



Trawsgrifiad Gwrandawriad

Prosiect:	Fferm Wynt Alltraeth Mona
Grandawriad:	Gwrandawriad Caffael Gorfodol 1 (CAH1) – Rhan 4
Dyddiad:	17 Hydref 2024

Sylwer: Bwriad y ddogfen hon yw i gynorthwyo Partion â Buddiant, nid yw'n air am air.

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Hearing Transcript

Project:	Mona Offshore Wind Farm
Hearing:	Compulsory Acquisition Hearing 1 (CAH1) – Part 4
Date:	17 October 2024

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FULL TRANSCRIPT (with timecode)

00:00:05:05 - 00:00:15:27

Okay. It's 3:00. Welcome back everybody. Can I just check that we now have Mr. Bibby with us online.

00:00:19:18 - 00:00:20:13

Good afternoon.

00:00:21:16 - 00:00:23:03

Hello Mr. Bibby. Welcome.

00:00:24:02 - 00:00:32:13

Thank you very much. And thank you for allowing me to speak. And I'm sorry if I've inconvenienced those in attendance by not being able to attend earlier.

00:00:32:23 - 00:01:05:00

No, it's it's. No, it's no problem. Um, we're going to return to item five for you because I know it's sites specific issues you would like to raise before I ask you to make those submissions. Um, there's just something I would like to tell you because we outlined it at the outset of the hearing today, and obviously, you would have missed that. We did remind participants today that the Secretary of State has no jurisdiction over over methods of assessing compensation or the sums involved.

00:01:05:02 - 00:01:20:12

Therefore, that is not within the examining authority's remit. So they are wholly and mattered for the affected parties and the applicant, and therefore those matters will not be discussed today. So I would just be grateful if you could bear that in mind when making your submissions today.

00:01:21:09 - 00:01:22:09

Thank you very much.

00:01:23:26 - 00:01:54:24

So the first affected persons that you wish to speak on behalf of our AOM, on and on. So the examining authority has considered their relevant representation, which was RR 050 and your deadline three submission. In response to our first written questions, which was rep 3095 and I'm sure the applicant will undoubtedly respond to that at a deadline for Mr.

00:01:54:26 - 00:02:16:18

Bibby. If I could just also check with you. Miss staples has also raised concerns about the proposed developments effect on your client's dairy farm. In her deadline three submission on behalf of the NFU. That was rep 3102. Would you have any objection to her chipping in with any additional comments on those member's behalf once we have heard from you?

00:02:17:04 - 00:02:19:07

Not at all. That would be most welcome.

00:02:19:22 - 00:02:20:29

Okay. Thank you.

00:02:22:23 - 00:02:35:23

Mr. Griffin Beale, it would be useful if we could just briefly display figure 7.6 of app 070, please. I think is the distribution of land holdings.

00:02:51:03 - 00:03:06:24

Thank you. Mr. Bibby, I believe that land holdings 38 within which the proposed onshore substation and associated temporary construction compound would be located. Is your client's concern? Is that correct?

00:03:07:13 - 00:03:09:08

In this instance, it is, yes.

00:03:09:13 - 00:03:10:00

Okay.

00:03:12:02 - 00:03:14:19

Thank you. Sorry, I rushed ahead. You take that down now.

00:03:20:22 - 00:03:53:29

So, Mr. Bibby, you said that you wanted to speak about what you say has been a lack of meaningful engagement with occupiers, and that no in-depth discussions have taken place to assist with addressing compensation concerns in the event of the proposed development being implemented. This is a particular issue of concern for your clients regarding land proposed for the substation site. Given the size of the area that would be permanently lost for agricultural production, in what they consider would be the inevitable adverse impact on the farming enterprise.

00:03:54:01 - 00:03:55:27

Have I understood that correctly?

00:03:56:16 - 00:04:08:22

Yes it is. It is really to reaffirm and possibly to cover some of the points that I've already made in in written representation and to emphasize the, the concerns that we have got.

00:04:09:07 - 00:04:12:00

Okay. Then please go ahead and make those submissions.

00:04:12:12 - 00:05:07:17

Thank you very much. So I'm Avion Bibby on behalf of David Smith Property Consultants acting for various affected parties. And this instance it applies to Mr. m o n of o n curve. Uh, who is um the farmer and the long term occupier, uh, of the agricultural holding that is earmarked um, regarding the proposed offshore wind Farm Limited's substation or a substantial part of it, together with, in part, the intended cable route, in addition to the substantial intrusive ground investigations that works that have already taken place, including 59 archaeological trenching Excavations, um, and boreholes and trial pits feared that up to around a fifth of the land used for their dairy enterprise will be lost, with a significant proportion permanently.

