

TRANSCRIPT_YORKSHIREGREEN_CAH1_SESSION1_25052023

00:11

Good afternoon, everybody. It's now two o'clock and time for this hearing to begin.

00:17

Before we go any further, can I just confirm that everybody in the room can hear me clearly.

00:22

Thank you very much. And also just to confirm with Miss Hope well that the live streaming and recording of the event has commenced thumbs up. Thank you. So I'd like to welcome everybody to this compulsory acquisition hearing one in relation to the application made by national grid electricity transmission limited for the Yorkshire green energy enablement project, which we will refer to as Yorkshire green. My name is Jessica Powis, and I am the lead member of the panel examining this application. I'll now ask my fellow panel members to introduce themselves starting with Mr. Jones.

00:54

Good afternoon, everybody. My name is Gavin Jones. And I have also been appointed to be a member of the panel to examine this application. And I'm pleased to say I can hear you all this afternoon.

01:07

Good afternoon. My name is Annie Coombs. And I've also been appointed to this panel.

01:13

Together we constitute the examining authority. And our role is to examine the application and to report to the Secretary of State for energy security and net zero with a recommendation as to whether or not the development consent order should be made.

01:26

In the room, I'm not sure we have we have a few new faces. So I will just run through a quick housekeeping.

01:32

Please make sure that and most importantly, that phones and devices are set to silent.

01:37

And there should be no more fire alarm tests today.

01:41

Mr. Carruthers, it's good to see you pop up on our screen we had I think there's been some problems with your connection today.

01:50

As you'll see and be aware with undertaking today's event in a hybrid way, meaning we're partly in the room and we're partly joining virtual, which is great. And we will enable anybody to have fair opportunities to participate regardless of how they're joining us today. If you're on a virtual call, and you'd like to make a point, please just use the raise hand function. And we'll bring you in. This hearing is being both live streamed and recorded and the recording will be made available on the Yorkshire green page of the website shortly after this hearing. So for the benefit of the recording, please can you make sure if you're speaking into a microphone, get nice and close. And just introduce yourself before you speak every time you speak.

02:33

A quick note on our privacy notice it was provided with a notification to this hearing. We assume everyone has read it and familiarize themselves with it in terms of how we handle personal data. But again,

02:44

as we said yesterday, it's very unlikely that the panel will ask you to put any sensitive personal information into the public domain. And we'd encourage you not to do that. However, if you feel it's necessary to do that, or to refer to things that may otherwise be kept private and confidential, then please make sure you speak to remember the case team or put those in writing rather than the LauraLee and we'll, we'll do it the same way we did yesterday. And when we're talking about specific locations and potential affected persons today.

03:15

We have the agenda that was issued on the 15th of may be helpful. It helps if you have a copy of that in front of you. We have some spares if anybody needs one, we were planning to broadly follow that agenda today. But we may pull in a few other bits as we go through. We'll take a short break mid afternoon around 330 depending on how things are going. And if we can't conclude everything that we wanted to cover today, then we may defer some things to written questions. Or we may ask you to submit them a deadline for in writing instead of giving full oral submissions today.

03:47

So I'm now just going to ask for introductions for those who are participating today. We'll start in the room if you could just state your name and who you represent and I'll come first to the applicant.

03:59

Good afternoon Richard Turney counsel instructed by Womble bond Dickinson on behalf of the applicant. And I'm assisted by Charles Bishop also of counsel. And I'll let everyone else introduce themselves.

04:14

Loud, Tom a lot from National Grid the lands representative, thank you

04:19

in long on behalf of National Grid lands. Thank you. Good afternoon, Madam Jonathan Bala. Womble bond Dickinson legal advisors to the applicant. Thank you.

04:31

Good afternoon, Steve, our the engineering representative. Thank you.

04:37

And then I will come to the others in the room. Starting on my left hand side of the council.

04:45

Good afternoon, Michael Venables. Natasha county council. Nice Archer Council.

