if you want me to. Um, but why there wouldn't be such effects on other public rights of way, such as those from Lincoln Edge or those which are close to more than one scheme in terms of the cumulative effects.

00:01:05:17 - 00:01:08:09

Just bear with me in one moment. I'm just going to see whether we need to swap in.

00:01:09:22 - 00:01:16:06

The references in chapter 21, if that helps. It's paragraph 2.5.41 on page page 19.

00:01:38:09 - 00:01:38:24

Yeah.

00:01:44:29 - 00:01:56:15

Just finding the reference and just clarifying who's to speak to it. Thank you. And as mentioned yesterday, the the author of the socio economic chapter was unfortunately unable to attend the hearings this week. So bear with us a moment.

00:02:02:17 - 00:02:04:06

The Environmental Matters chapter.

00:02:26:13 - 00:02:29:10

That's paragraph 21.50 .41.

00:02:38:03 - 00:03:15:00

Becky Razak Lampert on behalf of the applicant within chapter 18 socioeconomics, Tourism and Recreation. That's document zero 53. Access to and use of public rights of way has been considered a determinant of health and well-being, and it's considered desirability as a result of the replacement of the scheme in the assessment of the impact on people's use of these routes for recreation. But all impacts are assessed as long term for the operational lifetime of the scheme, and consider a worst case, pessimistic approach to how desirability of these routes could be affected.

00:03:16:06 - 00:04:16:27

Up to a moderate minor adverse effect on public rights of way that will have immediate visual impacts from the scheme shown in table 18.20 up to moderate minor adverse effects on long distance recreation routes that will have distant visual impacts from the scheme shown in table 18.20, as well as a moderate minor beneficial effect to recreational route use in the locality of Stow around the introduction of the permissive path at paragraph 18.7.108, all paths and long distant routes that remain open throughout the operational lifetime of the scheme, and such accessibility to these routes is not impacted by the scheme, up to a minor adverse effect on recreational use of waterways and formal recreation centers, and informal play and youth recreation spaces as a result of visual impacts affecting desirability, also set out no impacts.

00:04:18:07 - 00:04:22:03

As a result on impact on accessibility for those.

00:04:24:24 - 00:04:48:03

Just what I'm interested in. Obviously, you've come to the conclusion there will be a community of adverse effects in relation to Trent Valley Way that's identified, but I'm also interested in why not with such effects and put it right away from Lincoln Edge. If you're looking over the schemes and also where you have put it, rights of ways which are close to more than one scheme, why wouldn't there be a similar level of level of effects to the Trent Valley way?

00:05:05:15 - 00:05:09:16

We're going to have to take that point away and respond in writing, if that's okay. Okay.

00:05:15:00 - 00:05:29:26

And she was on the subject of public rights of way. Are there any matters which neither parties wish to raise? Notice. Mr.. I think you said you had one of Lincolnshire County Council's staff on on teams.

00:05:30:13 - 00:05:50:03

So it's definitely Lancashire County Council. We were hoping to. Yes. But don't think he's managed to to join us. So unless somebody shouts at me from from teams and we are a team member down so that but don't think we have anything that we necessarily need to highlight today that we couldn't do so in writing. Thank you.

00:05:50:16 - 00:05:56:08

Anybody else in relation to the public rights of way, including two effects to raise. Okay.

00:05:58:03 - 00:06:27:29

And then secondly, relation to again staying with human health and getting cumulative effects. I just wondered what evidence is being used to assert the claims on the effects in relation to to human health and wellbeing. Again, I think that set out in paragraph 21, paragraph 21.5.42 of chapter 21. So what evidence is being to use to assert the conclusions in that paragraph? That's obviously a question for the applicant.

00:06:43:10 - 00:06:47:24

The applicant will respond in writing on that point and provide a more detailed answer.

00:06:51:20 - 00:07:01:08

This project would suggest that perhaps we include those two points in our second set of written questions, and then otherwise it gets a bit disjointed if we're asking the questions here and then.

00:07:05:23 - 00:07:10:13

An easy way of dealing with it, and then parties can comment on those as we move through the examination. Okay.

00:07:10:24 - 00:07:13:29

Claire. Yes, that sounds like a sensible approach. Thank you.

00:07:14:03 - 00:07:21:21

Thank you. In relation to human health and the effects, before we move on to any other points any of the parties would wish to raise.