00:05:08:09 - 00:05:25:02

And there is concern that no particular in depth, or in fact any real discussions of note have taken place involving our clients a day to attend to. What measures will be put forward to assist with addressing such a loss of resource?

00:05:26:17 - 00:05:46:11

Our client has placed significant investments, both in terms of time and monetarily, over the last 17 years in improving the productivity of the land, including drainage infrastructure and other measures to make sure that the grassland is tailored specifically to the requirements of the farm enterprise.

00:05:47:28 - 00:06:35:28

Proposal will have a considerable adverse impact on our client's agricultural business, given that the opportunity to secure conveniently located contiguous parcels of appropriate quality and characteristics required for dairy production in the near locality are very scarce, rendering such a sizable block irreplaceable. Therefore, mitigating the extent of the area impacted and the sighting of any permanent acquisition area in a way that takes into account practical agricultural requirements as a priority or on par with any other considerations, is deemed very important when designing the proposed substation.

00:06:37:13 - 00:07:11:00

Basically, our client needs, we will benefit from having detailed plans that show to our clients, because our client needs to be able to plan ahead for his farm business. This is not something, of course, as I'm sure you'll appreciate that can be done overnight. And because of the significant enterprise involved, they would benefit from having detailed drawings showing the area proposed to be permanently and temporarily affected as regards to our client's land that they occupy and use.

00:07:12:06 - 00:07:44:22

And, um, obviously any, uh, proposals would need to be, uh, dovetailed to take into consideration Kevin Estate's requirements as landowners as well, um, in respect of having detailed occupiers consents. This um the proposed documentation that have been received so far have been generic, uh, and this thing has been tailored specifically to accounts for the substation site. So those would be my preliminary points.

00:07:46:07 - 00:07:55:14

Okay. Thank you very much. Just before I ask the applicant to respond, Miss Staples. Is there anything you would like to add to that?

00:07:58:10 - 00:08:21:29

Thank you from the NFU. Really, I'd just like to add that it's just yeah, it's just disappointing. I think that for such a large area that's going to be acquired that they haven't already had some, I'm going to say on farm meetings, uh, with this client and member to understand the impact not just on the estate but also on the farming tenant.

00:08:24:18 - 00:08:56:27

So I think there's a lot of, you know, and yeah, I suppose I'd like to say I'm really following up as well what the estate said this morning about the lack of, uh, detailed meetings that have been taking place. And it's quite late now, obviously, because they've obviously submitted what they have to you through us for the development consent order. So it'll be very difficult to get something changed. But I think they need to understand, yeah, what the impact is and what they can do to mitigate that impact, which I don't think it's been discussed at all yet.

00:08:57:22 - 00:08:58:07

Thank you.

00:08:58:18 - 00:08:59:14

Thank you.

00:09:02:29 - 00:09:05:22

The applicant like to respond to those submissions.

00:09:07:18 - 00:09:53:04

On behalf of the applicant. Um, probably just address Louise's comments regarding the engagement, um, of the wider site selection process in that meetings were held with, uh, Mr. Bibby and his client, um, Arthur, on the 18th of April. Um, and previous to that, on the 22nd of September, 2022 and sorry, April 2023 regarding that site selection. So those conversations were taking place during that time. Um, more recently, the, uh, McLaren, on behalf of the applicant have been in ongoing dialogue with the occupier and their appointed agent through the pre-application stage of the project, including site selection and the intrusive work campaign.

00:09:53:20 - 00:10:08:13

It's acknowledged that due to the limited engagement from the landowner, it had previously been communicated to DM that the tenant didn't think it was appropriate for the discussions in the matter of detail, given the position of the estate.

00:10:13:27 - 00:10:32:04

More recently. Notwithstanding matters that are outside everyone's control, a meeting has been offered, um, to discuss the impacts on the farm holding. We hope that the meeting will take place in the near future, and this might be in conjunction with that of the estate.

00:10:35:14 - 00:10:59:12

And if I could just check on these, I think, uh, the latest land rights tracker advises that you have been, um, the latest meeting with the Lag and NFU was on the 30th of September to agree outstanding points of difference with a separate meeting on the 3rd of October between you and the applicant's agent. Was that with Mr. Bibby?

00:11:01:21 - 00:11:11:20

On behalf of the applicant? Yes, that's correct, but that was in relation to the cable corridor and the not the occupiers consents documents as such. Okay.

00:11:16:23 - 00:11:21:26

Mr. Mr. Bibby, do you agree with that account of meetings in negotiations?

00:11:23:01 - 00:11:41:02

Well, the meetings are negotiations. Sorry. Um avion Bibby on behalf of Disney Property Consultants. Um, those meetings and uh, have been primarily, um, in respect of our client's occupied land in relation to surveys.

