

AUDIO__BRAMFORD_ISH5_SESSION1_131 22023

00:06

Good afternoon. Welcome to this fifth issue specific hearing for the Bramford twin standard reinforcement, which is now open

00:14

up this afternoon's hearing, we will be looking at the applicants draft development, consent order and related matters before we begin. Can I confirm that everybody can hear me clearly?

00:26

And not. Thank you? And can I also confirm with the case team that the live streaming and recording of this event has commenced?

00:35

Yes, sir. Thank you, Mr. Stevens.

00:41

My name is Andrew Moore, and I've been appointed by the Secretary of State to be the lead member of this examining authority. I have a background in ecology and environmental impact assessment, and I'm a chartered environmentalist and a chartered landscape architect. Today I will be going through the management of the event and taking notes of any actions.

01:02

Now, I'd like to ask my colleagues to introduce themselves.

01:07

Good afternoon. I'm Julie de Courcey. And I'm a chartered time planner. I have a background in appellate work, including major infrastructure projects, and the examination of local development plans.

01:22

Hello, good afternoon to all I am Jason rowland's. I'm a chartered civil engineer and a chartered environmentalist and I have a background in major projects for energy and highways.

01:39

Good afternoon, I'm John McAvoy. I'm a chartered civil and chartered highways engineer. I've background and major projects and local authority highways and transport. Thank you.

01:51

Thank you. So we are the examining authority for this application. And following the examination we will be reporting to the Secretary of State for energy security and net zero with a recommendation as to whether the consent order should be made.

02:07

We are supported by colleagues from the planning Inspectorate this afternoon, Jake Stevens is the case manager for this project. And He is accompanied by Jess Weatherby and Gina shoreland. If you have any general questions regarding the examination process, please email them to the case team who will be happy to help.

02:27

I will surely ask participants who are speaking today to introduce themselves. But before I do, please remember that a digital recording has been made of this hearing as a formal record of proceedings. If you do take part, it's important that you understand that the formal record will be published and retained, usually for a period of five years from the Secretary of State's decision.

02:51

The planning inspectorate is subject to the General Data Protection Regulation. Therefore, you are asked to not put sensitive personal information into the public domain.

03:01

Indeed, we would actively encourage you not to do so. So please, if you speak today do not make reference to personal information, such as your address, email address, or your personal or family situation including economic, financial, cultural or health related matters.

03:20

So to the introduction of those who wish to participate in this hearing, I will run through the parties that I believe have requested to speak today. And as I do so, please introduce yourself in turn.

03:32

Can we start with the applicant please as it was clutton again.

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It helps noon. So sir, yes, Rebecca clutton for the applicant. I'm a barrister. I'm accompanied again on my right hand side by Mr. Tom White of the CLP solicitors for the applicant. I've got a number of other witnesses again here with me, but as before our will introduce them as of when they're needed. Thank you, Miss Clinton. And can we move on to Suffolk County Council? And do we have Mr. Bedford this afternoon?

04:06

So yes, thank you very much. Michael Bedford, Kings council for Suffolk County Council. There's a number of Suffolk County Council

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representatives also participating but I'll introduce those as and when we get to them. But with the exception of I mentioned at this stage, Mr. Ma Thomas, who is a solicitor partner in parliamentary agents at sharp precharge

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and he will be speaking on the DCO matters when we get to the relevant items. Thank you. Thank you, Mr. Bedford. Do we have somebody from Essex County Council players miss Hubbard managed to sort out it problems

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you have excellent. Good afternoon.

04:56

I'm afraid we can't hear you

05:07

Well, we've you've sorted out part of your IT problems. Hopefully you'll, we can sort out the rest of you need any assistance, get in touch with the case team, see if we can help. But welcome. Thank you. Is there anybody else in Essex County Council this afternoon with us?

05:22

Could they introduce themselves now?

05:30

Good afternoon, sir. I'm the representative from our message county council couldn't make it the meeting today. But

05:38

I'm sorry. I'm Matthew wild time charter tampon from Braintree District Council. We're working jointly with Essex. So Katherine is acting for both Essex and Braintree on this matter. So Katherine is going to be I suppose the ECC point of contact on this particular point. And I'll comment on obviously, on the brain tree, most branches, specific stuff. Great. Thank you very much, Mr. Weil, and we'll take that as your introduction.

06:06

Which leaves me with Baber and mid server District Council. Miss Curtis with us.

06:14

Afternoon, yes, from Curtis from the District Council and mid Suffolk District Council. Thank you.

06:20

Thank you very much. And are there any other parties present who wish to speak today?

06:27

I'm not seeing any further indication. So thank you, and welcome to the hearing.

06:33

I hope everyone has had the opportunity to read the annexes to the agenda prior to joining us today. And this will avoid me having to go through a lengthy introduction again now.