04:51

Thank you have you got colleagues on the line as well as it just froze me. Okay.

04:56

And finally at the end, which students in

05:00

Representing landowners. I think one of my landowners may be joining virtual actually. Okay. I think we've just heard seen that on our messages. Excellent.

05:11

I will then ask those on the call virtually, if anybody there on the on the line would is plans to speak today.

05:21

I can see Mr. Rob, could you just come in and introduce yourself because we met you on site on Tuesday?

05:33

Mr. Rob, are you there?

05:36

Yeah, can you hear me? Yeah, we can. Lovely. So no, we live in New Orleans for

05:43

sure to learn. So we're just logged into to hear what's what's going to be discussed. It's up to them. Excellent. Thank you for joining us and giving up some time to be here.

05:54

I don't believe we have any of the other affected persons that you represent Mr. Stevenson, do we we don't have no, that's fine.

06:02

But we do have Mr. Bellingham. Could you please introduce yourself?

06:08

Yeah, good afternoon. My name is Paul Bellingham. I'm an in house lawyer working for national highways limited.

06:14

Thank you very much for joining us.

06:24

And

06:26

just a reminder to turn all microphones off on the virtual call when you're not speaking. Thank you just to avoid any interruptions.

06:36

And I don't believe we have anyone else but is there anybody else in the virtual call who wishes to participate and therefore introduce themselves?

06:45

Are Mr. Carruthers? Sorry, I saw you so I

06:49

thought we'd already introduced you, Mr. Crothers. Could you come in?

06:54

Hello, yes, um, I don't think my clients are subject to compulsory acquisition. So I don't really think I need to speak but I'm going to listen.

07:04

Thank you very much for joining us. Is there anybody else who hasn't introduced themselves?

07:10

Okay, thank you. So to all of our participants today, for the purposes of the recording, then each time you speak, please make sure you first state your name and who you're representing. We have set out what we've decided to do order to hear representations under items four and 534 and six. Under Item four, we will hear affected persons in this order. So Mr. Crabb Carruthers first, on behalf of the traveling community, we might have a few questions for you, or at least an opportunity for you to come in. And

then Mr. Stevenson on behalf of Mr. Mrs. Rabb and then Mr. Stevenson on behalf of Miss husband
Miss eaves and Mr. Ballmer

07:50

and then for agenda item six, we will hear from Mr. Bellingham from national highways.

07:56

I'll now hand back to Ms. Coombs, who's going to cover item two of our agenda.

08:01

Thank you and Mr. Stevenson. Of course, if Mr. Ramp wants to make a contribution, then we'll be very pleased to hear from him as well.

08:11

I'll now briefly explain the purpose of the compulsory acquisition hearing.

08:16

compulsory acquisition hearings are for those whose land and all rights are directly affected. This includes all affected persons and any additional affected persons. It may include persons not listed in the book of reference but who have applied for and been granted IP status under Section 102 of the Planning Act 2008. This compulsory acquisition acquisition hearing has been held to ensure adequate examination of the provisions within the draft development consent order, seeking to authorize the compulsory acquisition of land and or rights overland and to access assess whether the conditions relating to the land and or rights being required for the proposed development or required to facilitate or to be incidental to that development are met, and whether there is a compelling case in the public interest for the land to be acquired compulsorily.

09:06

This hearing is to enable us as the examining authority to hear and probe the applicants strategic case in respect of the application and for us to hear individual objections from affected persons who are interested parties with a legal interest in the land or rights over the land

09:24

for which the applicant is seeking powers of compulsory acquisition and or temporary possession. This hearing will help us to consider whether relevant legal and policy tests applicable to come up with compulsory acquisition and temporary possession proposals have been met.

09:40

We recognize that other hearings may contribute information and evidence which will be used in support of a recommendation in respect of compulsory acquisition. Indeed, some of the information we heard yesterday and this morning will be relevant to the evidence we hear in the CA hearing.