00:07:23:28 - 00:07:25:02

At 7000 acres.

00:07:26:18 - 00:08:06:24

Thank you. Mark. 7000 acres. We believe that the applicant is an estimated the effect because. Perhaps if I could give myself as an example. We live in Kecksburg, and if and in Kecksburg there are five routes out of the village. If we take either a two routes going west, we hit a gate there. If we go to the south and southwest, we get to West Burton, going due south we get to cotton and again on the final route.

00:08:06:26 - 00:08:38:13

If we go out to the northeast, we get to the cotton schemes as well. So if we go for a long walk or I cycled to keep fit. So if I go on a normal 15 to 20 mile ride, I can be in view of these schemes for probably 50% of the time. And it's things like that that have not been assessed. The applicant for this project, and indeed the others seem to.

00:08:40:05 - 00:09:05:00

Assess if there is a concurrent effect. So if you can see one or more schemes from the same point, but they do not take account of traveling through the county for recreation, or indeed going to work where you will get to schemes in a sequence no matter which way you travel.

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And so I think that point does need to be addressed.

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Thank you.

00:09:17:05 - 00:09:18:27

The most applicants response to that.

00:09:20:07 - 00:09:22:16

And how about you, the applicant? And

00:09:24:01 - 00:09:37:09

we can provide some more information on the specific points. But obviously, as we've set out in chapter 21, which provides a sort of a signposting exercise on the basis that a separate health chapter was.

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Was sort of scoped out. And we've basically stated that the the human health, the scope of the assessment has been informed by the assessments carried out in each of the other chapters. So in terms of some of the things that were mentioned just then, obviously the Landscape and visual chapter has considered transport receptors as part of its assessment, both for the scheme alone and

cumulatively. Similarly, the socioeconomics chapter considered um users of public rights of way and those sorts of things.

00:10:13:01 - 00:10:49:03

Again, the scheme alone and cumulatively. So in terms of. The assertions being made that we have underplayed or somehow not considered. Um. Receptors properly within the environmental impact assessment. We would strongly disagree with that. It has been considered. It's been considered in the individual chapters, both in terms of scheme alone. So each of the chapters considers impacts in combination and then cumulatively with the other projects that are proposed in this area.

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So.

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Our approach is that the assessment is comprehensive. If we wanted to talk more about transport receptors and visual impacts, and obviously Mr. Topping can provide some more, that can provide a short summary of how we've assessed transport receptors travelling through um. The area. That would be helpful.

00:11:13:15 - 00:11:47:13

And sounds like further comments were raised on this matter for removal price 7000 acres. I think it would be helpful to sum up the the human health issues in one chapter, as opposed to addressing them piecemeal. Because because often the issues are greater than the sum of the parts. And if we look again, it's the way that you've assessed the impact on things like public rights of way and roads.

00:11:47:21 - 00:12:18:23

If we look at the glint and glare assessment, it says, yes, there are impacts on some of the public right of ways, but people can move away quickly now. Not everybody can move away quickly. They dismiss glint and glare on main roads, where people often walk and cycle because they say there is no need to assess glare because the level of of traffic is low.

00:12:18:25 - 00:12:44:21

So so glare is not affected. He is not assessed where many people walk or ride. So I think the assessment as it stands, it is quite weak. But again, I think it would be helpful to have issues specific hearing on human health that pulls all of these issues together into one.

00:12:47:12 - 00:13:24:16

Thank you. I'm coming on that point. I'm not going to respond to the issue specific here. I think it was a similar point to the one we made yesterday that Mr. Henry and will take a judgment call on each individual aspect chapter and whether or not we need to explore them orally or we are content to do so in writing. But Ms.. Broderick, on the point around human health and how I think what Mr. Pryor is saying is it's a presentation of this, you effectively think interested parties are finding it a little bit difficult to go through all of the to pull out the bits and pieces that are spread across the different aspect chapters in terms of human health.

00:13:24:18 - 00:13:43:06

I do appreciate that it was scoped out as a separate chapter, but I do wonder if perhaps it would be useful for the purposes of the examination and for ourselves, and for the Secretary of State to draw all of that information together into one document, so that it is more easily accessible by others.

00:13:48:26 - 00:13:51:13

With the applicant. My understanding.