06:45

I'm satisfied that everybody who has expressed the wish to participate actively has been involved in the earlier hearings or is experienced in this. So I'm going to go to the shortened version of the introduction you'll be very pleased to hear.

07:00

So far as I'm aware, no requests have been made for any special measures or arrangements to enable participation in this hearing. But can I just confirm that this is the case? Does anybody need any special measures or arrangements?

07:14

I see no indication so we'll carry on. And for those of you who are watching the livestream of the event, just a note that we should we adjourn proceedings. At any point or if we have a technology glitch, we may have to stop the live stream to give us clear recording files. If we do you'll need to refresh your browser page to view the restarted live stream at the point at which we recommence the meeting.

07:42

So this hearing will follow the agenda which was published on the Bramford twin state project page of the national infrastructure planning website on the fifth of December 2023.

07:52

The agenda is also an examination Library Reference, Evie zero 29.

07:58

It will be helpful for you to have a copy of the agenda to hand.

08:02

Are there any other comments anybody wishes to make a preliminary nature under item one?

08:11

No indications. So I'm going to move on to agenda item two, which is the purpose of this issue specific hearing.

08:19

And today's hearing has been held by the examining authority to explore a number of matters orally in respect of the scope and details of the applicants draft development consent order.

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A summary of these matters is included in the agenda that we issued.

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So are there any questions on the purpose of the hearing?

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Nothing heard or seen those. So I'm going to straight on to Item three of the agenda and to hand over to Mr. Corsi.

08:51

Thank you, Mr. Mom.

08:53

Agenda Item three is review of the applicants schedule of changes to the draft development consent order that I'll refer to as the DCO. And that's at both deadlines four, and five. So I'd be grateful if the applicant would just give an overview of the main changes, bearing in mind that we will be looking at changes to requirements, seven construction hours and the next agenda item. And we'll give that a good airing then. So I'll hand over to the applicant please.

09:28

Thank you, Madam Yes, Rebecca Clutton for the applicant. So a number of changes were made firstly at deadline four in response to matters raised in the examining authorities first round questions and responses to third party representations that were made at deadline three, and also in response to matters that arose from the second issue specific hearing in relation to the draft DCO. And then similarly, deadline five amendments were made in response to third party submissions at D four

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and reflecting also our ongoing engagement with the statutory consultees not least, including Cadent Gas, who now have protective provisions and the areas of change or the schedule of changes, as you've noticed that visit rep five, zero to zero, and its tables 4.1 and 5.1. That set out the changes that we've made in terms of the principle changes, and we would say there are four

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and schedule three, paragraph one four has been amended. So that

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position in respect of materially new or materially different effects is clarified. And what I mean by that is that the draft DCO now makes clear that we will not refer to things that will not have new material in your materially different environmental effects rather than they are unlikely to. And that was in direct response to matters that were raised during the last issue specific hearing, and also in Suffolk County Council's deadline three submissions. The second change relates to requirements seven, which you've noted, we'll discuss in more detail later. But that's the new restriction on undertaking progress because of piling operations on Sundays and bank holidays. That the third principle change relates to

requirements and revenue in relation to highways works. And that is to follow there's a two part change there. Firstly, we are now committed to carrying out road safety audits in respect of all highway works. And secondly, we are we've made clear we're ensuring that all pre commencement operations involving the construction or alteration of temporary accesses are carried out in accordance with requirements 11 unless otherwise agreed with the highway authority. And I know we'll come back to requirements 11 later in the session as well.

11:55

And then 14 Finally, the other main change is the insertion of the protective provisions relating to cave and gas, which, as we noted this morning, are agreed subject to the completion of a side agreement, which is well underway.

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A squared Thank you was cut and that certainly, hopefully focus minds.

12:19

Is there anything that any of the council's want to raise with regard to those changes?

12:35

Mr. Bedford, yes. Thank you. Thank you, Madam, Michael Bedford, Suffolk County Council.

12:42

I think the short point is that we are obviously slightly disappointed that the changes are less extensive than the numerous comments that we've made. But obviously, we're going to look at some of those later in the agenda. So far as the specifics are concerned, think obviously, some of those changes. They're relatively minor, but we welcome those where they've moved to a position that supports

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counsel that

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like to see the applicant doing and will provide a proper response at deadline six, so that you just got our chapter in verse. But I'd like to say in terms of introductory comment,

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Mr. Bedford, thank you, you're signed this dropping in a note, I got the gist of what you're receiving. But if there's anything you could get somebody to do in the background to sort out those gremlins.

13:44

I might need to put on a microphone that probably make it clear. Yeah. Thank you. That sounds helpful. Thank you. Thanks very much.

13:54

That's hebard

13:57

Hi there. Catherine Hibbert. Can you hear me? Yes. Thank you. Okay. Great. So apologies for whatever was going on earlier. Really, just to echo those comments from on behalf of Suffolk County Council.

