



## Hearing Transcript

<b>Project:</b>	EN010139 - Byers Gill Solar
<b>Hearing:</b>	Open Floor Hearing
<b>Date:</b>	24 July 2024

**Please note:** This document is intended to assist Interested Parties.

It is not a verbatim text of what was said at the above hearing. The content was produced using artificial intelligence voice to text software. It may, therefore, include errors and should be assumed to be unedited.

The video recording published on the Planning Inspectorate project page is the primary record of the hearing.

# REDACTED\_AUDIO\_BYERSGILL\_OFH2\_SESSION1\_240724

00:06

Good evening.

00:08

Can I just confirm that everybody can hear me clearly?

00:12

Thank you can also confirm with Mr. stripling, that live streaming the recording of this event has commenced. Thank you very much Mr. stripling.

00:22

For those people watching the live stream can I also advise that should we at any point adjourn proceedings this evening, we will have to stop the live stream to give us clear recording lines. As a result at the point at which we recommence the meeting and we start the live stream you will need to refresh your browser page to view the restarted stream. We will remind you of this again should we need to adjourn.

00:48

It's now 6pm. And it's time for this hearing to begin, which will aim to finish by 8pm at the latest. I would like to welcome you all to this open floor hearing to in relation to an application by our W E. Renewables UK solar and storage limited who we will refer to as the applicant for an order granting development consent for buyers gills solar.

01:13

The development proposed consists of a solar farm with over 50 megawatts capacity ground mounted solar voltaic modules and associated mounting structures, inverters, transformers, switchgear and controller grip equipment as substation, energy storage equipment, and underground on and off site cabling.

01:38

Thank you for attending this hearing. My name is Max Wiltshire. I'm a chartered civil engineer employed by the planning Inspectorate and have been appointed by the Secretary of State for Housing Communities and Local Government as a member of the panel of inspectors to examine this application. I'm now going to ask my fellow panel members to introduce themselves. Mr. Pinto.

02:02

Thank you, Mr. Wheelchair. Good afternoon. My name is Andrea Pinto. I am a charter town planner employed by the planning Inspectorate and I have been appointed by the Secretary of State for housing communities and local government to be the lead the member of the panel to examine this application.

02:23

Good afternoon. My name is Alex. I'm a chartered transport planner employed by the planning Inspectorate and I have been appointed by the Secretary of State for housing communities and local government to be a member of the panel to examine this application.

02:43

So together we constitute the examining authority. And we will reporting to the Secretary of State for energy security and net zero with a recommendation as to whether the development consent order should be made.

02:57

The case manager for this project is Jenny savage. Jen is being supported here today by Mr. Elliot booth, Mr. Harriet Harrison Kohl's. If you have any queries about the examination process, or the technology we are using for virtual events, they should be your first point of contact. Their contact details can be found at the top of any letter you have received from us, or on the project page of the national infrastructure website.

03:27

Or now I'll deal with a few housekeeping matters for those attending in person.

03:32

Can everyone please set all devices and phones to silent?

03:37

Thank you. The toilets are outside of this room through the same door you used to enter the room earlier straight on and to the left.

03:46

There were no plan for evacuation tests this evening. Should the fire alarm sound please your make your way to the nearest fire exit door and go downstairs to the right hand side of the building. fire evacuation assembly point is by the lampposts with the red sign and the green sign.

04:06

Today is a hybrid event meaning some of us some of you are present with us at the hearing venue. Some of you are joining us virtually using Microsoft Teams. For those people observing or participating through teams. Can you please make sure that you stay muted unless you are speaking?

04:24

If you are participating virtually and you wish to speak at the relevant point in the proceedings, please use the hand function.

04:32

Please be patient as we may not get to you get to you immediately. But we will invite you to speak at the appropriate time.

04:41

We will make sure however, that however you have decided to attend today, you'll be given a fair opportunity to participate.

04:51

In addition to the live stream. A recording of today's hearing will be made available on the buyers skill section of the national infrastructure planning

05:00

website as soon as practicable after the meeting is finished. With this in mind, please ensure that you speak clearly into a microphone, stating your name and who you're representing each time before you speak. For those at the table, you can do so by pressing the large button at the base of the microphone. If you're not at a table with a microphone, there is a roving microphone so please wait for one of these to be brought to you before you speak.

05:31

If you are attending virtually and don't want your image to be recorded, you can switch off your camera.