00:13:56:01 - 00:14:36:09

10 to 21, and that it does provide a summary of the likely significant effects for all of those individual chapters. So the the way that the health has been dealt with in chapter 21 is it draws together the conclusions. Um relating to to those elements. But we will have another look at take away as an action to have a look at that and see whether there is any other way that we can helpfully summarise the information that's contained. Looking at obviously the information in the chapter, the information in the non-technical summary as well, that's obviously provides a much shorter summary of the conclusions for the benefit of interested parties.

00:14:36:11 - 00:14:42:16

But we can we can have another look and see whether there's a more helpful way of presenting the information.

00:14:42:21 - 00:15:04:24

Thank you. I suppose I'm just conscious that there's professionals involved in these areas we are used to have or know where things can be found. So we can go through that process perhaps a little bit more quickly than others. And um, in view of the comments that we are having around human health, it might be useful if we could just have another look at. If you could just have another look at that. Thank you. So don't.

00:15:07:18 - 00:15:12:07

Okay, well, think that brings us almost to the end of agenda item.

00:15:15:02 - 00:15:27:00

But before we move on. Mr. Sheikh, I'd like to touch on this point of the various combinations that have been put forward by West Lindsey District Council.

00:15:29:02 - 00:16:02:22

I'm going to stop with a question, and then perhaps you can explain your position in a bit more detail. But it appears to me that what the applicant has done is assessed a worst case scenario of all the projects being built out or being consented. And so what I'm perhaps not entirely clear on is how the various combinations being put forward by West Lindsey would alter the position in terms of decision making, and a worst case scenario has already been presented for West Lindsey District Council. Yes. So the simple answer to that is that at present, if you reach the decision that the cumulative impact is unacceptable of all of the projects.

00:16:02:24 - 00:16:37:24

So on a worst case scenario, what we don't have is information which addresses the combined effects of various projects. So 2 or 3 of those projects. In other words, at present the decision can be related to the project in isolation alone or in relation to all of them being granted consent, because that's the cumulative impact information that we do have, but we don't have information as to the extent to which this project affects that overall cumulative impact and the extent to which this project affects the potential tipping point.

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Because what can't be established is whether there is an acceptability of, for instance, gate, Burton and Cottam combined. But it would be unacceptable if cotton was in addition to gate Burton and West Cottam if those in West Burton if those two projects were granted consent. So the simple point on our, in our view, is that full information hasn't been provided to allow the examining authority to assess the extent to which there is a tipping point, where that tipping point lies, and the degree to of which Cottam, as an isolated project, contributes to that overall cumulative effect and whether it itself forms the tipping point.

00:17:24:22 - 00:17:57:29

Isn't the point, Mr. Sheikh, that the Secretary of State will look across all of the projects will come to a conclusion. I'll give a hypothetical example here, but let's say the Secretary of State reaches the conclusion that all of the projects where he takes account of the cumulative impact would be acceptable in the planning balance, then any combination under that surely has already been assessed. Somerset West Lindsey District Council. Yes, that's correct. If the Secretary of State decides that the cumulative impact of all of them is acceptable. But if the cumulative impact of all of them is unacceptable.

00:17:58:07 - 00:18:28:24

The point is that the Secretary of State may wish to grant consent to more than one project. But in its current form of information, we don't have an assessment of the combined cumulative effect of a combination of projects, so the Secretary of State doesn't have the information to, for instance, reach the decision that gate Burton cotton together or if only those two projects were granted consent would be acceptable cumulatively or unacceptable cumulatively because that assessment hasn't been carried out.

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So. Issue arises if the Secretary of State come to the conclusion that the cumulative effect of all of the projects would be unacceptable. And that's when this issue of the various combinations comes into play. Really? Yes.

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As part of it.

00:18:51:23 - 00:19:12:17

The applicant. And obviously the Secretary of State will be making. And their decision in the context of the national policy. National Policy Statements one and three which state that there is a need for all renewable energy. So taking that context and.

00:19:13:17 - 00:19:19:15

All references that are to the one designated or the 1st November draft.

00:19:20:04 - 00:20:04:13

Then the vember versions that were published which state that are currently laid before Parliament, which we consider will be important and relevant matters as all of these applications, the section 105 still under the transitional provisions, which, as I mentioned at the hearing yesterday, and we'll be providing further written information about the impacts of the changes. But obviously they state that all solar generation projects are critical national priority infrastructure. But notwithstanding that point, these projects are staggered and the Secretary of State will be making decisions on the first projects before they've received potentially the recommendation reports and be in the decision making stage for some of the later projects.