00:11:42:18 - 00:11:52:11

They haven't really addressed the site specific requirements of the substation. So I I'm not entirely

00:11:54:00 - 00:12:35:16

understanding the remarks in in in those respects. Um, and the meeting that took place on the 22nd of September, which I'm presuming is, is the one that was involving, um, the, um, the developer's agents at our client's property, and that was specifically to address concerns on the significant intrusive surveys that have taken place and to plumb those ahead. So I stand to be corrected, but I don't recall anything that is being, um, materially, uh, discussed in relation to the permanent impact of the site.

00:12:38:06 - 00:12:41:17

Thank you, Mr. Bibby. Is there anything that the applicant wishes to add?

00:12:55:16 - 00:13:35:26

Lasdun on behalf of the applicant. Um, I think the applicants, uh, notes and recollections of those meetings are clearly slightly different. There was an early meeting, um, as mistaken and said, sorry, I'm looking across, um, on the 22nd of September, 2022, when the applicant was looking at, um, the seven substation sites, um, around the Kiffin estate, and there was a meeting with, uh, with Mr. Owen at that point. Um, and then there was a further meeting, um, on the 18th of April, 2023, when those seven sites had been reduced down to two locations to discuss those with Mr.

00:13:35:28 - 00:14:14:09

Owen, I suspect the best thing probably is for us to put our notes of those meetings and records. Um, in. I don't think it needs to be a big point of dispute between the parties, to be honest. Um, I think the the, the I appreciate the points Mr. Bibby is being made at the point is that the parties are in engagement. Um, I think from the applicant's perspective, um, they have been taking the approach of, um, that needing to be led very much from the landowner because because the freehold owner effectively has the relationship with the tenant and the commercial agreement is, is with them.

00:14:14:11 - 00:14:44:11

And, um, certainly my understanding is that there's been a, a there's been a concern on both sides not to undermine that relationship. Um, as you'll have heard this morning. Um, engagement with the landowner has not been easy to date. And that is why, uh, perhaps there's been this, this sort of just disjunct with the tenant, but it certainly isn't the applicant's understanding or recollection that there haven't been meetings and there have been meetings to discuss the substation sites.

00:14:44:13 - 00:14:53:15

So, um, I suggest we probably best to leave it there, but, um, there is ongoing discussion and the applicants are committed to further ongoing discussion.

00:14:54:06 - 00:15:12:06

And Mr. Bibby, just to let you know, the, uh, caffeine estate was represented this morning and we the recording for this hearing will hopefully go online tomorrow for you to be able to watch. So it might be worth watching what was said this morning between the caffeine estate and the applicant as well.

00:15:13:07 - 00:15:46:18

Thank you. Perhaps if I can just come back, if I may even be be from David Smith Property Consultants, just to say that again, any sort of meetings that would have taken place in relation to siting of or deciding which substations to prioritise or sites to prioritise would have not provided any form of real, meaningful detail to our client. And so it's and again we are informed that obviously um Well, insofar as where the detailed design information is not forthcoming.

00:15:47:09 - 00:16:04:19

Um, clearly, I'm aware of the land plan and the detail that's been allocated there, but it means very little, uh, at this moment in time, to the practical requirements that our client needs to plan ahead for farming. And that is the sort of information that we need. So anything that has taken place so far has been somewhat superficial.

00:16:05:12 - 00:16:10:15

I'm sure the applicant has noted that. And you did tell me you have another meeting planned. Is that correct?

00:16:13:09 - 00:16:15:03

We haven't. Sorry.

00:16:15:15 - 00:16:17:00

Sorry. No. Go ahead. Ellie.

00:16:17:09 - 00:16:21:06

On behalf of the applicant, a meeting isn't planned. No, but we hope to in the near future.

00:16:21:08 - 00:16:27:18

But you intend to get that by near future, you mean within the scope of the examination? Yes.

00:16:27:20 - 00:16:30:16

Sorry. Within the. Well, ideally next week or so. That would.

00:16:30:18 - 00:16:34:08

Be great. We would obviously encourage that to happen as quickly as possible.

00:16:36:20 - 00:16:38:18

Uh, Miss Staples, you have your hand up.

00:16:39:19 - 00:17:13:19

Oh. Thank you. Louise Staples for the NFU. I just wanted to make the point, um, that. Look, the the two meetings that took place in 2022 and 23, they're a very long time ago. And they're really just about options that might have happened with the substation location. What's been really disappointing in the last six months is there hasn't been any meeting really, on farm to understand the impact on that farm business. And from the NFU point of view, that is what is lacking and hopefully that can be remedied in the next few weeks.