05:37

For those in the room who don't want to be recorded, there is an area at the very back of the room out of cameras shot, please use that area.

05:46

Because the digital recordings that we make are obtained and published, they form a public record that can contain your personal information, and to which the General Data Protection Regulation applies. Only in the rarest of circumstances might we ask you to provide personal information of the type that most of us would prefer to keep private or confidential. Therefore, to avoid the need to edit the digital recordings, please try your best not to add information to the public record that you will wish to keep private or that is confidential.

06:19

If you feel that personal information is necessary, please provide this in a written document that we can redact before publication. The plan in respect to its practice is to retain and publish recordings for a period of five years from the Secretary of State's decisions. Decision.

06:39

A link to the Inspect to its privacy notice was provided in the rule six letter alongside the notification for this hearing.

06:47

I assume that everybody today has familiarize themselves with this document which establishes how the personal data of our customers is handled in accordance with the principles set out in the data protection laws. Please speak to Jenny savage if you have any questions.

07:04

I will now hand over to Mr. Pinto. To explain the purpose and conduct of this meeting.

07:13

Thank you, Mr. Wheelchair. I'll explain the purpose and conduct of this of this meeting. An agenda has not been prepared for this hearing, because its purpose is to hit representations of interested parties who have registered to make oral representations, elaborating on their written representations to date. Open floor hearings are your opportunity to raise anything directly with the examining authority that is important and relevant in that you think we should know about and consider.

07:42

They are not about a particular location or topic. The topic of your representation is in your proposals is therefore up to yourself. We have not received any requests in advance of this meeting, from any interested parties joining us virtually to speak. But it is now my understanding that prior to this hearing, some interested parties have expressed a desire that they might wish to speak. So I propose that I start by calling those interested parties that have confirmed a desire to speak in advance of this meeting, and are joining us here in the room after those who have given us prior and after those that have given us prior notification and subject to time in the excise ability to manage the hearing. We will then go to those interested parties joining us either virtually or in person who have today confirmed that they might wish to speak.

08:36

Please note that once you have spoken depend on my wish to ask questions. Once all interested parties have been called we will then give an opportunity to the applicant to briefly respond to all the points made.

08:48

As per previous hearings, all participants will be asked for a post hearing written submission of their cases is heard on this open floor hearing. The applicant will be given an opportunity to respond to any matters raised once all speakers have been heard either orally or in writing by deadline one, which at moment is on the eighth of October 2024. Following from the open floor hearing if any other interested parties wish to make a written submission you can but please do so by the same deadline. And that is that moment to eighth of August deadline one.

09:24

Does anyone have any comments on the proposed way forward?

09:30

No.

09:32

Can I ask if anyone joining us virtually have any comments?

09:39

I can't see any hands raised. So what I propose that we press on. So first of all I would like to call Mr. Colin Taylor, who I believe is with us in the room today.

10:09

Good evening gentlemen. My name is Colin Taylor, and I'm the chairman of the great state and parish meeting and a resident of the village.

10:21

The proposal by our web will see great Stainton surrounded on three points, three or four points of the compass by a sea of black glass, fencing and battery storage facilities. Some is closest 70 meters, and due to its elevation, impossible to mitigate the visual impact on the community.

10:47

In my written submission to the inspectorate on behalf of the community, I raised a number of points, some of which I will expand on.

10:57

I would like to begin by speaking on several other points that have emerged since that submission.

11:04

We as a community, believe and accept that there's there is a need nationally for more clean, green renewable power generation.

11:15

And that climate change is one of the most important strategic issues of our generation that demands to be addressed at the national and international level.

11:27

Notwithstanding this, the community has been dismayed by the decision of Mr. Miliband, the secretary for energy security and net zero on the 12th of July to grant the approval of three major solar power projects. Gate Burton in Lincolnshire Mallord pass on the Rutland Lincolnshire border, and Seneca in Suffolk.

11:54

I note that in improving the approving these projects, at least one of the approvals overruled the expert examining authority amid concerns about the safety aspects of the battery storage solutions.

12:07

I hope that the inspectors can empathize with the community in the view that there appears little points investing considerable time, money and energy in presenting a case against what against the Holy unwelcome development buyers Gill

12:26

when recommendations of the planning Inspectorate are being given the appearance of being overwritten, despite safety concerns because of short, sighted political Dick tax.