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So for each project and the Secretary of State will need to make a decision based on the information before them. And unless.

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The Secretary of State takes the decision to delay decisions and look at them all together, potentially that isn't possible is.

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A possibility. And also, the Secretary of State has the possibility to request further information at that time. So what we would say is we've assessed the worst case, as you mentioned. And should the Secretary of State be minded not to think it appropriate to grant consent for all of the projects at that decision making stage, they could request further information in relation to a combination if they considered it appropriate to do so at the time. However, from the applicant's perspective, the purpose of the Environmental impact assessment is to assess the reasonable worst case scenario, and that's all of the projects being consented.

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This project, Mr. Shaikh, can see you hovering over the microphone. So thanks so much, Sheikh. Western District Council, I think we accept the point that if the Secretary of State decides to consider all of them at the same time, then the information may be before them at that stage. But the point is, even if they are considered in a staggered way, and especially if they're considered in a staggered way, we consider the information and the cumulative combination effects are perhaps even more important, because if they are considered subsequently so quantum after gate Burton, then the combination of gate Burton with sorry Cottam with gate Burton, as opposed to other combined effects of projects that are not yet on the Secretary of State's desk but will be in due course, arguably is more important because the Secretary of State will need to take an informed view as to the combined cumulative effect of that stage, and whether or not consent would be granted for Cottam in that context.

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So the point is that we do see the combined effect of a combination of projects to be very important for those reasons. But isn't the case that in that scenario that if on the scenario where Great Britain was, for example, consented and then the Secretary of State was looking at Cottam, then that would already be included within the assessments that being undertaken on a worst case scenario basis anyway. So they'd look across and think, well, cumulatively, the applicant's position is that the cumulative effect is acceptable and they take a judgment on that basis.

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So we say don't agree and or disagree with the applicant on that point. West Lindsey district yes, sir. But it has to be seen in the context that there are other schemes coming forward and a very close behind in examination. So then they get to West Burton at the point of West Burton. They're still within the worst case scenario that's been presented by the applicant, presumably in the West Burton examination, the same team and the same applicant. So we get to West Burton and they think, well, we've consented these two. We're looking at West Burton.

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Cumulative impact on West Burton have been assessed to be within the worst case scenario. Parameters that have been assessed. And then they go to Headington Fen and they do a similar example or any of the others within the cumulative assessment taken. Fen isn't understand it.

00:23:20:02 - 00:23:51:01

Me, said the district council. Yes, it's exactly that. If that's the approach that is taken, i.e. they are dealt with subsequently, that that that's correct. And I suppose and the point is, I think accepted by the applicant, that if the Secretary of State decides that actually the decision should be taken at the same time, or for whatever reason, that further information is necessary, they can request that. Yes, and? I think that point is accepted by the applicant, but don't think the applicant accepts that there would be a difference in approach. Depending on those circumstances, you must project.

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Logically, no, because we've considered the worst case in all scenarios. So it would only be.

00:24:00:09 - 00:24:43:00

It would only be if the Secretary of State. And it would think it's more of an issue for subsequent projects in terms of their approach to cumulative. But as far as this project is concerned, it's cumulative assessment would be up to date for the purposes of the project think. I'm not sure. There seems to be an implication by West Lindsey that there is a point in time when the cumulative effects would presumably become unacceptable in the planning balance, but that's a decision for the Secretary of State to make based on the applications that that's before him at that point in time.

00:24:43:02 - 00:25:18:03

What we're saying is part of our environmental impact assessment is that we've assessed the worst case cumulatively, and the Secretary of State will therefore take that worst case into account as part of the planning balance. If there were fewer schemes, potentially we have he's taking into account a worse level of significant effect cumulatively than there may be in reality, but that that's. Disadvantaged. So the applicant would say not to. Not to any of the interested parties, because we've assumed the worst case scenario in all cases.

00:25:18:05 - 00:25:49:02

So think the point being a few schemes are consented, then the position improves rather than deteriorates just to show. Somerset Western District Council. Yes. At that point, accepting if the applicants approach is essentially as they're setting out. And. That it depends on the Secretary of State's decision as to when the decision is made and whether they're taken subsequently. That's accepted at this stage. We don't have anything further. So do you maintain the position that all combinations need to be assessed in the way that you put forward in your written representation, and.