14:12

I mean, there is a partly helpful change that requirements seven deadline five about the

14:21

restriction on percussive piling operations, which is welcome but doesn't really go as far as we'd want it to. So no doubt that will get picked up upon later.

14:37

Yes, we have quite a lot of questions on requirements seven the separate so hopefully you get a chance to error here. Further concerns and not Urena. Thank you.

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Is there anybody else wants to contribute on that? First, agenda item three separately still

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have your hand up, but I presume that you have covered the points that you want to make.

15:05

So unless it has the applicant anything further that they wish to add

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for the applicant, No, madam not at this stage. Okay, thank you, Miss Clark.

15:20

That was a helpful introduction. And I'm going to move on then to Agenda Item four, which is a review of the party's current positions on requirements seven, which has to do with construction hours.

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I've since had the chance to have more than a cursory glance at the deadline five submissions since the agenda was issued. And I want to start with the final of the four point bullet points listed under this agenda item, as it might truncate some of the subsequent discussion. So in due course, I will return to this you raised a deadline for about the implications of requirements seven for article 46 of the draft DCO, but depending not, you're directed to the applicants comments and other submissions received deadline for that rep. 5025 and section 1.3 that deals with working hours and noise sensitive receptors.

16:27

The first paragraph explains the rationale for amendment of requirements seven of the draft DCO that's currently rep 5005 by inserting a prohibition on percussive piling operations on Sundays and bank

holidays, describing it as one of the noisiest activities anticipated in the project. Is there anything that the applicant wants to add in respect of that amendment by itself?

17:00

Rebecca is the applicant no matter not at this stage? Okay, thank you Miss Lawton.

17:08

So that everybody's on the level playing field, Miss slotland. And team could we get an explanation of what's actually meant by percussive piling, and where would it take place?

17:25

Rebecca Clark, the applicant, Madam Yes. I'm going to pass you over now to Mr. Robert Jones, the Senior Project Manager in engineering, we saw him this morning at ch two

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pocket Jones.

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The applicant cost of piling would be used in foundations for cable sealing ends and in the substation at 22 degree

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and what's meant by it? Okay, so that's where a piling rig is brought in and it hammers piles into the ground one after another. So is a a basically some some type device and you build the piles up which you then build the concrete foundations in over the top.

18:22

Thank you would grind investigation be covered by the CM prohibition?

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So the boreholes that we do

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they are much lower impacted device. Often they are a screw device that screws in and pulls out a call.

18:46

We've carried out quite a lot of bore holes in the lead up to this examination, and they've not proved to be a contentious issue at all.

18:58

So are they I take it from what you're saying that there are less they have the

19:03

potential to be less noisy than the Picasa pile? Yeah. So because of filing rigs or large pieces of equipment,

19:14

push the piles down in suitable depth. The auto devices are much smaller pieces of equipment that generally towed in behind a Land Rover or that type of vehicle. And they work offer an iframe that's probably 1215 foot tall.

19:36

Just wanted to be be clear that Mr. Jones not not only for my benefit, but for the benefit of any buddy who's who's watching or watching the recording this not as ofay with the terminology as yourself and the team.

19:52

So the other thing I wanted to just explore with you, is there a possibility that there would be a need to undertake

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Different piling activity to Picasso piling as ground conditions dictated otherwise.

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So that is always something that could happen.

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And the ground investigations that will be done during the detailed design stage will actually confirm exactly what's needed to be done.

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Okay.

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But I take it from what I quoted from your submission, that the percussive piling is the the noisiest of the anticipated activities is up, right.

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Okay, thank you. Thank you. That's the that's clarified those couple of points for me. Thank you.

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I then

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aim this at the council's please and ask them. If the introduction of requirements seven two of itself would address their concerns about weekend and bank holiday working in the absence of any other revisions to requirements happen. So Fine. hear from them on that.

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Mr. Bradford place.

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Thank you, Madam microbead. For Suffolk County Council. The short answer can be expressed in one word No.

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on the premise that that was the only change that would not suffice.

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Can I

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start just by dealing with the percussive piling point? First of all, obviously, in itself, we welcome that as a restriction. And that is a move in the right direction.

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It would appear from our understanding of the chronology

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that the applicants assessment of the timeline for the construction of the project does have a degree of fluidity or flex built within it. In that you will remember that when we were discussing this issue, back at issue, specific hearing to the applicant had prior to that hearing,

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submitted as one of the supporting documentations, rep 3045,

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which was the justification for construction, working hours.

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And that had set out the applicants case that in the absence of being able to carry out works in the periods that the county council had expressed concerns about which were the Sundays and the bank holidays. It was the applicants case that it would not be able to carry out the project in time to meet the outages set out in the shedule. And outage for you'll recall was the first of those. Now at that stage, when the applicant carried out that work, we were being told that they had to work on all of the Sundays and bank holidays, in order to achieve those deadlines.