12:38

However,

12:40

I do also note that the Energy Secretary has said in relation to solar panels on rooftops we will encourage builders and house homeowners in whatever way we can deliver this winwin technology to millions of addresses in the UK, so that people can provide their own electricity, cut their bills, and at the same time help fight climate change. And that was quoted in The Independent newspaper.

13:07

The call from the minister has not been for more solar factories on prime agricultural land.

13:16

The community has also noticed that they're noted that there have been two significant changes of policy since the submission of the RW e proposal.

13:26

first of these is permitting the permission of onshore wind farms.

13:33

I understand that the proposal of the buyers girl of buyers Gil plot in application has an obligation to show that the planned development is the best developers the best solution to the issues associated with the development of the energy requirements of the country.

13:50

I would therefore raise the question as to whether the business case for solar generated energy on 739 acres of prime agricultural land is a best case solution.

14:05

We as a community did not believe that generation of energy through solar factories is best suited to the local area.

14:13

In the northeast, this low light levels and prevalence of wind

14:18

had the de facto ban on onshore wind developments not being in place at the time. JVM and stroke are WV when they started the process. We would question whether a large scale land hungry solar farms such as buyers Gill would ever have been put forward.

14:39

Wind is a far more efficient power source than solar.

14:43

Compared to solar panels wind turbines release less co2 to the atmosphere, consume less energy and produce more energy overall throughout the year.

14:57

In fact, one wind turbine may generate the same amount

15:00

into electricity as seven football fields of solar panels.

15:06

The Conservative government created the ban when footnotes 57 and 58 of paragraph 163 were added to the national planning policy framework.

15:17

These stated that onshore wind would only be allowed in areas either allocated in a development plan or through local development orders, Neighborhood Development orders and Community Right to build orders, or where the proposals has proven community support. Effectively, this meant that any opposition would see the project rejected.

15:44

We understand that the New Labour Government has now removed these two tests, which will mean that onshore wind is treated in the same way as other energy proposals and that a consultation is being launched on the prospect of onshore wind bringing being brought under the National significant infrastructure projects regime.

16:06

When considering if passed by as girl would be up in operation for 40 years, we believe that it will be unwise to progress with a large solar project. Now that it is possible to consider onshore wind that would use less land and arguably be better suited to the local area with less detrimental impacts to the community at large.

16:31

A single wind generate a turbine generates the equivalent of many acres of solar panels, but yet still allows agricultural land to be farmed productively.

16:43



We acknowledge that JVM stroke RW II have spent a considerable resource on putting forward the proposal to the buyers guild project that we would request that the proposer demonstrates that the plan development is still the best solution to the issues associated with the advancement of the National Green Energy Strategy. Now that wind onshore wind is permitted, again.

17:13

secondly these points is in relation to the Supreme Court ruling last month regarding an oil project in horse Hill sorry, that ruled that permission has been unlawful because it did not consider the emissions from burning the oil.

17:32

Currently, there is a hearing in the High Court in relation to the development of the coal mine. Woodhouse Cali early colliery, Whitehaven where it's been reported in the local media, that the government is no longer supporting the development due to concerns of the net zero issue

17:53

is this ruling is applied to this project, the wider carbon generation issues would appear to relate to the following

18:02

the mining of the raw products, so components,

18:06

the manufacture of the components themselves,

18:10

the transport of the panels, batteries, etc. From the place of manufacture to site

18:18

the construction of the solar factories and the storage facilities,

18:23

the maintenance of the site over 40 years.

18:26

The destruction of the sites at sorry, the deconstruction of the sites at the conclusion of the term, the disposal of all the panels and materials used on the restoration of its land to its former state, or as the project has stated better.

18:45

We have to question whether this application will result in the net zero contribution that's been done identified by the proposal.

18:55

This is particularly relevant as many of the components for the development will be manufactured outside of the UK. And we are informed by other sites. Many of the construction workers are likely to come from countries outside of the UK with few jobs created for local people.

19:14

We would urge the examiners to consider whether these developments have resulted in the buyers skill submission being Supersite superseded by changes of policy to the extent that it does not represent the most effective solution to national priorities relating to energy security, net carbon emission targets and food production for the United Kingdom.

19:45

The third and last point I'd like to make is in relation to the effects of health and well being of the community.

19:52

I've looked through the 536 relevant submissions to the planning inspectors from from members of public you

20:00

In May of this year,

20:02

and note that the objections to the buyers girl proposal make up approximately 98.3% of the total.