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There's at Westlands District Council. So in relation to this examination.

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Think it? Yes. Insofar as. It's a representation that the Secretary of State needs to be aware of, and that we still maintain that there may be a combined effect of these four projects which which may reach a tipping point and be unacceptable. But as far as the approach is concerned and then further information, that is a decision for Secretary of State rather than for this examination, I think what the Secretary of State might see think in this scenario is, well, why didn't we deal with that in the examination, and why are we pushing it to a post close of the examination? Think if we we need to have the discussion and.

00:26:40:03 - 00:27:19:24

At this point, rather than trying to leave it for something that the Secretary of State will do separately. If we can deal with it now, why wouldn't we deal with it now? Said Westlands District Council. Yes, that's accepted. So think this probably goes back to the point in our original submissions, that procedural deadline and in relation to how Pins accepted these projects, which was on cycle basis, on the basis that have been accepted and examined on a staggered basis individually rather than conjoined, the natural result is that we don't have the ability to assess combinations at this stage, but we do feel that representation ought to be made, and that the Secretary of State, in due course, may wish to and need to assess the combined effects of different combinations.

00:27:19:27 - 00:27:46:01

But as stated by the applicant, because we are in a queue, rather than them all being assessed at the same time, the natural result is that if the Secretary of State wishes to consider them subsequently, as they are recommended in line with the examination timetables and the examination ceasing, then it's up to the Secretary of State to request that combined effect, because arguably it's not it's not relevant at this stage and we accept that.

00:27:48:12 - 00:28:00:12

I'm not sure I fully understand your answer, mister. You seem to be saying two things at the same time, that you're maintaining your position, but you accept the applicant's position as well. And I'm not sure that the two things can actually.

00:28:02:27 - 00:28:35:03

Work together. West Lindsey District Council. So the problem we've had is that from the beginning, we have made representations that these should be considered all together, rather than on a staggered basis in discussion at the meeting, and think we've set out the reasons why that hasn't happened. And that's accepted. And on the basis that that's the procedural decision that has been taken. We are accepting that a combined effect at this stage is not necessary until and unless the Secretary of State decides that they should be considered at the same time.

00:28:36:16 - 00:29:07:02

So in short, we don't maintain the position that needs to be assessed in this examination. But in due course, if the Secretary of State decides to request that further information because they want to consider a combined effect which is not in order or in line with the order of the examinations, then that can be requested. But aren't all of those in all of those combinations are already assessed within the applicants? The assessment, so I'm not sure entirely follow how those combinations would or how the outcome would differ.

00:29:14:22 - 00:29:25:21

Was that Westminster District Council? Yes, sir. They are, to the extent that they're assessed either cumulatively, in sequence or altogether, but not in a combined effect in relation to, for instance, if

00:29:27:10 - 00:30:01:09

they weren't granted consent in the order that they have been examined. But why does the order make a difference, Mr. Sheikh? Surely all of the schemes, the cumulative effect of all of the schemes is the worst case scenario. And so any combination. It seems that the Secretary of State decides are acceptable would fall within that worst case scenario that's been assessed by the applicant. I don't understand what how any, any of those potential combinations of schemes would fall outside what the applicant has actually assessed in that.

00:30:03:10 - 00:30:26:27

Western District Council that's accepted is the point that if the Secretary of State decides that the cumulative effect of all of the schemes is unacceptable, but that, for instance, the cumulative effect of Cottam and West Burton, but not Gate Burton is acceptable at present, they don't have that information to indicate where the tipping point is. Yes. Think. See the point now? Thank you very much. This project.

00:30:27:25 - 00:30:29:05

And collaborate with the applicant.

00:30:30:22 - 00:31:01:21

Think the. The ultimate point, though, that is that if the Secretary of State concluded that the worst case scenario, which was the cumulative effect of all of the projects that have been considered, was unacceptable to the extent that it the planning balance was that the scheme should be refused, then that point would have to apply to all of the projects because the cumulative based on the information available to it, that would be the cumulative effects for each of the schemes.

00:31:01:23 - 00:31:13:15

So the Secretary of State, as said, in order to make a decision that departed from the information available, would need to request further information in order to have the information before him to make that decision.