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We're now told that actually, they can accept a restriction on percussive piling, which obviously means that that work would not be done during any of the Sundays or any of the bank holidays. But that apparently has no knock on consequence for their ability to hit their outage

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timetables.

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So I say that we make as an introductory mark because it does suggest that there is a degree of flex in the programme. And it's not actually the case that if every single activity that's part of the project cannot happen on Sundays and bank holidays, that that will itself jeopardise achieving the timetable. We suspect that it's a lot more nuanced and a lot more complicated than that. And there will be no doubt some critical activities which it may well be are so time critical that there isn't any flex there will be others

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where that is not the case. What we don't feel is that we have been or more particularly, and more importantly, that you have been provided with a robust justification, which really supports the view that what the applicant is presenting to you. Absolutely is the position, that there is no scope for further change without prejudicing their ability to hit the outage windows that they've identified.

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So that's the as it were, initial point about

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that, as it as it were, what flows from the fact that because it's piling is now to be restricted, whereas previously, it wasn't.

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The second volume to make in terms of

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activities,

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is that

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the, the issue of like, acid piling is obviously an acute issue, it would particularly be impactful on what you might call static receptors. That's to say, residents in their homes or people using community buildings,

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whether it was churches, or other forms of community buildings that people might use on Sundays or, or bank holidays. And obviously, there's a proximity issue. And then if you're in one place, clearly that is of concern. But what is also have very big concerns for county council are the types of interference with

activities which might not be static activities, but are people using it if I can call it using the countryside, for leisure and recreational purposes, and particularly using

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the rural roads, rural lanes, and the right of way network. And there, there are going to be other activities, which are going to be

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either as disruptive or more disruptive. And I'm here particularly thinking of the position in terms of HGV traffic.

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And obviously, that can be impactful on people whether they are walking, cycling, or possibly being an equestrian as a non motorised user on a vehicular carriageway, or whether they are people using the rights away network who need to cross one or more of the vehicular carriage ways.

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And this, again, brings us back to the point about flags,

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which is

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that

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we don't accept from what we've seen so far, that all of the activity that the applicant wishes to carry out on Sundays and bank holidays necessarily needs to be carried out on Sundays and bank holidays to maintain their construction programme.

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And you will have seen from our earlier representations that we've talked in particular about HTV restrictions. And if I could say a little bit more about that, as we see it at the moment.

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The primary as it were generator of HGV activity

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so far as it will affect

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local residents people in the community users of the countryside

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will be when that HGV activity is on the road network. And that will be primarily for the purposes of delivery of materials to the various work sites along the route.

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Now,

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we consider that whilst it may be a matter of logistics, in terms of sequencing and programming, we say it is entirely possible to arrange matters. So that for example, there are no HGV deliveries to any of the work sites on Sundays or bank holidays.

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But whatever material has been stockpiled there from as it was the usual working week plus the Saturdays which would be available on our research, I know ethics we've got a slightly different position on that. But I'm dealing obviously with the Suffolk position.

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There would be nothing to stop them

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the opportunity if it was necessary for work to be done at the sites using the materials

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and then the materials are replenished

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on the Mondays through to the the following Saturdays. So we don't see

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that it's, as it were a one size fits all position of, they have to have everything or they can't achieve their timetable. We think there is scope for a great deal more flex in this. And we haven't seen really a justification that shows for example, why you would not be able to meet the timetable.

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If you couldn't have HGV movements during the prohibited times that we were putting forward. But if you were allowed to have some or all of the construction activities. So I say we we think there just needs to be rather more

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substance to the applicants position.

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So that's the position on that. I know you've got a separate point about alternate weekend working. I don't know whether you want to deal with that as part of this item, or is that a separate item?

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It's a separate item, Mr. Bad? Well, I'll leave that for a moment. Okay, well, I just I just want to make two points before you go off camera, the issue of the construction timeline, we'll get a very thorough interrogation as part of this particular hearing. Yes, just a couple of items down the page. And I don't want to confuse myself by jumping onto it. So please rest assured doc data is yet to come.

31:25

I know that what you're seeing is putting a slightly different complexion on the point that I want to bring up about the SuperJet one of the council suggested requirements, additional requirements to do with hitch GV restrictions I am going to do with that as a separate item on their agenda item nine. But I think certainly there are points within what you have said that that

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could certainly be talked about in this agenda item. Were there any other points that you wanted to make Mr. Bedford at this point in time? Thank you, madam. Thank you. Okay, thank you very much.

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Are there any of the other consoles that want to contribute?

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has hampered

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Hi there Catherine Hibbert for Essex County Council and Braintree District Council

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broadly aligned with those points which Suffolk County Council has made a noticing that

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other aspects particularly in relation to the HGV movements

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will be picked up later on. And just as a general

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sort of point

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our councils just want reasonable construction hours to apply, apply and noise sensitive areas to protect our our residents.