00:17:13:21 - 00:17:14:11

Thank you.

00:17:14:23 - 00:17:19:17

Thank you, Miss Staples. I just checked with the applicant. Is that your intention? Yes.

00:17:24:13 - 00:17:37:01

Thank you. Um, in that case, Mr. Bibby, if it's okay with you, I will move on to the next affected person that you're representing. And that is Mr. E w Roberts. Is that okay with you?

00:17:37:26 - 00:17:38:29

Yes. Thank you very.

00:17:39:01 - 00:17:39:16

Much.

00:17:39:18 - 00:18:18:29

Okay. Now, Mr. Roberts, relevant representation, which is referenced RR 051, didn't raise any site specific concerns or objections to the proposed development. However, when notifying the case team of your participation today, you said that Mr. Roberts impacted by an existing planning application involving listed building consent in consequence of the proposed development, which results in associated concerns regarding potential onerous conditions being imposed, including in respect of drainage, district just storage and associated liabilities.

00:18:19:09 - 00:18:35:00

Just for the avoidance of doubt, can I just check that the listed building consent required for the works to widen the existing opening in the grade two castle wall that we visited on Tuesday with the applicant, is the consent that you're referring to?

00:18:36:15 - 00:18:39:16

Adrian Bibby from David Smith Property Consultants. Yes, that is correct.

00:18:40:01 - 00:18:42:16

Okay. Could you just talk us through those concerns, please?

00:18:43:10 - 00:18:44:04

Yes.

00:18:44:06 - 00:19:15:28

Um, an application has been submitted and this is subsequent to a site meeting that took place with, um, the applicant's representatives, client and myself. Um, in order to have the right. I guess more than anything from a health and safety perspective to, um, uh, alter the, um, the profile, uh, of the gateway, um, in order to set it further back.

00:19:16:12 - 00:19:56:02

Um, and obviously, as it is, it involves a listed wall and listed gateway. Uh, it's it there's been a need for an application submitted for listed building consent. However, as part of the process, um, it has been noted that, uh, the county council's Councils. Highway departments have um, made a recommendation of a. Should the consent be granted that the following condition is um imposed as part of the, uh, permission? No surface water drainage from the site shall be allowed to discharge onto the county highway.

00:19:56:12 - 00:20:43:27

Now, obviously that is not a condition that is impacting or that is expressly impacting our client at present. So therefore, what we and our client would need to would benefit from understanding is what measures um, are will be made. Um, from a practical perspective, uh, to avoid any discharge of water, prevent any discharge of water, um, uh, drainage from the site onto the county highway and, uh, the make sure that our client is duly indemnified against any such prosecution or actions or penalties that result, that could result.

00:20:44:06 - 00:21:25:06

Um, now, there have been, um, our client has entered into, um, on a subject contract basis. Heads of terms. There have been wording that has been included in those heads of terms, which of course are not yet legally binding. Um, to try and address this. And we are we have welcomed that, um, the applicant has been willing to, to try and meet our client's concerns on that particular perspective, but we would but it was felt that it was important from a, from a practical point of view, to make sure that the um, examining authority was aware of this particular concern.

00:21:26:28 - 00:21:32:08

Thank you. Understood. Mr. Bibby, could I ask the applicant to respond to that, please.

00:21:34:03 - 00:22:07:06

Phil Williamson, on behalf of the applicant. Yes. The applicant is aware of the conditions set by the Highway Authority in relation to the listed building consent application. Um, and we obviously we are aware of Mr. Bibby and Mr. Robert's concerns with that liability. Um, I think it goes without saying that the listed building consent only applies to the listed building or the listed listed asset. Um, and

obviously there will be a full um design of that access which will need to be agreed with the highway authority and the lead local flood authority.

00:22:07:08 - 00:22:37:08

So those detailed design details will be shared with the with the landowner at the time of production, obviously, before they are submitted to the Highway Authority, um, which should hopefully give the assurance that there will be no, um, that the that there will be no possibility of any, any liability falling to the, to the landowner. And so we are looking at those designs presently. Um, obviously we will share them as soon as we possibly can. Um, and hopefully that should close this matter out.

00:22:37:10 - 00:22:37:25

Okay.

00:22:37:27 - 00:22:51:24

And I'm guessing that site access is part of the onshore prep works, which have to be done in accordance with the Highway Access Management plan. Am I to presume there's an update to the Highway Access Management plan then, on the basis of that information.

00:22:52:08 - 00:23:08:06

That Phil Williamson on behalf of the applicant? Yes, that is correct. Yeah. We are seeking to, um, produce that design as quickly as possible, partly because of the landowners concerns. Um, and once those are produced, they are they will be added into the outline how they access access management plans.