00:31:17:06 - 00:31:43:17

Yes. Suppose it's a what's been presented as an all or nothing approach. In that sense, it's either all the schemes are acceptable or none of them are acceptable. And if the Secretary of State gets to the point that he considers that on the basis of the information available, then not acceptable, he's able or she able to come out and undertake. A request for information and consult upon that about that time. Thank you. That was really helpful. Think. Understand the position of both parties now.

00:31:45:16 - 00:32:14:01

Mistake to have anything to add to that. Somerset Western District Council? No, sir. Thank you. That's the point. And in essence, if the applicant is accepting that it's an all or nothing approach, i.e. all of them are granted consent, none of them or one of them are granted consent because the impacts are acceptable in relation to one project, then then that's accepting that aligns with our position. I wonder if there's perhaps you could. You seem to be in agreement to some extent, if this could be reflected in the statement of common ground between West Lindsey and the applicant.

00:32:14:06 - 00:32:31:20

Yes. Just to point out that we're talking here solely about cumulative effects, there could be a scheme alone effect for any one of those projects that the Secretary of State considered was sufficient to refuse. Yes, that scheme alone. So we're purely talking about cumulative impacts here when we talk about all or nothing.

00:32:31:22 - 00:32:34:15

Yes, certainly. Certainly. I must take that point.

00:32:36:20 - 00:32:42:05

What else like to come in on this point of the various combinations? Have anything to add?

00:32:44:02 - 00:33:13:11

Any county council. Just say that we agree. And this. Obviously, we've made similar submissions to West Lindsey District Council right from the outset of the very first of these hearings, that this was always going to be a problem, that hurdle we'd have to surmount at some point in terms of how does one assess various combinations of the different projects? But to take the point. So that's not really a matter for this examining authority. It's more of a matter for the secretary of state, which will be addressed in due course. Thank you.

00:33:13:13 - 00:33:24:19

And in that case, Ms.. Hall is making similar points to West Lindsey. I wonder if a similar position could be reflected in the statement of Common ground with Lancashire County Council as well, so that then we can direct the Secretary of State to what the position is between all the parties.

00:33:24:24 - 00:33:26:24

I'm sure we can do that. Yes. Thank you.

00:33:29:25 - 00:34:07:00

And will. That completes item number four. Item number five. This is really an opportunity for those interested parties who have registered to speak, to make representations on the assessment of cumulative effects. Now, it may be that have ensured the discussion that we've had today. Some of you, some of your questions may have already been answered or your concerns addressed. It may be that you still have ongoing concerns, but this is really the opportunity for you to express them if you so wish. And so I'll go through the list of people that had requests to speak from. Some of them aren't present, but I'll just double check in case we've anyone's joined us during the course of the hearing, so no student voices.

00:34:07:02 - 00:34:21:23

Still, parish council did indicate that they may wish to speak at the hearing, but don't think they're available today. And anything from 7000 acres, Mr. Pryor. No, nothing. Nothing there. And Mr. Skelton. Yeah.

00:34:23:15 - 00:34:24:28

And the group.

00:34:28:21 - 00:34:38:24

And Mr. Mitchell. I don't think he's with us either. Is there anyone else present, either on teams or in the room, who would like to raise anything in relation to cumulative effects?

00:34:43:18 - 00:34:53:12

Okay, well, that completes agenda item number five. Are there any other matters at all under agenda item six that anyone would like to raise the applicant?

00:34:53:19 - 00:35:28:00

A note that yesterday you mentioned you had some questions on hedgerows that you were going to deal with in the issue specific hearing tomorrow on the draft. And we were intending to be focused mainly on the actual drafting of the DCO tomorrow. But if there were, if there was a technical query about hedgerows, we obviously have landscape and visual and ecology experts here today who won't necessarily be here tomorrow. If there was a question about the actual hedgerows as opposed to the how we've drafted the provisions of the DCO, that makes sense.

00:35:28:02 - 00:35:28:17

Yes.

00:35:30:28 - 00:35:46:00

It does cross over the two. And so what don't don't want to do is to try and mix them up. I think it's more about the mechanism. The question is related to. It goes back to the discussion that we had at the one hearing and how.

