

# TEXT\_Aquind\_ISH4\_Session7\_17022021

Wed, 2/17 6:36PM • 43:12

00:14

All right. Okay. Welcome back, everyone. We've got a couple more sections on this agenda, but then we're nearly there. Agenda Item 22. Any other issues relating to the draft DC? Oh, question 22 one for the applicant has progress been made toward finalising the heads of terms of nget with regard to the converter station citing options.

00:39

If B two is pursued, will there be any consequential changes to the scope of compulsory acquisition or access and landscape management rights in the locality? Mr. Jarvis?

00:52

If I may, so I'm going to pass this question over to Mr. Allen. I said, Okay, Mr. Sullivan.

01:01

Good afternoon, sir Mr. O'Sullivan on behalf of the applicants. And so the applicant continues to engage with national grid to secure an option agreement over plot 127 to enable the siting of the converter station for option B to with heads of terms at an advanced stage. It is however, an order that national grid have recently changed who was instructed to act on their behalf in relation to the option which has caused some delays to the option agreement being agreed. And with respect to how that impacts the siting considerations. In the event, the applicant is able to secure the option agreement, the applicant will be able to commit to citing the converter station in the option B to location. However, taking into account that the option agreement has not yet agreed. At this time, the applicant cannot commit to option B to being the ultimate being the alternate which is implemented. And the applicant would be content to provide further updates as requested by the examining authority and Secretary of State in due course, and with respect to that, how that impacts the land rights which are required. So in relation to the landscaping rights in the event that the applicant is successful in securing the option agreement from National Grid, and which would enable the siting of the converter station and the option B to location, the applicant would not need to acquire the freehold of or any rights in relation to plots 123 a, and 129. A, the applicant would also not seek to acquire the freehold plots 123, b, 129, B, and 129. c, but still need to have the ability to secure new landscaping rights over these plots in the event, it would not be possible to secure voluntary agreement over these thoughts from the respective owners. securing an option agreement from National Grid will not have any impact on the rights required in relation to access. That's all sir. Excellent. Thank you much for that summary. That's put it nice and succinctly. Does anyone else wish to raise anything on this? At this time?

03:14

Okay, nothing heard and I have no further questions. So thank you, Mr. Sullivan. for that.

03:20

Question 22. Two.

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This is in relation to the south downs National Park designation.

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In the selection of the loving substation as the grid connection for the proposed development.

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The question was asked which party had the statutory responsibility for considering it

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and in the event which party of any undertook this consideration?

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We did invite enji eso to the hearing. They declined the invitation and instead have made a written submission. That written submission was received yesterday was published to the exam library. I appreciate that people may not have had the time the opportunity to sit and digest it but effectively, it is saying that the process is Sayan. See it CIO and process had been undertaken. And that was a collaborative effort between nga CIO and the developer. And as a result that demonstrates the South downs National Park designation was considered.

04:31

Mr. Hughes in the first instance, I don't know if you've had an opportunity to look at that letter. We'll find out shortly. But I don't know if you have any comments to make on that assessment. That assessment that has been made so far, Mr. Hughes.

04:48

Thank you, sir. Mike Houston, South downs, National Park Authority. I'm afraid that that submission had escaped my notice, actually. So I haven't actually viewed it sorry.

05:00

Just that I would come back on that point in writing. And the other point I'll just make very quickly make is that we have been

05:07

trying to sort of get an answer to what I can shorthand turn the section 62 duties, by which I mean, section 62 as inserted by the environment act 1995. You know, the siting of the converter station can't be solely a commercial decision that has to obviously have regard to, to the National Park purposes. And I look forward and hope that that is that's expressed in the deadline 70 submission.

05:35

What I would say up to date with without what's being submitted yesterday, I would say that the explanation we've been given so far, is accepting why the converter station can't be a chick roll and brambly. Other than that I do feel from our perspective that the explanation we've been given so far is cursory. Albeit I may change our view once I've seen them yesterday submission. Thank you, sir. Thank you very much.

05:59

Mr. Jarvis. I don't know if you're able to shed any further light on this. I know originally, when this was first raised some some months ago, it was mentioned by the applicant that it is in get that responsible for the feasibility study and then get referred us to nga. So you said it was the same process which is collaborative involving the developers input. Are you able just to shed any further light on this place?