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That's the overarching thing. And we are very conscious that the HGV movements to and from sight

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you know, depending on the hours of the day that those occur,

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are potentially very impactful.

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And that's the reasons for our comments in that regard. Super Fine. Thank you. That's, that's useful.

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Are there any other miscarriages?

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Thank you, bronchitis for baby district Councillor mid Suffolk District Council, just just to reiterate the comments of the two colleagues who have just spoken and not to

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revise our ground bow deadline five and previous submissions have given comments on the working hours that our environmental health advisors consider to be appropriate, particularly having regard to noise sensitive receptors. And bearing in mind the information that the applicant has put in regarding flexibility either side of construction working for other sort of ancillary works on site, there is some concerns that's already in our submissions. Thank you. Thank you, Miss Curtis, it's always useful to have a little signposting as a reminder, thank you.

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take it I that's the end of the console submissions for now. So I'll pass that across to the applicant if there's anything that they want to come back on at this stage.

34:27

Rebecca clapping for the applicant. Yes, madam if I can, please. I just want to start with

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a point about flexibility and to make clear that the applicant has never suggested that its construction programme contains no flexibility at all. Indeed, one of the reasons why the applicant has said that it needs the construction hours that it does is to afford it flexibility to enable it to deal with any delays or other unforeseen circuits.

35:00

stances that arise that mean that you might not otherwise be able to deal with those matters. And one of the key issues that comes out of the latest submission where we set out the critical path against

scenarios one and two alternative construction hours, is that in those alternative scenarios, we the the activities are pushed out later, so that we don't meet the outages. And therefore, the flexibility that was built into our earlier construction schedule, our preferred construction schedule, are lost. So I think that's a really important point to be aware of. We're not saying there's no flexibility, but we've designed in a modest amount of flexibility to enable us to deal with unforeseen circumstances.

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The second, sorry, this company has its what maybe what I would understand to be contingency as much as flexibility. Would that be a fair point? Okay, thank you. Yes. Yes, I'd be Tibbett Quint contingency. That's exactly what we're talking about there. And in that regard, then that that takes the second point, which is that I dispute that what my learned friend has said that we had said that we needed to work on all activities on all weekends. Again, that is that is not the case. We do we believe need the weekend working that we've set out in our preferred construction schedule, in order to achieve the timetable we've set out. But it's not the case that every single activity needs to take place on every single weekend. Now, relating that to the point about percussive piling. We've note here, that percussive tiling is a relatively small element in the overall construction programme. And it's therefore not surprising in that context, that removing the ability to undertake costs of piling on weekends and bank holidays, is something that doesn't have a major impact on our construction schedule, that indeed, is a matter that we can accommodate within the contingency that's already allowed in our preferred schedule. And there are of course, other matters other ways of dealing with piling. Mr. Jones has already referred in response to your own question, madam, to the possibility of alternative less impactful piling methods. And certainly I understand that the ground investigation work that we've been undertaking to date suggests that some of that might be appropriate. And therefore, although we can't undertake passive filing, at that time, we can do another activity, which means our programme was maintained. I think that that deals with millennia, friends points in relation to that,

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as to HGV activity and the concern that we ought to have restricted further restrictions in relation to HGVs. It's, again, really important to emphasise here, the relatively modest number of HGVs that are generated by this project in context, it's also really important to bear in mind that this is a long linear project, where the impacts will not be felt on one particular part of a community at at any one time. This is not not like the construction of say the size, well, a nuclear power station, which is in one location. So all of that has the effect of dissipating the traffic out across the network and across the construction period. So I've got members of the team here who can say more about that. And indeed, we'll obviously have our highways issue specific hearing tomorrow. So

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in that context, and having regard to the impacts of those on public rights of ways where we do not consider it either to be necessary or proportionate to impose further restrictions on our working hours in relation to those matters.

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I think the final point just to

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address in relation to the point that was made by Miss Hibbott, and the reasonable construction hours, the idea that that the authorities are looking forward to reasonable construction hours for particularly noise sensitive receptors is the approach that the applicant is looking to take, which is to secure through the construction Environment Management Plan the use of a receptor based approach in sensitive locations. And so what this will mean was that we will be retaining the core or working hours that we've already identified in climate seven. But where possible, what we're going to be doing is looking at

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specific receptors, where they are particularly affected by construction noise over a longer period of time. And in relation to those locations. What we will be looking to do is secure site specific restrictions on working to protect them from adverse effects and circumstances say where they are particularly adversely affected over

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Longer rather than a shorter duration. And, of course, because most of the project is in rural locations, there are very few locations where we've actually identified

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these sorts of prolonged or more prolonged noise effects. A list of those receptors has now been provided to the host or authorities and they've been asked to identify any other receptors that they have particular concerns about. And once we've agreed that list, we will be reviewing those to see what if any, site specific restrictions can be made at those locations and then subsequently secured through Kemp. So that's how we're proposing we would consider that to be a more proportionate way of dealing with the concerns that have been expressed

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by by the host authorities.