00:23:08:21 - 00:23:19:22

Okay. That's understood. And this the proposed condition that's been put on by the Highways Authority. Is it a statement condition or is it a condition where they're requesting further details?

00:23:22:04 - 00:23:28:23

For Williamson, on behalf of the applicant, uh, from memory. Uh, they are not requesting details. It is a statement condition.

00:23:28:25 - 00:23:29:10

Okay.

00:23:29:21 - 00:23:30:13

Understood.

00:23:32:00 - 00:24:03:21

So, Mr. Bibby, probably just to explain that to all of the site accesses are controlled by the Highway Access management plan, which I don't have the reference for, but we look that up. We'll we'll get that for you, which is submitted into the examination. Um, and the details of all the accesses are contained within that. And it does state that the applicant must get approval of the highway authority prior to those accesses being used or being implemented.

00:24:03:23 - 00:24:05:05

I think actually is the wording.

00:24:08:09 - 00:24:10:25

Um, may I respond, is that possible?

00:24:10:27 - 00:24:11:12

Yes, of.

00:24:11:14 - 00:24:25:03

Course, from Davidson Property Consultants. Does that therefore forgive my ignorance? But does that therefore include mitigation measures? Um, as well. And, and uh, and does that cover the avoidance of liability for landowners?

00:24:27:13 - 00:24:34:29

I'll ask the applicant to respond. But no. The highway access management plan is unlikely to cover, uh, liability.

00:24:38:27 - 00:24:40:21

Is there? Is there a way that that can be covered?

00:24:41:09 - 00:25:11:27

It's done on behalf of the applicant. Um, it's not appropriate for the highways access management plan to include liabilities in respect of landowners. That is a contractual matter. Um, and I suggest is, is it should be dealt with in, uh, in the negotiations between the parties in terms of where that, where that sits and where that responsibility sits. Um, in terms of mitigation, um, the highways accesses will be designed to include mitigation. So clearly that will be part of that. And as Mr.

00:25:12:02 - 00:25:21:13

Williamson has said, um, those details will be shared with the landowner. Um, in in terms of them being then finalised with the Highways Authority.

00:25:21:16 - 00:25:27:00

But you don't see any impediment in being able to achieve the required condition.

00:25:27:12 - 00:25:29:10

Is done on behalf of the applicant. No, no, no.

00:25:29:23 - 00:25:32:27

But you intend to continue discussing that with Mr. Bibby

00:25:34:16 - 00:25:39:15

outside of this hearing in negotiations, in terms of the liability, I think that's his concern.

00:25:40:21 - 00:26:00:03

Phil Williamson, on behalf of the applicant, yes, we have committed to staying in close consultation with both the landowner, Mr. Bibby. Um, the listed building consent is due to be determined by the end of this month, and obviously there will be an update at that point. And similarly, our designs are moving as quickly as they can, and we will share those as quickly as we can also.

00:26:00:09 - 00:26:15:00

That's fine. Just a note. I'll come back to you, Miss Staples, in a in a moment. I can see you have your hand up. I just note that from the land rights tracker that you do advise that negotiation is ongoing. Mr. Bibby, is that your understanding as well? You're continuing negotiations with the applicant?

00:26:15:19 - 00:26:58:28

Uh, our aim is to continue negotiations. Certainly. Yes. Um, what we are looking for based on this, this being the compulsory acquisition hearing, is the principle of equivalence in that our client is not put in a worse position than they would have been if this scheme didn't take place, and therefore we want to make sure that our client is not, and that the applicant does take responsibility, uh, fully for any, um, exposure that our clients may be put to in respect of liability, um, pursuant to this particular scheme and in this and in this specific and in specific respect of this particular condition, should it be, should the planning permission be granted?

00:26:59:16 - 00:27:00:09

I think I.

00:27:00:11 - 00:27:05:09

Think you've made your point quite, quite clearly. Then I'm sure the applicant has taken that on board as well.

00:27:06:03 - 00:27:06:27

Thank you very much.

00:27:07:07 - 00:27:08:17

Thank you, Miss Staples.

00:27:09:20 - 00:27:40:04

Uh, thank you, Louis Staples for the NFU. Uh, yeah. Just really wanted to make the point, which I think actually has just been covered by Evian. That that is really what we're concerned about is if this this goes the planning does get approved. It goes ahead with that condition. That's there permanently. So we do need to make sure that there's going to be no impact. You know, once, once the cables roll in. Anything happens afterwards. So that's why the liability point is so important. Thank you. I just wanted to reinforce that.

00:27:40:06 - 00:27:41:03

Thank you. Understood.