06:26

Yes, I can, sir. So I think my previous submissions for the NGS Oh, or anger as they were were responsible for the feasibility study. But I did not say that the feasibility study was the reasons why they converted station is located in the location that it is. And just to take the points really quickly, and I'll come back and write in more detail if I may, both national grid eso and guess who they were at the time have a statutory responsibility to consider this, as does aquin. Wind is a statutory Undertaker by virtue of having their indicator licence. So they also have to take into account the purposes of the National Park. And with that in mind, it was both parties that have undertaken this consideration. And GSO undertook their consideration of this issue whilst progressing the feasibility study in the CI o m process, the applicant has undertaken this consideration as progressing their option area auctioneering exercise, and also was continuing to progress their developing designs for landscape mitigation, which are principally focused on or rather, not principally focused, but are also focused on ameliorating the impacts on the south downs National Park from a visual impact perspective, which is also relevant to us considering how we take into account the purposes of the National Park. With regards to the question of weight. I would note that in the statutory test weight is only relevant where there is a conflict between the two purposes. And I don't think there is any suggestion that there's a conflict between the two purposes here, the question is just whether the South downs National Park has been taken into account as required by the first pass of that test. So I can't give you any specific reference to wait in line with that statutory test. But I can fly, however, is in the supplementary alternative chapter, it does very clearly set out how the South downs National Park has been considered in the consideration of the siting options for the converter station, and how it was taken into account as part of that decision. And again, that doesn't set out expressly the individual weight of the individual sort of things that were taken into account as it would not be appropriate to do so. But it does set out how this has been taken into account. And I have also had further discussions with Mr. Hughes on this matter. And I understand that his principal concern is still in relation to the seven substations that weren't taken forward for more detailed consideration out at the time that were considered. And I did provide a brief explanation of the issues with the wider network reinforcements that were required because of way of seeking to evacuate power through the network. And I'm only able to explain that so well. It's not my speciality.

09:01

I think we'll probably just continue to see if there's anything we can do further to help resolve that issue with Mr. Hughes in the remaining time at the examination, because I don't believe that is a point that's

addressed in mg Essos, submission, deadline, seven C, and therefore, I'm not entirely sure that Mr. Hughes will be satisfied with what's been submitted. Okay. Thank you very much for that, Mr. Hughes. I see your hand is raised.

09:26

It is Thank you, Mike Hughes from South downs National Park. I don't want to try everyone's patience at this time of night. And also I have to come back and writing so hopefully I won't do that. But just a couple of quick points. If I if I may. And there is a thank you. There is

09:43

Mr. Jarvis is referring to I think supplementary alternative chapter rep one dash 152. What I would say in relation to that is that the explanation for not taking forward those seven other substations in paragraph 5.1 point 1.5 I think

10:00

is is very cursory. And what I'm ultimately looking for is I accept we have to be proportionate here. You know, the applicant has given a very good explanation in the document I just referred to in relation to chicora and Bramley, and I'm not looking for reams of paper paperwork on this, I do would like a proportionate explanation because at the moment, I don't necessarily feel that's been given. And I'll give an example of that in national grid's representation at deadlines. Seven, I'm not ashamed to say that I don't understand it. I'm not an engineer, and I've read it a couple of times, and I don't understand it. So for example, and one of the points it says, the options to the Western love Diem, and where they're talking about substation locations, and required all or nearly all the same network reinforcements as a connection loving, plus additional reinforcements to either get the power to love Diem, or reinforcements to the west extra substation, and as far north North Woods, as 90 Now, my question to that would be not being an engineer, how difficult is that, you know, if it's a very small level of infrastructure at ground level, then it's it's quite straightforward. If it's, you know, overhead, new overhead lines, etc. And that's a different ballpark. So I am seeking to be the authority seek to be reasonable and proportionate here. And but we have been asking these questions for some time. We don't yet feel that we have an answer. But we are happy to work with this job on it. And I will review the deadline seven submission seven see submission. Thank you, sir. Thank you very much. I think that'd be worthwhile to get your thoughts in writing, particularly when you've had a chance to look at seven see and from what Mr. Jobs has said today, as we're taking that all into account. And we look forward to seeing something from both parties. At deadline eight.