40:52

Thank you very much has cut them. That is a very nice segue into the next point that I wanted to explore with you, which is just that more targeted approach, I'm going to do have a little bit of repetition of what you've just said for the benefit of anybody watching or for the recording. Just to put your comment in context. So from the applicants comments and other submissions received deadline for that was rep 5025. That does in form of a meeting with the planning authorities with a view to making further commitments in respect of the potential impact of weakened working on noise sensitive receptors. It's noted that this is work in progress. But could the applicant advise when the proposed list of location and commitments in an updated sound is likely to be submitted to the examination, bearing in mind that the examining authorities comment on the draft DCO is due for publication very shortly after deadline seven, I think there's about a Dana's breathing space. So if you could assist on that, please.

42:12

Rebecca clutton for the applicant, Leslie, as I just mentioned, a moment ago, we are awaiting the postal authorities feedback on that list.

42:25

And so we do really need that before we progress or we rather have that before we progress. Obviously, we can take steps ourselves, I'm just going to hand you over to Ms. Jarrell white, you have you seen on previous issues, specific hearings, and Schweitzer, AIA lead, she's leading on this work.

42:44

Sure, I'll wait on behalf of the applicant. And so just to sort of set the scene a little bit in terms of the environmental statement that we put in with the application that followed sort of standard noise assessment techniques to assess significant noise effects on the project. And as part of that, we identified receptors where the thresholds were exceeded and where we would need to put in specific measures. Those specific measures were secured through the construction and environmental management plan, which is rep three, zero to four. However, sort of following on from the feedback we've had, from the hearings, we recognise, there is still a concern to go a little bit further. So what we've done as a result of that is we have lowered the threshold. So we've looked at 55 decibels, and also looked at the duration as well to look at where there are working for a prolonged period and whether that brings in some more noise sensitive receptors into that level of assessment.

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As a result of that work, we have identified that there would be

43:46

seven properties within the headline sections, and a further couple of properties in the underground cable sections where this threshold would then be exceeded. And where we would be proposing to do some site specific measures or some further commitments in those locations. So that list of properties has been sent to the host authorities for comments and feedback to see if there are additional sites that they would like included. And once I say we've got that feedback, we can look at what specific measures we put in place around those locations. We can certainly provide that list. Yeah, our list deadline, six, to show what that list of properties is and what we're thinking about that.

44:30

Certainly Miss White fine. Thank you for the explanation. And thank you for that offer. I think given that we are moving toward commentary, it would be very useful to have a more informed idea of the

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discussion that's going on between the party so thank you for that.

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I'm not at the stage given that this is a work in progress, and that it may not alter the con

45:00

Sol's fundamental position. So I'm not seeking their final position on the proposed revisions to the samp pending the review of the revised list of properties. But without prejudice to discussion of the remainder of the items on this section of the agenda. Is it likely that the introduction of requirement seven to do with because of piling that we've already spoken about, and the amended samp might allay their concerns about weekend working? So if we can hear any submissions or not please?

45:46

Thank you, Michael Bedford, Suffolk County Council.

45:51

Again, it's a step potentially in the right direction.

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But it's not even combined with the restriction on like acid piling in itself going to be sufficient.

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We, obviously I can only speak for the county council, we think we have provided comments back to the applicant on the list of locations so far as we're concerned. And we've provided a response to that. What we are obviously very keen on is dialogue with the applicant to achieve

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a more practical series of measures, which are likely to allay our concerns.

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I say we

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were not,

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as it were.

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Sorry, I've thought that again, I think I made it clear that the previous issues hearing, were clearly not seeking in any way to frustrate the deliverability of the project. And therefore we are absolutely open to being persuaded that there are some things where there is no flex there is no more realistic flexibility. But we just don't feel that we've been given sufficient information or justification from the applicant to support the position. And there is very much a sort of a feeling of almost a drip by drip of minor changes to move a little bit towards us, I think we would just sort of welcome that we're a very different mindset or a different approach, which was a more positive one and recognising there was an issue, and then seeing if we can collectively work to identify a practical set of measures, which will both meet our concerns, but also obviously not inhibit deliverability. But we are certainly keen to engage with the applicant further on this issue.

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That That sounds very positive. Mr. Bedford, obviously, I know you're not expecting the exam, new authority can't get involved in what goes on outside the examination. But certainly,

48:08

you know, we're halfway through No, this would seem a very opportune time to have that cards on the table, heart to heart discussion with the applicant if they're willing to do so. So I can only encourage the parties to pursue that dialogue.