00:27:41:06 - 00:27:41:22

Understood.

00:27:41:24 - 00:27:43:27

Thank you. If I may.

00:27:43:29 - 00:27:44:14

Sorry.

00:27:44:16 - 00:27:45:23

Just if I may. Sorry.

00:27:46:16 - 00:27:49:23

I was just going to give you the reference for that outline. Yeah.

00:27:50:17 - 00:27:51:11

It was, I.

00:27:51:13 - 00:28:04:15

Was I was just going to add, if I may, so that the, the liability should apply doing temporary and permanent, uh, a sort of from on a permanent basis as well. So during the works and thereafter. Thank you.

00:28:04:22 - 00:28:14:05

Thank you. Just just to give you the reference for the outline highways access management plan, it's app 2 to 8. If you wanted to have a look at that.

00:28:14:10 - 00:28:15:16

That's very kind of you. Thank you.

00:28:17:27 - 00:28:18:21

Thank you.

00:28:21:11 - 00:28:53:07

Now, Mr. Bibby, you did also express, um, concerns about the extent of the proposed restrictions that would apply on sterilization of the cable corridor impacting its future potential use. Uh, development under agenda item three today. We have already discussed the basis on which the applicant is seeking, um, CA of land and rights and land. However, you are welcome to add to that, seeing as you miss that this morning. Is there anything you would like to add in that regard?

00:28:54:14 - 00:29:34:29

Well, perhaps it's I should elaborate. Really. So even Bibi from Davis Mead, um, probably consultants that this um, although there are generic concerns, um, in respect of the extent of, of, um, impact, uh, permanently. Uh, that will, um, results from the actual proposed scheme, should it be granted? Um, but my particular point here is a concern raised in respect of clients identification numbers 20048010 and it applies to, um, plots number.

00:29:35:01 - 00:29:46:14

I think you refer to them as um 02024 on land plan on Shaw sheet number two. Um.

00:29:49:23 - 00:29:54:13

I don't know whether you need to have that plan identified at all.

00:29:55:04 - 00:29:55:19

Yeah.

00:29:55:21 - 00:29:59:12

Is it possible to have that on screen? Thank you.

00:30:01:13 - 00:30:05:21

If you just bear with us a moment, we we should be able to share that on screen for you, Mr. Bibby.

00:30:06:06 - 00:30:07:02

Thank you very much.

00:30:24:08 - 00:30:28:23

Perhaps we can maybe zoom in slightly on the the blue. Yeah.

00:30:32:01 - 00:30:33:21

Does does that help, Mr. Bibby?

00:30:33:23 - 00:30:34:08

Yes.

00:30:34:10 - 00:31:18:05

Thank you very much. And it's really, um, to say that our clients concern here is long term in respect of the impact, potentially. As you can see, it's quite a narrow strip of land, but it extends further to the west. And our client does have, um, uh, aspirations for the potential change of use of this particular land in the future, uh, for leisure and recreational purposes, bearing in mind, um, other such uses in the direct locality and therefore would be sort of wanting really to make sure that that, um, there wouldn't be anything that would impact the opportunity to, to develop this land, uh, in the future.

00:31:18:12 - 00:31:58:20

Um, with regard to having permanent structures or even things like static caravans, for instance, should the planning permission be granted and, um, tarmac roads, infrastructure, uh, services, etc. that could be brought forward. Um, I understand in this particular locality, the depths of the pipeline below, below ground is going to be quite significant. So, um, and that any need to access the so cables, I should say, uh, would not necessarily require um, access and um, or excavations within this particular plot number.

00:31:58:27 - 00:32:02:11

So if that could be avoided then that would be most appreciated.

00:32:03:05 - 00:32:20:24

Yeah. I'll ask the applicant to respond in just a moment. If I could just ask you a couple of questions there. You say that your client has as plans, are there any existing planning permissions on that land or is there a planning application in, or is this just future plans you're talking about?

00:32:20:26 - 00:32:21:12

This is this.

00:32:21:14 - 00:32:26:27

This is future aspirations really for the for the site. So there's nothing nothing in the short term.

00:32:27:12 - 00:32:28:02

Thank you.

00:32:31:28 - 00:32:35:28

To the applicant. Maybe respond to the the plans for this parcel of land.

00:32:36:12 - 00:33:16:29

So Liz Dunn on behalf of the applicant, um, this plot 02024 um, as I understand it is part of a historic landfill. Um, and, um, it will be part of, um, what the applicant refers to as the landfill drill. Um, so there will be a single, um, multiple, uh, trench boards for each of the cables. But if I call it a single drill because effectively it'll be it'll be one continuous, um, drill from, um, the landfill compound, which is located in plot 02023, which will go underneath this.