00:35:48:01 - 00:36:14:12

What's being doubted in the side of it, but it does to some extent touch on the overall approach to hedgerows. And so what had intended, I think, is to ask about the overall approach to hedgerows at the hearing and then pick that up again in terms of the mechanism, and in which case it might be a useful opportunity, as we do have them here now. To go to that point. Ms.. Right. I'm assuming it will be you.

00:36:17:00 - 00:36:24:20

But when you compare with me for a moment, because my notes for the other hearings are not in front of me, so I just need to bring those up. So please do give me a.

00:37:23:04 - 00:37:45:20

Ms.. Broderick as well. Think what happened. If I recall correctly, at deadline one, the draft of consent order was updated to provide some greater certainty around this issue of hedgerow removal. And that goes back to the discussion that we had in terms of the drafting of the and think it was scheduled. I'm going to say schedule 13, but don't have it in front of me. It's the head roll schedule anyway. Um.

00:37:48:14 - 00:38:05:00

That's right. What would be useful? Think is for you to just very briefly and summarize the applicant's approach to hedgerow removal in general, rather than the approach taken in terms of how we secure it in the just the general approach to hedgerow removal. The applicant has adopted a landscape perspective.

00:38:07:17 - 00:38:10:19

What do you write for the applicant?

00:38:12:20 - 00:38:14:10

We set out.

00:38:14:12 - 00:38:19:27

The position on hedgerow works within the Outline Landscaping.

00:38:19:29 - 00:38:20:26

Ecological.

00:38:21:09 - 00:38:23:21

Management Plan revision B.

00:38:23:28 - 00:38:24:16

Which was.

00:38:24:18 - 00:38:29:09

Submitted at deadline two. So that's two zero 26.

00:38:30:12 - 00:38:30:29

Within this.

00:38:31:01 - 00:38:31:27

Document.

00:38:31:29 - 00:38:41:27

We have included hedgerow plans which set out the position and these plans define the two.

00:38:43:25 - 00:39:16:24

Relative aspects of hedgerows, so they're hedgerows relating to the works outside the site. So this is works relating to abnormal, indivisible loads and construction access locations. And this is shown on the first of the series of plans, and we show specific locations where there is likely to be hedgerow works, and we mean by hedgerow works that that could be pruning or it could be removal.

00:39:17:07 - 00:40:04:05

But at this stage we don't have the absolute specific details of the machinery, plant or equipment that is likely to use the access routes for the construction of the project and the associated works. We then have a second set of plan hedgerow show the definitive areas where hedgerows would be removed and this is within the sites. And this relates to locations where we have access tracks that have been created to gain access between field parcels and access around each individual field parcel, where appropriate for access for maintenance and some of these hedgerows would need to take a route through.

00:40:04:15 - 00:40:38:15

Some of these routes would take need to be taken across existing hydro locations and those points we would have to break through, remove the hedgerows and that would be permanent loss of that

hedgerow to create these access tracks and for also for to accommodate in the in the in in respect to hedgerow four and six to accommodate the permissive path the public right of way and.

00:40:39:17 - 00:40:44:05

Works. So we have those two scenarios. We have a scenario where we're.

00:40:45:23 - 00:41:31:15

Bring out works to existing hedgerows, which would be pruning or and or removal that have yet to be fully determined. And then we have hedgerows to be removed. That we know is is an absolute certainty as a part of the works and in terms of infrastructure and access. So the access tracks fundamentally. And that hydro loss is set out on a series of plans within the Olympics. And these plans have been provided and updated to correspond with the landscape and ecological mitigation plans, which were submitted at the the application stage and have been subsequently updated.

00:41:33:00 - 00:41:38:11

If there are any further questions or any further clarity in terms of where to find documents or.

00:41:41:03 - 00:41:41:18

Yes, I.

00:41:41:20 - 00:41:48:29

Do have a few follow up questions. Firstly, in terms of the plans that you've referred to. I'm correct that those are indicative plans.

00:41:51:15 - 00:41:56:22

When do you write for the applicant? Yes, sir. Those plans are indicative at this stage.

00:41:57:27 - 00:42:20:19

And secondly, can I can I second questions as understand the applicant's approach? The intention is not to remove all of the hedgerows that have been identified but part of the hedgerows, and think you said that the purpose of removing them was to provide access to deal with abnormal individual loads and for the permissive path.