09:57

In addition, we would like to thank all the landowners who afforded a

10:00

has access to their land on Tuesday this week for the accompanied site inspection. This has helped us in preparation for this hearing and was really useful.

10:09

Today's hearing is in three main parts. Part one is to hear the applicants strategic case in brief bearing in mind as has submitted much evidence in the application and a response to the first written questions that we sent out. This also gives those presents an opportunity to make comments on the applicants strategic case. However, we may reduce or request written written submissions for some items. In order to ensure that we have time to hear specific site matters, which are under part two. Part two turns to site specific matters, giving affected persons the opportunity to present their objections and suggestions and for the applicant to respond. Part two is also when the XA will seek further clarification of a number of site specific points which had been set out in the agenda.

10:57

And it also includes an opportunity to hear from statutory undertakers and to receive an update from the applicant on matters with regard statutory undertakers.

11:07

Part three covers other related matters, including how the applicant has considered human rights, updates on matters related to the public sector equality duty, on which the XA will report to the Secretary of State and also funding for the proposed development.

11:24

I would say here that this hearing gives parties an opportunity to make oral representation. In addition to any submissions that have been submitted already. It's not essential to make all representation if you feel that the matters that you wish to raise have been covered in your submissions into the examination, and whether or not an oral representation at ch one that is made you can continue to provide written submissions at relevant deadlines and oral submissions at any subsequent hearings, if any more are held.

11:55

Does anyone in the room have actually have any questions on the points I've just made?

12:00

I'm not seeing any hands up.

12:03

Thank you. In that case, we'll move on to Item three of our agenda.

12:10

Mr. Attorney, as I said earlier, we do acknowledge the detail with which the applicant has responded to many of our CEA questions. So this is more of an overview. But we would like to take agendas 380 3d

One by one, giving us and IPS and AP is an opportunity to clarify any matters or questions after each one. So we'll start with three a which was regarding the purpose for the powers ca powers sought, and whether they would comply with Section 1222 of plan Planning Act 2008.

12:47

Although we'd suddenly agenda and overview is required, we are in fact satisfied with the response that we've had. So I'm just really going to open this up now and ask if anyone else present has any points to make on the submission that you've made setting out the purpose for which ca and TPR TP powers are sought.

13:08

So I'm not seeing any hands.

13:12

If there's something that's being prepared and you want to submit it in written form, then please feel free to do so. But I'm keen to get on to here people are absolutely no very happy with that.

13:25

So we'll move on to Agenda Item three be regarding alternatives. And this is whether reasonable or reasonable alternatives to CA and CP have been explored. And just for the sake this is at the strategic level, and we'll deal with any alternatives that relate to site specific objections under agenda item four. So we've obviously read the alternative submissions in various application and subsequent documents and heard your response. But we would just like to hear whether and how Hall roads were considered generally, or in any specific locations as part of the construction access strategy during the exploration of alternatives.

14:07

Richard Turney for the applicant. So

14:13

I think obviously, the the alternatives sequence starts off at the sort of project level alternatives. And I think probably we're drilling down now into once we've established the

14:25

broad location of the development how then our whole roads taken into account in considering the limits that are being set for for powers. Currently. I don't know if Mr. Fowler wants to come in on that on selection of haul road routes. Are you happy to pick that up? It wasn't quite so much selection of haul road routes as the sort of strategic approaches to whether there will be haul roads or not. And then, if if not, then other some sort of specific areas where they

15:00

need to be so um some linear projects have haul roads throughout others have very poor no haul roads and it's just how that sort of assessment process was undertaken at the auctioneering stage.

15:15

Steve I Ashford Yes, some consideration has been given to whether horrors are suitable.

15:22

First design principle that we look to is to utilize existing access tracks and Bell moss where feasible and where that good access of the strategic local road networks are applicable.