00:33:17:02 - 00:33:49:10

This, uh, Mr. Bibi's client's plot is, um, is adjacent to. I think it's the road rather than the railway. But there's a railway and a road and the historic landfill, um, and the beach area. So there is a very long horizontal directional, sorry, trench less, uh, cable installation that will go from plot 02023 underneath all of that and then meet the, uh, offshore export cables, um, uh, um, further out beyond main low water.

00:33:49:21 - 00:34:26:17

Um. Mr.. Mr.. Discussion this morning, um, the applicant has sought within the, uh, compulsory acquisition, uh, provisions and the menus of rights to, uh, reasonably tailor those rights to, um, to the, um, to the circumstances. So, for example, with this this particular plot is subject to the cable rights and restrictive covenants under existing infrastructure. So there are some restrictions on surface working in the event that, uh, that rights have to be secured by compulsory acquisition and not voluntarily.

00:34:26:25 - 00:35:01:19

Um, there are certain restrictions there in terms of the ability for the, uh, for the, the applicant to, um, to maintain those cables and, uh, inspect those cables if necessary. But it will be a deep drill at that point. Um, and those are limited as far as possible. So some of the restrictions or a number of the restrictions that relate to, uh, where cables will be laid in trenches obviously aren't applicable here because because there won't be that surface. Um, or there's unlikely to be the same degree of surface, uh, uh, need to access for maintenance and things like that.

00:35:01:21 - 00:35:19:13

So we haven't had any comments from anybody on the menu of rights in the book of reference in terms of their appropriateness. Um, and as I say, a single package has been put together for those rights under existing infrastructure which cover roads, railways and where there will be those trenches as crossings.

00:35:22:23 - 00:35:25:19

Mr. Bibby, did you. Did you hear all of that?

00:35:26:14 - 00:35:54:02

Yes, even Bibby from Davis Mead Property Consultants, I did, thank you very much. Um, it's, um, I take on board what is what has just been said, and I'm grateful for that. But it's really the, um, sterilisation of the area that is of particular concern and measures that can be made to mitigate the impact of the potential or any potential potential alternative use. That is the that is the, um, uh, point of concern.

00:35:55:29 - 00:36:11:06

Thank you, Mr. Bibby. I think it probably is worth you watching the recording from this morning where we talked about how how rights would work. Um, is there anything the applicant would wish to add to what Mr. Bibby's just said at Lasdun?

00:36:11:08 - 00:36:48:28

On behalf of the applicant, I would also point out that within that, within that menu of rights, um, certain activities are permitted if they're with the approval of the undertaker. So they are things that don't, uh, interfere with the cables insofar as they are. And that is and those are not to be unreasonably withheld. So whilst there are restrictions being placed there, not an absolute restriction in that, um, if, for example, the cables are buried at such a depth that actually there does not need to be any surface interference with, then those the ability to do those things would be granted by the Undertaker.

00:36:49:27 - 00:36:55:03

Mr. Bibby, are you aware of that venue of rights that is referring to.

00:36:55:16 - 00:37:07:10

I must admit that I'm, I haven't actually, um, uh, sort of viewed those particular menu rights. So I would be grateful if it was possible to be directed, if I could be directed to them. There in the book of reference you mentioned. Yes.

00:37:08:19 - 00:37:18:15

It is done on behalf of the applicant. The book of references. Rep 3006. This is the table of, uh. It is table.

00:37:20:13 - 00:37:26:07

Table two. Um. And they are the cable rights and restrictive covenants under existing infrastructure.

00:37:28:29 - 00:37:29:20

Thank you. Mr..

00:37:31:01 - 00:37:36:27

Thank you very much. I will view those. And would there be the opportunity to actually comment on those further?

00:37:36:29 - 00:37:38:05

Yes, yes, absolutely.

00:37:38:07 - 00:37:48:04

We have a deadline for which is on the 4th of November. So if you can have a look at them before that, then certainly put your submissions in that deadline for.

00:37:49:00 - 00:37:49:28

Thank you very much.

00:37:50:29 - 00:37:55:29

Great. Thank you. Is there anything else you'd like to raise, Mr. Bibby?

00:37:56:28 - 00:38:04:04

No, that covers my representation. And again, I'm grateful to you for allowing me the opportunity to speak and for delaying the process.

00:38:04:09 - 00:38:12:16

No problem. No problem. Thank you for joining us. Miss staples, just before I move on. Is there anything else that you wish to add?

00:38:14:19 - 00:38:15:16

Uh. Thank you.

00:38:17:11 - 00:38:19:00

No. Thank you. That's fine. Thanks very much.

00:38:19:02 - 00:38:20:07

Okay. Thank you.