00:42:21:28 - 00:42:49:22

When you write for the applicant? Yes. The intention is not to remove the entire length of hedgerow. We have looked at the potential widths that may need to be removed, for example for the access tracks. It could vary between 3 and 6.5 metre gap to be removed. Again, depending on the the access track, the location and the hedgerow being affected.

00:42:52:29 - 00:43:24:08

That was my understanding. Thank you, Mr. Wright. I don't have any further questions. On, on. On the Africans approach Ms. project. Don't think I'm giving anything away by saying now that it's the mechanism that I'm really interested in on Friday, and I think I'll just put a quick marker down here for that discussion that based on what Ms.. Writer's just said. My current understanding of how the DCO operates is that think you've amended it so that part of the head, it refers to part of the hedgerow being removed and based on the 3 to 3.5 metre gap.

00:43:24:11 - 00:43:40:15

Am wondering why we can't be a bit more specific about the extent of that, because part of the hedgerow could obviously mean. A meter or everything other than a meter. So there is a significant variance in what that means. And how we tie that down is really where I'd be interested in that project.

00:43:40:27 - 00:44:02:15

Yes, at that point, understood. And I'm sure we can discuss it more detail and that that's the reason why we amended article 38, paragraph four, to confirm that the part to be removed was, to the extent set out in the final approved version of the landscaping ecological management plan. So obviously we've got the indicative plans as part of the outline and

00:44:04:09 - 00:44:23:14

lamp. And then the final lamp will need to be approved pursuant to requirement seven. And it's only the hedgerows that are in that final version of the plan that then can be removed using that power in article 38. So that's that was how the mechanism was intended to work. Obviously we discuss further tomorrow.

00:44:24:08 - 00:44:56:01

And I think it's probably more of a drafting point and something that's better in particular in five on that particular point, I did note that Lancashire County Council. Mr. McBride, I think you mentioned at the hearing and followed up in written submissions that you had some concerns around the extent of the hedgerow removal have ensured Ms. Wright's explanation of the intended approach to Lancashire County Council maintain those concerns, notwithstanding any discussion that we have on Friday around the mechanism of the draft into the Development Consent Order.

00:44:58:08 - 00:45:01:23

Mr. Brighton picking on you. But what mean is missing through this whole.

00:45:10:18 - 00:45:43:20

Stephanie Hall, Lincolnshire County Council think will reflect on where we've got to, but we do have some points to make about the mechanism and the interplay between the various parts of article 38, which obviously more suitable to be raised on on Friday. Um, but we take the point about the indicative extent on the plans and that that will be finally nailed down in a document that we would have approval of, given that it would be within the limp. The question we would pose is obviously about the just the mechanism, which again, I think I'm trying not very hard not to raise now, but we'll raise it on Friday.

00:45:43:22 - 00:45:58:08

Thank you at that point and think we will get into a bit more detail on that on Friday. But in terms of the principle of what the applicant is suggesting, that it's not their intention to remove all the head roads at that point is accepted by Lincolnshire County Council now because think there was some confusion on it earlier on in the exam.

00:45:58:10 - 00:46:03:18

I think we've got some sufficient clarity on the extent that they propose to remove. And obviously there's a question as to whether that is.

00:46:04:17 - 00:46:05:02

How did.

00:46:05:04 - 00:46:25:25

It. Thank you very much. Mr. Westlands, do you have any points that they'd like to raise in respect of anyone else who has anything to raise in respect of hedgerows? Well, we'll pick this conversation up on this discussion again on Friday morning. So thank you all very much. And are there any other matters anyone would like to raise under agenda items? Agenda item six.

00:46:28:16 - 00:47:05:23

Nope. I did notice that Ms.. Gilbert was trying to join us at one point. I don't know if she managed to join the team's site. Okay. No, she's not with us anymore. But in that case, thank you very much. Thank you for your contributions. Not just today, but throughout all of the environmental hearings that we've held this week, I'll remind you all to once again provide the written submissions that you've committed to and remind you all. Again, if you have contributed today, please could you provide a written summary of your responses at deadline three, which is the 19th of December? Transcript and video recording will be published shortly on our website.

00:47:07:09 - 00:47:21:18

I think we've covered all items on the agenda now and no one has anything else. So all that remains with me. Just thank you all once again for your assistance. And for those of you who won't be joining us at any of the other hearings, I wish you all a very Merry Christmas. So thank you. And this issue specific hearing is now closed.