15:37

In some instances, there are kind of alternatives to use the local house or there's an option to use a local highway and a long line haul roads are considered. This is considered where you say where the access points aren't feasible off a local highway? Well, the design principle looks to utilize existing points where feasible and minimize the amount of new infrastructure and new access points that we'd like to correct.

16:06

And just correct me if I'm wrong, but because it's an existing line, then you've already got a lot of maintenance. Thanks. So already That's correct. So that is primarily in into for around the new build. So they exist in have existing accesses in so we would like to utilize those in the first instance. Thank you.

16:25

Does anybody else have any points on that before I move on?

16:36

So now moving on to Agenda Item three C, which is a summary of the reasons why the compulsory acquisition and temporary possession rights to be acquired unnecessary and proportionate, including the applicant's strategy and criteria for determining whether to seek powers for CA of land ca. Ca rights or TP of land. I'm so Mr. Attorney. Again, we acknowledge that much has been submitted in this I'm so I've just got two areas where it'd be helpful just to have a bit more information. So the first one is, if you could just go over the criteria that the applicant used in determining the different powers and rights it seeks. And the second one is a much more specific one.

17:21

So we just wanted to follow up on the response that was given to question 4.4 point one C, which was asking about how it will be insured, the powers of compulsory acquisition would not be exercised in respect of land not ultimately required.

17:37

And that's as a result of the detailed design process. So we understand entirely the need for that. And I suppose in my mind, I'd

17:47

thought about it in terms of limits of deviation. And that was the only area that I really thought about it. And then when we visited squires

17:56

cafe, then what was brought to my attention is that there's three access routes there. Um, and two of them won't be needed if scaffolding isn't needed. So I'm what we'd like to understand is, what would be the process for excluding or not taking, making sure those powers weren't taken for those two access routes? If the non scaffolding approach were to be used the non scaffolding approach the name of which I forgotten, and Mr. Fowler will remind me I'm sure, thank you,

18:34

our National Grid CSS, which is a continuous support system,

18:39

not available to all contractors, hence the reason that we've provided a scaffolding to be able to protect that in every instance. Yeah, we understand entirely the need for your flexibility. But if the

18:53

scaffolding isn't needed, then the access routes aren't needed, and how do we ensure that those access route powers over those access routes aren't required? So that was the second bit but you can take the second bit first if that's easier,

19:06

rich journey for the applicant, so I'll take them in order. The first question is about the criteria for allocating to different pots if you like in terms of what powers we're taking. And I think the sort of key message is minimization of interference with land minimization of land take, and that is reflected by taking permanent freehold acquisition only in those areas where we are citing new permanent infrastructure with some areas around that identified for

19:44

mitigation that we're providing immediately in the vicinity of the new

19:50

substations, cable seating and compound. So that's that's the focus of the permanent freehold acquisition. Then there's the

20:00

The permanent acquisition of REITs. When

20:04

an overhead line is crossing over land, that land can continue to be used for some purposes, subject to some restrictions, as is self evident across

20:18

the area you'll see at the moment. So for example, farmland can still be farmed. Despite the fact it's crossed by overhead lines. And obviously, in those situations, we don't need to acquire the land

outright. What we are seeking to do on this project is acquire permanent rights by way of easement to cross the land with those overhead lines. And then the sort of next

20:42

area is where the land in issue we need in relation to the construction of the project. But after the construction of the project, we don't need to have ongoing control over that land. And that's focused on those areas, which we are using for

21:04

construction compounds. And construction access is where permanent access is not required. So that's broadly speaking, there, those it's permanent land permanent rights or temporary. And within that there's some variation in terms of the precise nature of the rights that we're acquiring, and the precise nature of the temporary powers that we're taking. But essentially, it's those things and we the the overall thrust is to minimize permanent intake. And so where it's possible to do things by way of rights, we do so and where it's possible to do things only temporarily, we also do so

21:41

that's a broad overview, I don't have to say a lot wants to come in and add anything on that.