00:38:23:05 - 00:38:31:22

Okay. In which case I am going to move back to agenda item nine, and I'll hand it over to Mr. Hobbins for that.

00:38:32:16 - 00:38:33:05

Thank you.

00:38:33:22 - 00:38:51:21

Um, so this is now the list of action points from this meeting, which I'll run through. I have just the one action which is for the second estate to submit the scripts used under agenda item four. And that's four deadlines for. And can I check that correlates with the applicant's, um, action list?

00:38:53:23 - 00:38:54:26

Thank you sir. Yes.

00:38:55:24 - 00:38:59:15

Thank you. Um, does anybody have any comments or questions on that?

00:39:01:18 - 00:39:03:04

Yes. I can see one hand up there.

00:39:10:18 - 00:39:12:19

Oh, that hands down. Open back up!

00:39:14:26 - 00:39:17:18

Um. Ah, you are on mute if you are talking.

00:39:18:18 - 00:39:48:02

Oh, apologies. Sorry. Uh, very, very technical. It's Edward Sample calling on behalf of, uh, uh, the Kevin estate. Um, I do like avian. Uh, send my apologies for not being able to attend, uh, the meeting this morning and was unsure at what point I was, uh, just able to make a brief comment, uh, just concerning the elements that I missed this morning where representations were being made by my colleague. Um, uh, Selena Wacom.

00:39:48:21 - 00:39:58:18

Uh, yes. Well, Mr. Sample, we have covered that item on the agenda, and we weren't made aware that Mr. Mr. Bibby advised us in advance that he was going to attend late, and, uh.

00:39:58:25 - 00:40:06:19

I was advised that, uh, that, uh, uh, that you had been advised of of my position also.

00:40:07:14 - 00:40:13:22

Yes, but I think your colleague did actually make your representations this morning under agenda item five.

00:40:14:06 - 00:40:16:13

Well, if that is the case, that is the case.

00:40:16:25 - 00:40:17:29

Yes, yes.

00:40:18:26 - 00:40:20:21

Are we referring to the Kevin estate?

00:40:21:00 - 00:40:22:09

We are. Yes yes yes.

00:40:22:11 - 00:40:23:06

Yes.

00:40:23:17 - 00:40:27:21

I think is it miss? Sorry. I'm forget. I forget your colleague.

00:40:27:26 - 00:40:28:11

Wake up.

00:40:28:19 - 00:40:34:26

Yes, she she made your representations this morning in quite some detail. And and we listened.

00:40:34:28 - 00:40:35:13

We listened.

00:40:35:20 - 00:40:37:22

Yeah. It was just a summary comment.

00:40:38:05 - 00:40:41:12

Yeah. If it's if it's brief, then absolutely. You can make that now.

00:40:41:21 - 00:41:13:17

Very brief. Yes. It was just it was just a reiteration that the Kevin estate, we would like to contest the applicant's position on engagement and will make that post submissions accordingly. Uh, we do, however, look forward to meeting the applicant about a voluntary settlement on a reasonable terms and trust the applicant will expedite discussions also with avian Bibi and on with concerning his client Arthur Owen also.

00:41:13:19 - 00:41:14:06

Thank you.

00:41:15:29 - 00:41:23:17

Okay. Thank you miss. Yeah. I think we understood at that point this morning as well. The applicant okay. To add anything to that.

00:41:24:03 - 00:41:44:13

Uh, Les Dan, on behalf of the applicant. Uh, no, we just welcome the script, um, from Miss Wickham. Um, in terms of the estate's, um, summary of negotiations, in order that we can put our position on that. But as with Mr. Semple, um, the applicant welcomes the opportunity to meet with the estate and hopes that that can happen as soon as possible.

00:41:45:12 - 00:41:46:08

Thank you.

00:41:49:22 - 00:42:00:02

Okay. In which case we will move to, uh, agenda item ten, which is any other matters. Does anybody wish to raise anything else while we're still here?

00:42:03:20 - 00:42:40:12

I'm not seeing any hands, so in which case I will move to close. Thank you everybody to for contributing so fully today. It's been really helpful for us. And thank you for being patient with our adjournments today. We will hopefully get a digital recording of the proceedings up on our website, where by tomorrow, just to remind you all of the next stages, we do have two further hearings next week. That is issue specific hearing for our Wednesday, which is on offshore matters, and we have issue specific hearing five on Thursday, which is on the draft development consent order.

00:42:40:17 - 00:42:56:11

Both of those hearings are being held virtually and will start at 9:30 a.m.. The time is now 1543, and this compulsory acquisition hearing for the Moana Offshore Wind Farm project is now closed. Thank you doc.