11:48

Does anyone else have anything further on that item?

11:52

Okay, nothing heard. Moving on then to 22. Three, have Hampshire County Council and Portsmouth city council come to an agreement with the applicant on securing Kevin payments. methods in the decio offer a separate legal obligation, if obligations are to be used to assign copies be available by the end of the examination? I'll come to miss Kuhn in the first instance reports, and if

12:18

so, when we're nearly there, but but negotiations, negotiations are still ongoing. Okay. Thank you very much. And presumably, the representative I assume Mr. Attorney has gone but I assume the representative from Hampshire is going to say the same thing. And I just confirm that. Yeah. Good evening, sir. Tim Guymer. For Hampshire County Council. We have agreed wording in our section, why six in regards to carroz payments, see where we're comfortable with that approach?

12:47

Okay, so thank you very much for clarifying that. Mr. Jarvis. zoomarine. Nothing to stay at this time. No, thank you, sir. Okay, thank you. Moving on to question 22. For now, this is in relation to the extension to the London substation,

13:08

and see arguments of the Rochdale envelope and whatnot. I believe that we have covered that sufficiently earlier on in the agenda.

13:18

But Mr. Smart, is there anything further you wish to say that was not said earlier on? No, thank you. So you have the party's positions and the gap for you to make recommendations in respect of and we'll put that in writing in due course. Thank you very much. Thank you very much.

13:33

Everyone has anything further to add there.

13:38

Okay, moving on to question 22.5. We've already covered the use of square brackets, we understood that they will all be removed come the end of the examination once everything under consideration has been resolved. Mr. Jarvis. Anything further on that point?

13:58

No, thank you, sir. Did you see someone's hand? Probably?

14:01

Yes. That was Miss Cahoon. Was there a point to raise there?

14:07

Now I'm sorry, sir, I was getting ahead of myself. I do have a point that last point to make on 22.6. Let's move there now.

14:16

So by all means, please continue. Thank you. So this is a point that we have made page 23 of as 061 and it's the penultimate paragraph.

14:29

So you will have heard me make submissions about

14:33

some of the issues that have been raised with Aqua and in terms of the PPA and and in particular in terms of fee requirements for for sorry, discharging of requirement fees. So we have made reference to requirement 26 of the Southampton

14:52

London so pipeline decio, which, so for your references page 76 of the decio

15:00

And that makes a we say reasonable requirement. And it's clear. And it, it makes it absolutely clear on the face of the decio, that there should be some form of fee system, and that it's already agreed on the face. And that would, sir, in Portsmouth steel address. And it's a very sensible thing to do on the face of a DCs. And we would like that more requirement included.

15:28

Okay, thank you very much that, Mr. Jarvis?

15:32

And could I just clarify whether that's being requested in addition to or as an alternative to a planning performance agreement? And if it's being requested, in addition to how it's considered to be justified?

15:47

Miss Cahoon?

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Well, so, at the moment, it's, it's in addition to

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that, sir, I will take the matter away and talk and if there's something that needs to be cleared in writing, then I will do so.

16:05

Right. Okay. And if you could provide that additional justification if you're sticking with that to to Mr. Jarvis. So that then for response can be given that'd be much appreciated.

16:19

Any further on Saturday? Yes. Mr. Scott?

16:22

Yes, very briefly, can I can I ask through you to ask the applicant to send to my instructing solicitors a word version of their 25th of January draft decio. And then we can apply our track changes to that version. Because the alternative, I think, is to try and unscramble from a PDF, which might have issues.

A version into Word is a very simple thing for that email. It's a public document anyway, but a word version will be very helpful for us. Thank you, sir.

16:52

Okay, just very quickly on that, would that still be useful, bearing in mind that the applicant in today's hearing has said that a number of changes are happening to decio?