48:27

Thank you. Thank you. And Mr. Wilde, we'd have your hand up. Would you like to join us?

48:36

Thank you, mom. Mackay, wild Ranger District Council.

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Yeah, just to say, we have the list that the applicant provided. We are also waiting for a map. I understand to underpin that table. And once we have that map, we can then see what were the obviously all in relation to the limits where they're saying that the

48:59

more sensitive receptors are or the ones that they've identified as being the most sensitive, and then identify if we feel there's any more that should be included on that list. So at the moment, we're waiting for further information, as far as I understand it, before we could get some comments. And an answer to your question. Do the measures

49:21

vary some way to lay our our concerns?

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I think the answer probably would be yes. But I think you know, it depends on what else can be done. Because I don't think that pretend we're I mean, we need to assess it. But

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obviously, I think there probably would be need to be some more concessions made before we can accept or get to an agreed position as it were. But um, obviously, we'll have discussions today about some of the other points that we've raised, for example, the HCV movement so we can discuss that then. Thank you. It's July. Thank you, hopefully your your your point about what's holding you back from failure.

50:00

I send your response to the applicant that will be addressed after today.

50:05

If there is no indication of any of the other local authorities that wants to make a point, so I returned to the applicant if there's anything they want to say in response to Mr. Bedford, Mr. Wilde, please.

50:21

Rebecca clapping for the applicant. Yes, thank you, Madam, given Rebecca in relation to the Braintree matter, believe there's one receptor in in Braintree but we're happy to provide the map and we'll do that as soon as as soon as possible. And in relation to the matters raised by Melinda from for the county council.

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Obviously, National Grid is committed to continuing discussions with

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with with the county council and see whether any accommodations can be reached. But ultimately, in our view, the concessions that they're requesting are matters that have the potential to frustrate the delivery of the project, as set out in our critical path analysis provided rep five. And so although it said that that's not what they're seeking to do, in our view, that is the practical effect of the changes that are being proposed. The construction programme can't be looked at, can't pick off small parts, we have to retain the overall, we have to retain the overall programme to allow for flex in different areas. And actually, if it's okay, I'm just going to ask to I'm going to ask Mr. Jones to just give you a little bit of context about that, because there's think it's really important that the examining authorities clear about their various interdependencies that lead us to that conclusion. So it was only a short comment, but I think it might be helpful. As long as as long as it's, it's short, because as I say we have fairly a fairly extensive, extensive tranche of questions on the

52:03

construction timeline, but I don't want to intrude and how you want to organise your witnesses. So by all means, but just bear that in mind. Of course. Thank you.

52:13

Robert Jones for the applicant,

52:17

National Grid, outage programme for the whole of the southeast of the country is very interactive. And to just name two major projects that the brand for twisted project is really interactive with. We've got a North London reinforcement project, which is a previous DCO which is going on at this time, and also the third Thames crossing. So the outages that required for both of those projects actually work without outages. So if we miss our attitude is

52:52

we can't just say, we'll delay our outage by so many months because their outages are in the way and they will they take priority. So that's why in a previous hearing, Mr. Fielding explained that if we miss our outages, we then go back year because we don't go back weeks or months.

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The other aspect that we have with the flexibility that we've got it allows us to recover time lost due to poor weather or exceptional circumstances to meet the commissioning timelines that are in that programme. And we have to bear in mind that the HV testing equipment that we have coming gets used all over Europe. So if we miss that time slots with that, it then goes off to another project for a different developer somewhere in Europe, and then we would then have to find a slot later on for that to come back to us and that can cause significant delays.

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Thank you, Mr. Jones, certainly the I think the mention of the testing equipment is new but Mr. Fee did give us a a fairly thorough run through the

54:02

last issue specific hearing to do with the DCO one the interdependency of of the outages. So thank you for that. Mr. Bedford, your hand up next join us.

54:19

Thank you, Madam Madam as a short comment, just to note that of course, the restricted hours in requirements seven one has to then be read together with requirements seven, two, and part of seven two, which allows for operations to take place outside of the core hours in seven. One item F is the testing or commissioning of any electrical plant installed as part of the authorised development. An item CI is the completion of work delayed or held up by severe weather conditions, which disrupted or interrupted and

55:00

formal construction activities, observe and read all of the exceptions, but the applicant has already built in that flexibility outside of these restrictions. So it's a form of double counting if I can put it that way to then rely on those factors as being reasons why they need the restrictive hours.

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Thank you, Mr. Bedford. That's useful.