20:11

Within great state Stainton, there is now total opposition to the scheme with the one household that offered support the initial proposal, realizing the extent of the project, and expressing their objection.

20:26

The residents and community are concerned that in the local area surrounding great Stainton, there's already a clustering of multiple solar farm projects, primarily driven by the grid capacity at the Norton substation.

20:43

The size and scale buyers Gil would adversely affect impact on the area by adding to the cumulative effect of a localized area that already has three wind farm developments in close proximity.

20:58

I've highlighted in my previous submissions on behalf of the parish meet and the document planning Inspectorate review of Early Adopter Program products associated with buyer Gill a buyers girl. It's noted that in paragraph 351

21:15

reference says references local policies in relation to good design, which include creating, and I quote, attractive and desirable places as an objective.

21:30

Paragraph 4.7 point one of the 2024 en one states applying good design to energy projects should produce sustainable infrastructure sensitive to place including impacts on heritage efficient in the use of natural resources, including land use, and energy used in their construction and operation matched by an appearance that demonstrates good aesthetic as far as possible.

22:04

It's also noted in the application by RW E. They acknowledge that the residents of great Stainton will be adversely affected and mitigation measures will only be minimally effective.

22:20

I believe it also states that this character, the village of great Stainton will be altered

22:28

the environmental statement in Section six point 1.1 states from great Stainton, there will be frequent close views of the proposed development and it is likely solar farm will become a key characteristic of the area.

22:48

It goes on to say the effects are considered considered moderate adverse, and this is the development side

22:56

and greater during Operation considered a significant adverse effect.

23:04

And finally,

23:05

it says following the maturity of new planting in years 10 to 40. Some of these effects would reduce although would still be considered significant for the majority of receptors.

23:22

That's paragraph 8.33.

23:26

The effect on the community of great Stainton is admitted by the develop developers to be adverse substantial and long lasting.

23:36

This appears to be at odds with the principles of good design, and has the Hallmark and application that has been designed on a desktop using digital maps without the necessary consideration of the effects of such a proposal on the local community.

23:54

The proximity of the solar panels to residents dwellings and gardens is a considerable concern with some panels as close as 70 meters.

24:04

If you've driven around the area, you will have noticed the elevation of the village and will also and will which will suggest a range of and we will suggest a range of places for you to view within the village for your future village with a future visit.

24:20

seasonal variation will be considerable, even in respect of the margin or degree of mitigation that the proposer suggests is possible.

24:32

Finally, it's hard to encapsulate how much of an effect this proposal is having currently on the local popper population. But the sense of gloom and impending doom is a prevalent and is and a number of people have already told me of the adverse effect it's having on their health and well being.

24:56

We wish you well in your exploration of the visit of the issues

25:00

is involved, and in your discussions with the Department for Energy Security, and net zero. Thank you very much for your time and attention today.

25:11

Thank you very much, Mr. Taylor. And just as a reminder, it would be very useful if you could then submit in writing your oral submission and export it was today please thank you.

25:34

Can I can I actually ask you to submit those copies to our colleague, Jenny, while we conduct the rest of the hearing place? Sorry. Thank you. Thank you very much, Mr. Taylor.

25:59

Right, can I call now Mr. Sean Anderson, please.

26:03

Thank you.

26:17

Mr. Sean Anderson, if I could ask you to then confirm your name. How you would like to be referred to and also if you're representing any organization who you're representing, please. Thank you. Good evening. My name is Sean Anderson. You can call me Sean on Mr. Anderson. I'm representing myself as a resident of bishopton village.

26:41

Good evening, I have a couple of pints in which I would like to speak to you about. The first one is the design of the project.

26:53

I have some concern that a full design risk assessment has not been carried out.

26:59

And I would point out that there is a hierarchy of risk management, which includes identification of a risk, consequence of a risk, likelihood of a risk, can the risk be avoided? Can the risk be mitigated mitigation measures and then residual risk.

27:21

The context in which I would like to discuss this is in the context of equestrianism. I'm a former equestrian.

27:35

However, I'm still involved in equestrianism, as they all and train dressage and event horses.

27:52

Now in terms of the hierarchy of risk, I would identify risk, and that is, during the construction works. And after construction works due to the screening measures and noise that may come from the apparatus or also from

28:11

movement behind the screening that the horses can't see. There is a likelihood that horse can spook, and a rider can fall off, or a horse can bolt and a rider will fall off.