17:03

Would you not prefer that most updated version of that can be provided to in good time? If we have during the course of next week, that would be terrific. And separately, if in due course, we could also take a publish onto the library, the composite track change version? That's no criticism of the drafting, because the shows are necessarily iterative. But it just helps us to see

17:27

the original versus the up to date version and how it's been modified and amended, rather than as we've discussed before. Thank you, sir. So perhaps by next Wednesday, or Thursday be terrific. So we can then insert our case for you, sir, is to assist you yourselves. Thank you. Okay. Thank you very much. Mr. Jarvis. I would probably say bear in mind the time constraints and everything else that's going on in the next week or so that may not happen. And it may actually be best for Mr. Sevilla and his clients to use the the CEO that was submitted at deadlines. Seven, are you able to provide a word version of that deadline to him?

18:07

Yes, that was going to be my suggestion. I'm obviously going to work on the draft, not officially Working Draft. And we're happy with that. So thank you, Mr. Jarvis. Thank you. If I sorry, I was getting a lot of feedback if you just let me finish. And so I'll issue the deadline seven version, as requested as a word version, I'll also issue a comparative composite copyright. And of all the amendments that have been made to date from the original decio up to the version that was submitted on the 25th of January. So that can be uploaded. And I'll send that across to Mr. Scott's clients list as at the same time, so they get that directly, sir. Thank you.

18:43

Thank you very much. Thank you very much. All on that point. There's anyone for comments to raise.

18:50

Okay, nothing heard. Just before we finish this agenda item, there's one more supplementary question that's come to mind just quickly for the applicant. In the D seven B submission, the which is entitled to the applicants comments on other party's responses to the x a second written questions

19:12

in response to question pp. Two

19:16

point 13.1. The applicant makes reference to the importance of national grid dsos network options assessment of January 2021. And the network options assessment for interconnectors.

19:32

Now are icy, just out of interest is that the applicants intention to put these documents into the examination?

19:42

It wasn't the intention because they're public documents, but we're happy to do so where that helps.

19:47

That'd be much appreciated. Thank you very much.

19:50

Okay, are there any other final comments relating to the draft decio that we've not yet discussed.

20:00

Okay, nothing heard, then I will hand over to my colleague, Mr. Man for the final item on the agenda.

20:07

Thank you, Mr. Wallace.

20:10

Finishing straight.

20:14

Before we bring the hearing to a close, can we think about post hearing actions and notes

20:21

do have a bit of an issue, I suspect, I think we need to highlight the deadline eight is effectively the last deadline for the post hearing notes that we've talked about today. And we must allow the applicant to respond to any further submissions produced by the parties. So that does become problematical. We do have deadline nine, but that is in the timetable specifically for responses to any rule 17 requests that we decide to issue.

20:48

I think therefore, if anyone does have post hearing notes, it would be useful for them to be submitted as soon as possible after this hearing. And then we can consider accepting them as additional submissions, which would allow the applicant then to respond to deadline aid.

21:04

This would include the MMO suggested wording around sheduled three and article 45. And I think this is right, you have a particular issue with this one. Because I don't think there's a huge amount of point in you submitting your suggestive version of that ECA deadline aid, because that is the deadline at

which we request the final version from the applicant. So again, if you're able to submit that in advance of deadline eight, that would be very useful. And we could have considered to accept that there's an additional submission. And I will give the applicant an opportunity to have a look at that before he completes the DDC deadline eight

21:41

cents. And yes, sir, does we're here to facilitate and assist you, sir, in the examination. And yes, we will endeavour to to make our refinements ASAP, and get them to you and to publish ASAP, so that the applicant, of course has the opportunity to then respond to our situation. Additionally, we would just remind the applicant that it is entirely open to it to engage with us to have an iterative dialogue about those terms at any point going forward, if it so chooses, and we're here with open arms pending that But otherwise, we will submit the document in any event. Thank you, sir. That's very helpful. Thank you, Mister.

22:21

Okay, so

22:24

Mr. Roscoe, your list of post hemming notes and major actions.

22:29

Thank you what I'll do, I'll work through my list of post hearing actions and notes. And I'll then ask if anybody has any comments to add on them. So starting off, obviously, at the start of the hearing, agenda item three, we had the composite decio as a composite track change document.

22:51

Then we had the overall shedule of all suggested changes to the DDC Oh, I'm already focusing on the I mean, I think Portsmouth

23:01

winter Winchester and Hampshire were mentioned. But obviously, as all the suggested changes, coming then down to agenda item 3.3.