55:28

Does the applicant want to respond to that particular point? Rebecca clutton for the applicant? Yes, madam I do. Please there is no double counting that I mean that there is no, there is no utility to the exceptions that we've identified and requirements seven if we've already missed our outage. So we said we, we need the we need the overall programme to ensure that we

55:54

are able to meet our outages. If we've missed that already, then the fact that we can operate outside call working hours in relation to these doesn't really help us or get us home any further. So I mean, from our point of view, we don't want to be having to rely on carve outs and exceptions, everything should be capable of being done within the proper construction schedule that we've identified, that will be much

less much smoother and much less disruptive for everybody for us to be working to schedule rather than relying on carve outs. So I don't think we consider that point to be a sound one.

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It was certainly a point that I had pressed with Mr. Field in the last day to see whether that are on either side has had been built into

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the the

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reported need for weakened working. So certainly, that's something that I'll revert back to the note some issues specific hearing to just to remind myself of what was said there. So thank you both for that.

57:03

I want to get back then and sync with the agenda and look at the first bullet point on agenda item four. And that what to do with action point one arising from issues specific hearing to, which is EV oh four, five, and the applicant was asked to explain what was assumed when undertaking the environmental assessment in relation to construction working hours and alternative working weekends. No, it did so in the applicants response in the November hearings, action points. That's rep 4042. Where there was written confirmation of what was said at the issue specific hearing to that the environmental statement didn't assume alternate weekend working. It assumed that works could take place on any Saturday or Sunday.

58:07

Now it's clear from submissions to date, reinforced by what we've we've heard today that the consoles and other parties reach a different conclusion to the applicant on the likely environmental impact arising from construction hours. However, that aside, do any of the council's want to make any observations on the applicants clarification of its assumptions underpinning assessment of that issue? I know we will have had their own follow up on the issue specific hearing too. But if they want to take this opportunity to add to that I'd be grateful.

58:56

And thank you, Madam microwave for Suffolk County Council. Yes, ma'am. It seems to us that there is

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a difference between what the applicant assumed for the purpose of the environmental assessment. And as you've just identified rep 4042.

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In response to action point one, page five makes it clear that for the purposes of the EIA assessment work, it was not assumed that there would only be ultimate weekend working.

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And so therefore, presumably the assessment assumed that at any one location, there could be successive weekend working. And so we understand that that's now that was the basis of, of the environmental assessment work. But we also understand from what the applicant has now said, in building, as it were, what they've described as the basic scenario, both in what they say rep 3045

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If, and at rep five, zero to seven,

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they have worked on the basis that there will only be alternate weekend working.

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And that's clearly set out in the text of both of those documents. So, to that extent, it could be said that the environmental assessment

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in relation to this particular issue has assessed a worst case beyond what they now expect that they can achieve. And obviously, that's welcome in the sense that if they can

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have less impactful ways of doing the activity that must be beneficial.

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And so we welcome that. We don't actually see that, however, translated into what is being suggested in requirements seven, so that there would be as it were an assurance that in any particular location, and bearing in mind, obviously, it's a linear project. But in any particular location, there would only be ultimate weekend working, leaving aside emergencies, bad weather the the exceptions in seven, two. So it's maybe more a question of, can the control documents be finessed? So that if the applicant has worked on the basis, in the basic scenario, that he only needs ultimate working, so ultimate weekend working, and then we've got some separate discussion about that scenario, which we'll come on to. But if we take the applicants scenario at face value, then that ought to be then translated into the control documents. So what they said they can do, is what we actually end up with.

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Thank you, Mr. Bedford.

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Do any of the other consoles want to contribute?

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Or I don't see any indication.

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I'll hand over to the applicant then to address Mr. Bradford's point, please.

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Rebecca clutton for the applicant

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we

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we have set out the in the in the baseline scenario that that is what we will seek to do. And indeed, that is what we will seek to do, the applicant looks wherever it can to minimise the impacts on communities that are affected by the works that it undertakes. But what we cannot do, what we're not prepared to do is commit to that. Because if we commit to that, we lose the contingency that we've identified as being important for the reasons that we know that we don't need to go over again. So I mean, that is the whole point, we are looking to secure an envelope within which we can carry out this project, we will always be looking to minimise the effects, but the envelope is a reasonable one. And it's one that we think is necessary to ensure that we can deliver the projects on time if there are any unforeseen circumstances or other issues arising. We said that is the whole point of the contingency, but of course, we will look wherever we can to reduce those impacts.

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Okay, thanks. Miss Clinton. Again, I think that

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bearing in mind that we have had the intervening evidence about the assumption base, again, that the issue specific hearing to we talked not just about alternate working weekends, but the possibility, say of two item for B that we want and two or week one and four. So we have our adopt possibility as well. So as certainly

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bear got in mind as well when considering this particular

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action point and moving on from us. So thank you for for that.

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I know we're only just over an hour into proceedings, but because that the next bullet point is going to be very lengthy. I think this is a opportunity at not unnecessary time to take a short break. So I propose

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which we see what time is it? No, it's just a break. It's four minutes past three if we're back about a quarter past three, please. So Algerian and see you in town and it's time thank you