28:25

So that's a real and genuine risk. Now the consequence of that risk if somebody falls off, especially the kind of horses we have, and also the kind of horses that populate the locality,

28:37

the consequence of the risk is, at its minimum, it's an injury or

28:45

an extra edit extreme if that could be a fatality.

28:51

What's the likelihood of that risk?

28:54

Very likely.

29:00

Can the risk in the first major step in the hierarchy can the risk be avoided? Yes, it can be.

29:06

The sole farm can be scrapped, or it can be remodeled. So that isn't anywhere near where the questions exercise horses.

29:18

Can that risk be mitigated?

29:21

Highly unlikely.

29:26

So what are the mitigation measures have not seen any is there a residual risk? Yes, there is a residual risk remains the same as when when it started.

29:37

I first brought this to Michael Baker's attention when we first met in November 2022. He can't leave visited me down and farm and spent some time with me and was very courteous.

29:50

Listen to my concerns, but I've seen no nothing taken into account. I specifically raised the matter again and the matter of a design risk assessment

30:00

The proposed developer on the proposed development and the rest of our riders and our horses. And I also stressed the need for design risk assessment to Michael Vega on the 24th of May 2023, the public meeting,

30:14

once again, I've yet to see a response to the design in the form of a design risk assessment

30:23

has long been carried out,

30:26

will it be made public?

30:30

This assessment of the design at every step of the process is vital. It cannot be left until the end of the examination process. That would be extremely irresponsible, especially within the context of what could be an eventual catastrophe, high fatality.

30:48

That's my first point.

30:51

My second point, is a matter of integrity.

30:55

And its integrity in the process of consultation, engagement, and indeed examination.

31:03

And I want to touch on a few points that will illustrate my concerns on integrity in the process.

31:12

In November and December 2022, I made initial contact with Defra

31:18

and the leveling of Housing and Communities department who had Theresa coffee and Michael golf as their secretary of state at that time.

31:27

I approached them to seek some engagement with myself and on with the wider community.

31:34

I received a response from Defra who refused to consider any engagement and said they would pass on my query to the leveling up leveling housing communities department, I had already contacted them. I received a response automatic response and said that they had received a communication. I then subsequently communicated with them again to say that it had been passed on to them by Defra

32:01

and here we are now in July 2024. And I've had no further response.

32:09

That's concerning, gives me concerns about integrity in the process.

32:14

Then I would like to move on to the consultation process.

32:18

This has been misrepresented and isn't disingenuous.

32:23

for the following reasons, accessibility to documents and meetings have been deliberately difficult.

32:32

There has been not genuine transparency of how the consultation feedback questionnaires have been used to inform the design.

32:41

There was there was almost 300 questionnaires sent into jpm stroke hurry W from the community.

32:51

They issued a document called you said we did.

32:57

There is very little transparency of the body and weight of evidence to support how the design has been influenced.

33:08

In fact,

33:10

we discussed a an issue yesterday on the lane where a fence field had been removed from the scheme.

33:18

The applicant suggested that it had been removed as a result of the questionnaires and consultation with the community through discussion yesterday, which you heard, that was not the case. The case was that the farmer the landowner had removed it from the scheme.

33:37

Another reason to question the integrity.

33:42

The next item is community benefits.

33:45

I would like to know which member of the community any one member of the community that has been consulted on the community benefits.

33:54

I suggest there isn't one. I'm not aware of anybody in the villages that has been consulted on the community benefits. It's resulted in desktop study.



34:06

Biodiversity benefits. I would like to ask the question, which local source of knowledge has been consulted on biodiversity benefits.

34:17

Which farmer which landowner has been used has been consulted on the biodiversity benefits. Once again, I believe it's a desktop study that has been used to support the application without any real local input.

34:34

It would also seem that in our questioning over the last two days, that the applicant quite happily hides behind desktop studies. This is a this is a piece of fondly referred to by the applicant solicitor when times get difficult. He refers to the desktop studies.

34:54

The applicants landscape and visual consultant Mary Fisher proudly displays by his skill as a case study on how

35:00

company website, championing championing the use of design Charettes.

35:06

Abroad a little extract from a website.

35:10

Incidentally, this illustrates a view from the school towards downland farm.

35:16

It shows before during construction, and after screening measures which can take up to 15 years.

35:24

It may It looks wonderful, gives you the impression that there was minimal impact.

35:30

However, the opposing view is not provided.