23:13

The applicant agreed to consider the status of works to BB in the draft dcl at deadline eight, and offered a post hearing note on that.

23:26

proceeding on to agenda item 3.5.

23:32

And the hearing was going through the Portsmouth city council appoints

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Miss Calhoun offered a response in note form on why Portsmouth didn't agree with some of those applicant comments. And that was offered in the form of a post hearing note. And that was under agenda item 3.5.

23:57

Agenda Item 3.8.

24:00

The applicant

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to

24:05

know I'm sorry, Mr. Suarez on behalf of the carpenters

24:11

undertook to respond a deadline a through a post hearing note concerning article eight for

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moving on then to agenda item 310.

24:26

Is the attorney on behalf of Hampshire County Council

24:32

was to offer to respond at deadline eight on the or earlier as we've said now, sorry, I will use deadline eight as my response time because that's that's what I've written down in the notes but obviously, as Mr. Martin said, these responses and asked for earlier than deadline eight in order that they can be published as additional submissions so that the applicant gets the opportunity to respond to them at deadline eight

25:00

So coming back when our agenda item 310. Mr. Attorney on behalf of Hampshire County Council was to respond on article 10 to

25:12

miss Calhoun on behalf of Portsmouth city council office response as well, on article 10, to

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continuing on then to agenda item 312.

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Portsmouth was

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offered to respond in writing on the applicants.

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points made under articles 1215 and 16. One

25:44

were outstanding issues within those.

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Same agenda item which is 312, with the attorney on behalf of Hampshire County Council, said that he would come back on the new roads and street works act in relation to Article 11.

26:03

going on now to

26:06

agenda item 316.

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Jarvis offered a post hearing note to cover the matters discussed his response in terms of that item that could well feature in the composite notes referred to at the start of the hearing.

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And

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no, actually that was that was on the that was on the allotments on their communications with the allotments that the so that doesn't actually go in the initial one that is separate and exclusive to agenda item 316. So that was a note from Mr. Jarvis on that. And Miss miskell, who and then on behalf of Portsmouth City Council, offered a similar note to cover the city council's positions, again in red in reference to agenda item 316.

27:02

on agenda items, 393 18 319 and 320.

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Is the bird offered a post hearing note

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in terms of the matters discussed within those items,

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and also,

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certain aspects include and also to include a dcl change shedule if the crown and M od consents aren't forthcoming before the end of the examination.

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Turning now to agenda item 321.

27:47

This is where Mr. Watt the track changed the CEO a deadline eight at the track change decio that has just been spoken of.

27:58

Turning now to agenda item 323.

28:04

Miss Ford

28:06

offered to respond on the requirement issue in schedule three, with wording in a post hearing note.

28:21

Turning now to the agenda item 5.5.

28:25

This glue offered on behalf of Portsmouth to confirm whether the matter had been resolved in terms of the word must and well in the camp.

28:39

Turning now to agenda item 16.2.

28:44

Post hearing note was promised in terms of the applicants positions or the party's positions in on the protective provisions from the applicant.

28:53

genda item 16.4.

28:57

Post hearing note was offered in terms of the protective provision examples or precedents.

29:08

Agenda Item 16.6. Post hearing note was offered to clarify the position of the utilities within the order limits. I should say at this stage that it does come to mind that some of these post hearing notes would be simple, single sheets of a4 and it may be possible to combine them in in some way. This is just how they were raised within the hearing. So that was agenda item 16.6 genda item 19.1.

29:41

From

29:44

the MMO.

29:47

There was a response to Mr. Hudson's comments in a post hearing note

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from

29:57

the MMO

30:00

In terms of agenda item 21.1.

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There was a note from the applicant, Mr. Jarvis in terms of the consideration of the terms of the planning obligation matters in the Thames tideway dcl. And also to go on to how these matters could be addressed in the draft DCM that we have under consideration now.

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Just as what on behalf of the carpenters again under that agenda item 21.