35:34

Yesterday, the applicants solicitor, argued that beanbags proposal for the examining authority team to visit downland farm to get a perspective of the opposite view to that was unnecessary, as it was from a private property.

35:51

That is a deliberate attempt to prevent you from examining and testing left position.

36:00

Panel heights is another issue. The applicant confirmed yesterday that the panel height will be 3.5 meters.

36:10

At the very same time, this document was handed out around the room.

36:18

They used an image of a solar farm currently under construction at one of their sites.

36:25

Look at the height on those panels.

36:28

Does that look like 3.5 meters to you? Let me suggest you can you see the louver of the ventilation louver. Mr. Anderson, just an out we for us to consider any additional evidence as you're trying to demonstrate to us it needs to be viewable to everyone. We would need to actually have that available to everyone to check. And I would ask you to provide that to Mr. Savage who will be able to take that into consideration. We can't really accept additional evidence at this point in time to thread through this hearing. If that is not accepted, I will include it as my written submission. But I would point out that the Charettes are included in some of the documentation. I would also point out that this was made public yesterday. debt that is so on I am just I'm just saying because obviously, you're showing us a piece of paper. We can't have an audit trail for that if you understand okay. Please do continue Australian deliver. Thank you very much. The point I'm making Mr. Pencil is this is a deliberate misrepresentation. I refer you to the height of the louver and he was more like three and a half meters, not what illustrate we're not what is repeatedly illustrated in the material produced by the applicant.

37:47

Continuing on.

37:50

The Varga requested a meeting after the submission of the consultation period. The applicant refused, suggesting that a meeting might be possible once the application had been submitted and accepted by ENSET. The applicant did agree to a meeting with bishopton parish council, which took place in December 2023.

38:11

The parish council internally invited a number of evag representatives. At that meeting, Michael Baker was asked if he would pause the process in order to have serious and genuine discussions with the residents with a view to establishing what would be acceptable.

38:29

This was not acceptable to the applicant.

38:32

There has never been a genuine attempted sincere consultation or engagement with the local community.

38:39

A community that will have to live with the consequent consequences of this deceptive misrepresent with a deceptive metric misrepresentations of the applicant and his advisors.

38:51

I'm sure that the community would still welcome genuine sincere consultation and engagement.

38:58

They are not interested in a community fund.

39:01

Incidentally, a figure of 1.5 million was mentioned over the last over the course of the last two days. That's 1.5 million over 40 years spread between the local public bodies.

39:14

That's maybe five to 6000 pound per village. The residents are not interested in being bought off for a few pieces of silver.

39:23

They're more interested in how they can live their lives. For some of them like me, it would be the rest of my life.

39:31

Finally, although Michael Baker could not find time time to meet with beaver ag or the community, he could find time to share a platform with a service senior member of ENSET at a conference on Soul farms at or about the time that the application was accepted by ENSET.

39:51

This is why I and my family and my colleagues and be Vogue and my neighbors and my community

40:00

I implore you the examining authority to ensure that this application is a wash with integrity.

40:08

I'm sure you've already felt seen and heard the concerns of the community that they feel they are not being listened to, or their views are not being properly considered.

40:20

I'm going to place my trust in you, Mr. Pencil, and your colleagues. Do not let us down. Thank you.

40:28

Thank you, Mr. Anderson.

40:32

Thank you very much.

40:45

So as I mentioned earlier, considering that we still have some time left today, our will ask to confirm. And I will go through some people that have actually expressed recently that they might wish to speak today and address the examining authority. But just so that I can have an idea of the numbers of people that would like to speak to us today. Can I just please confirm very quickly, if the following people still wish to do the wish to speak today or are not as they have hinted that they might? So can I please first of all call on

41:36

Turner Maloney.

41:43

Thank you. Thank you very much.

41:48

And Susan knob knobs.

41:58

Thank you very much.

42:01

Can I ask if n Taylor still wishes to speak?

42:10

Thank you very much.

42:15

In Susan Mulaney

42:19

certainly

42:23

that that will be fine. Thank you very much. Thank you.

42:31

And can I also ask now virtually, I have had indication that Mr. Martin Phillpotts might want to address the exci Can I just confirm if that is still the case?

42:47

Martin fuel pot if you can hear me virtually online

42:58

no one

43:07

Okay, do I have

43:10

Okay. And Mr. Ian Robbins.