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To return to us on the

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possible article, and shedule on planning obligation matters, as the applicant owns no land in

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the carpenters views. Turning now to agenda item 21 to

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the Jarvis on behalf of the applicant offered to provide,

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again, possibly the annex nr three on the TCPA. And the views on that,

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in a post hearing note

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is to use on behalf of the South downs National Park. I'm now on agenda 22.2. That's 22.2 is to use on behalf of the South downs National Park and to talk to come back on having reviewed the seven c notice, or the seven the seven C and G so communication, which we received recently.

31:44

terms of the same agenda item which is 22.2.

31:49

Mr. Jarvis, on behalf of the applicant also undertook to come back in relation to the same and GSO position and the applicant's position on the feasibility study. And the consideration of the South downs National Park impacts.

32:08

And that was the list that I had. If I take this in order first.

32:16

In terms of the other members of the panel, obviously I haven't had the opportunity to discuss with them do do their cord with Mr. Mom, do your views recorded the list that I've just done? Exactly. Thank you. Mr. Wallace. Likewise, I concur. Thank you. And then now turning the discussion more generally, are there any comments from other participants in the hearing on the list that I've just given?

32:41

Let's call him. So very quickly, we did promise to come back on the requirement 26. Proposed Mr. Jarvis said does that mean no PPA on same issue. This is the fees,

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fees issue. That's what it is. Why is that? So we will come back on that. Thank you. And secondly, it's a plea because a number of my responses, which was a will do do respond in writing with when Mr. Jarvis was was reading out his response or rather the applicants response. And it would be extremely helpful to have that written

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information that he was reading out as soon as possible in order to allow us to respond as soon as possible.

33:33

Right. So just to take that in and more in a more general sense to all parties bearing in mind the stage we are at in the examination, it would be useful if the oral transcripts that were timetable to be provided a deadline eight could actually be provided as soon as possible.

33:53

Yeah. And so effectively, that would cover the point that you've just made in respect of Mr. Jarvis, his

34:00

transcript, if you like of what he actually said, and that may well help in other in other areas as well. I'm just looking across at the panel now. And I saw a couple of knots in terms of that. So I'll continue with that. With that video. hope that's clear to all concerned.

34:19

is forward, I see your hand is raised.

34:23

Thank you. So I just like to confirm that we can definitely get a response on the schedule three night as soon as possible. However, the comments for Mr. Hudson that you'd like us to address were raised very last minute This was the first that we had heard of them. And although we have engaged a lot of the applicant is disappointing that they were only raised today. So we can't confirm we can get this earlier. We'll definitely give it to you by deadline eight that we will need to review it until finally we may not be able to get this before deadline. Right. Okay, thank you. I can understand entirely what what you said in all of this.

35:00

We're now down to a stage where it's his best efforts. Before before deadline, he has, as we've already said, but if those best efforts can only achieve deadline eight on your on your part because of the provision of the information, then then we will we will, the parties will have to work with that. Thank you.

35:19

Thank you queue.

35:21

Right. I don't see any other hands raised this forward, your hand is still raised. I presume it's just going to come down. I can see a few more now. Right. Okay. I'll take Mr. Swap first, please.

35:37

Thanks. So I just to assist you, in relation to a POS, whether it's feasible, impossible to have an article in relation to planning obligations. I'm just understanding what you mean is could we provide you with a sample of how that might be achievable? And then possibly that will couple with our notes saying why would not otherwise be achievable? And of course, because we haven't got the plan obligations in draft ourselves, because we're not party to them and have me shared with us, we can just give an indication of how they might be assimilated in some way.

36:09

Yes, thank you, sir. Yeah. Thank you.

36:14

And I did see Mr. Jarvis, his hand up previously, but it's done. It's gone down. Mr. Jarvis. Again, sir. And it's just a point of clarification. Actually, it's something that Mr. Tim Geithner at Hampshire County Council has raised with me. And we're just looking for clarification in relation to the section 106 is because we're obviously doing everything we can to complete them as soon as possible. And as to whether the examining authority need those by the first of March, or whether it's acceptable to receive those by the eighth of March, which is the close of the examination.

36:47

Right.

36:49

That is something that we may well look to consider overnight and respond to the parties involved tomorrow, because are all the parties at the at the hearing tomorrow? I'm just just looking at that.

37:05

I believe they are so.

37:08

Right, right. I mean, we do have

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in terms of the obligations, it's already been said that on more than one occasion that they are in an important part of the examination. And if they were to be received, whenever before the close of the examination, being a compact, if they, if they were in agreement between parties, then they would go forward as such, if they were a unilateral

37:41

undertaking by a single party, then they would have to go forward as such, and we would, we would not have had the opportunity to take other party's views into it. If they didn't appear it

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at a certain point in the examination. I think that in terms of the obligations, they should be provided as soon as possible. And the later that they are provided, may well change how they can be considered in terms of the examination. Because if we don't have the opportunity to have comments on a document that should be commented on. That's how it features in our report. So I'd ask all parties involved to bear that in mind. And we are getting very close to the end of the examination. And it's not sufficient for parties to think that as long as we get this document in by the end of the examination, that's it, because that document may have to have the the the had the opportunity to be commented on by others. And so it's not it's not a it's not just getting it in before the finishing line. Mr. Jarvis, Is that helpful?

38:48

Somewhat Sir, I'm just about just I'm sort of thinking that if we've got an agreed and Grossman draft, then we'd submit that and we deal with execution separately, so as to provide it earlier. And that may, that may be one way around ensuring an opportunity to comment

39:03

that

39:06

that obviously, if if we were provided with that, during the examination, that's something that we would have to put to the Secretary state. And then the secretary state would have to have to take that. I'm not saying it wouldn't be signed within the examination window. I'm saying that because I appreciate your comment that you would like to be able to comment on those and allow others to comment on those. And where I've got an engrossment agreed draft with the other side, in respect of any particular agreement, I can provide that and then we can deal with the execution to make sure it's completed before the end of the examination. So that that falls that falls from what you've said,

39:47

to my mind that to our mind, that falls within the document that would not necessarily need the comments of other parties, but it's often not as clear as that

39:57

and so and so therefore, we will

40:00

would have to take into account at the end of the examination period, what you can provide us with, and, and what what we've been able to do with that. So I mean, I come back to the point that as early as possible, is the need. And in as

40:18

I call it, a finalised state, I realise the state of the status of the documents that you've just been just been talking about, but in as finalised and agreed state as it possibly can be. And we then would have to report on what we've ended up with at the end of the examination and how we've been able to deal with that during the examination.

40:42

Okay, that's it.

40:43

I can't without without committing us to things that we may not be able to achieve. I can't be any more helpful if that's the word to use than that. Really, Mr. Jarvis? No, that's fully understood. Thank you. So

40:58

this is what I see your hand is raised. Yes. endorsing your flexibility of approach and opportunity for comment, which obviously cuts both ways. May we ask the applicant through you that when they're in a position to publish

41:14

documents imply any obligation that they email it to us even as a PDF, so we can have some opportunity to comment, because we won't see anything either. And it will be relevant, because we're an affected party. So we may have comments. So without putting a deadline or anything, and it'd be helpful just knowing it takes time to publish on the library and so forth. Not to be left out the loop.

41:36

Just is what i think i think that your comments really matters. I obviously we have heard what you have you have said and it has been recorded. Thank you. But actions such as that are really between the parties, we've already had documents transferred in advance of their publication. And that was helpful to the examination. There will be other instances where that is also helpful to the examination. And I'd ask all parties to to bear that in mind. Your very clients. Thank you.

42:07

Why was there anything else on the post hearing action and notes list?

42:14

Okay, nothing heard. Thank you very much.

42:18

Mr. Mom.

42:20

Thank you very much. Miss Roscoe. Yes. So just a reminder that deadline eight is Monday, the first of March 2021. And that is the final deadline. So we've had that discussion, so I won't go through it again.

42:34

Anything that can come in advance of that we'll do our very best to accept as additional submissions, so everyone has a chance to read it.

42:42

The other thing about getting close to the end of the examination is our flexibility in terms of accepting late submissions becomes very much more difficult. And it's unlikely anything that comes in after deadline eight for deadline eight will be able to be accepted.

42:57

So can I thank you all for your attendance, your perseverance and your contributions today. And you'd be pleased to know that we can now bring this issue specific hearing to a close