43:23

Right, I can see some changes in the screen virtually for Mr. Martin Phillipotts.

43:31

Mr. Butterfield, what can I just confirm if you can hear me if you would like to address the examining authority today?

43:48

Yes, thank you.

43:50

Can I ask Mr. Philpott? If you can hear can hear us Can you please raise your hand just so that we know that you can hear us but you do not wish to address the examining authority today?

44:12

I don't seem to be able to have a signal from Mr. Field. But can I just ask if Mr. Ian Robins can hear me? I believe that Mr. Green Roberts is also joining us virtually.

44:37

Don't see any confirmation from anyone joining us virtually that they wish to address

44:43

the ESA today.

44:46

Can I just confirm that that's the case.

44:50

Right in person or virtually? Is there anyone else that would like to address the site today?

44:58

Before we conclude this hearing

45:12

I will now hand over to my colleague Mr. Wheelchair. Thank you.

45:17

Thank you, Mr. Pinto.

45:21

I'll turn to the applicant and ask them if they wish to respond, please.

45:42

Good afternoon good evening to the panel, Alex, Minh Henyk for the applicant, our web. Thank you. So yes, I would like to respond briefly, if I may, to some of the points that have been made.

45:56

I think there are two overarching comments to be made. The first of which is that various references have been made to assessments have been carried out by the applicant in support of the application. The applicants position is that all relevant assessments have been carried out in support of this application as required by policy. And they have been carried out in consultation through the scoping process with relevant consultees. And they have been carried out with the appropriate level of rigor. And in some cases that has included site investigations where appropriate. In fact, in the majority of cases, I think it's true to say by relying on site investigations, the second points are as one relating to consultation, which is a general point, which is again, the applicant has explained its approach to consultation and the consultation report, which was submitted with the application documents. And again, so the Atkins position is that it has carried out consultation adequately, as required by the statutory regime. And as explained within that consultation report, there are

47:09

two or three particular issues that I wanted to pick up emerging from the representations that we've heard certain Mr. Colin Taylor

47:19

referred you to changes in policy positions, and concluded by suggesting that the applicant needed to show that this was the best case solution. If I understood him correctly, he then went on to refer to that phrase later in his submissions.

47:41

For the avoidance of doubt, the applicants position is that it does not need to show that this is the best case solution under the relevant policy.

47:51

We addressed users in detail on policy previously in issue specific hearing. One, and I don't intend to repeat that now. But that is what the applicant would refer the examination authority back to in that regard.

48:07

The second point that Mr. Taylor refers to is the French ruling.

48:14

The case about EIA assessment of downstream effects. And so the point I wanted to make very briefly in relation to that case, is the finding of the Supreme Court related to what we're agreed in that case to be inevitable emissions of the extraction of fossil fuels.

48:38

There was lots of detailed discussion in that case about called the chain of causation between an act at the planning stage and then what happens downstream and what the

48:49

potential effects of those actions at the planning stage may be. In the case itself, it was accepted that the eventual burning of the fossil fuel in general, was an inevitable emission of the extraction phase. And that's the primary reason why the Supreme Court found that EIA, the environmental impact assessment which had been carried out to be inadequate, so we say there is no equivalent application of that case to this scheme, and that the existing environmental statement remains adequate despite the findings of the Supreme Court and Finch.

49:34

The final point that I believe I then wanted to make was in relation to Mr. Anderson's comments and Sarah simply to review the suggestion that the applicant has misrepresented anything or any of the applicants team for that matter have misrepresented anything or being disingenuous. The applicant and their team are striving to put

50:00

More information into the public domain. To enable the examination of this project with a view to obtaining development consent. There is a significant volume of information in the public domain and the applicants team is doing its best to identify the relevant information with the parties where that arises and for the examining authority, but the idea that the applicant has been mis representative deliberately or recklessly or

50:30

unwittingly, or that any misrepresentations have been made is refuted. Absolutely. On behalf of the applicant.

50:42

Thank you, Mr. Mahir Nick, do you have any questions?

50:47

No. Thank you. Have you have any questions? No. Okay. Thank you very much.

50:55

Thank you for all contributing so fully and usefully to this meeting. We have found it extremely helpful and will consider all submissions made carefully. Can I just remind you to submit your post hearing submissions, including written submissions of all cases by deadline one, which at the current moment is the eighth of August.

51:19

The time is now 1851. An open floor hearing to the buyers Gill energy solar project is now closed. Thank you very much.