21:50

On a national grid,

21:52

just as Mr. Lee said, it's the hierarchy of rights and starting at that top freehold and working our way down to the temporary rights. And we undertook assessments on full roots looking at every parcel, and assessing what is the maximum rights we require for that parcel. And that was a combination of legal and engineering, consenting and lands.

22:20

And we do have to duck every parcel. And that is where we've ended up with the land plans. So can I just ask about the purple on the land plans. So that is the third item that Mr. Turney so needed for construction, but it also says needed for construction and mitigation? So can I just understand what sort of mitigation would be implemented on the purple land?

22:49

Which attorney for the applicant, so that's in areas where the mitigation there we're dealing with

22:57

the,

22:59

in terms of landscape mitigation, we're dealing with the replacement of what's been lost to construction. So it's that second category under sort of Article eight, so it's not the permanent,

23:14

the permanent land acquisition for the purposes of delivering mitigation at the substation, but more in situations where we may have to remove hedgerows to contract the scheme, and we will be exercising rights to plant replacement.

23:36

They're all hedgerows that might be removed ought to be in a purple shown in the purple.

23:44

Well, I'm that I don't think that it. I'm not I haven't got a no sample in mind where it isn't. But I haven't checked the plans in that detail. I think I think the difficulty is that? Well, first of all, there'll be a there'll be an interaction with different categories of REITs as well. So where are you where it's, effectively you see the highest level of right shown on the plan. And it may be that there are activities going on in those situations, which also are falling under, which could could even if taken in isolation, be dumped into other powers. I don't know if you want to add anything on that.

24:23

Tommy, lots, National Grid, it comes back to that hierarchy, again, that

24:29

it would be a higher I would be blue, green, or brown if it was in the other categories. Thank you. That's clear. One thing up in my mind.

24:41

So if we could move on to the

24:43

three accesses or one access at squires or similar, there may be some other examples where there's a similar situation

24:51

bridges only for the applicant. So it's right to know that the in various ways the powers in respect of land and the order

25:00

To extend beyond that, which will ultimately or may ultimately, ultimately be needed, because obviously, the project has to have a degree of flexibility depending on detailed design. And the example of multiple access rights when perhaps only one will ultimately be needed is a good one. And perhaps also, as you said, the limits of deviation where

25:23

there might be an issue and areas where we can in practice, cut down the amount of land that is going to be permanently,

25:35

permanently acquired, temporarily used or subject to rights, whatever it is, we can, in certain circumstances do that the the order itself,

25:44

unless I'm told otherwise, there isn't a particular provision that that restricts us in that way, in terms of the exercise of those rights. I think the points that I'd identify are, first of all, that's consistent with the general approach to drafting of development consent orders that

26:02

there will be

26:05

in practice, there may be areas where a flexibility is provided for by the order. But nonetheless, that's found to be justified and appropriate. And the order itself does not restrict the exercise of the powers in any particular way. I think the key point to emphasize is that in those situations, it's not in the interests of the promoter of the scheme to take

26:27

more land than it requires. Because obviously, its liability to pay compensation will increase the more land it takes. So in practical terms, it seeks to reduce to do reduce the need to do so.

26:43

The further point is that, in the process of negotiating with landowners, to emphasize that processes is not one which ends at the end of the examination, or even on the date of granting of the development consent order. As as explained in the statement of reasons, it's not

27:02

necessary, it's not necessarily desirable to ultimately vast land, in National Grid under the compulsory powers. And it's normally easier to do so by way of agreement. And those agreements can themselves facilitate the narrowing down of land take,

27:20

again, looking to my right, in case anyone wants to add anything to that.

27:28

Because that is also the side looking at the future maintenance of the scheme, as well as the construction. So as Mr. Fowler said, the construction methodology might be different for different contractors, and in future maintenance or maybe different again.

27:47

Thank you, Mr. A Lhasa, I know, it feels awkward, but you need to sort of have the microphone almost in your mouth for the recording.

27:59

So that that's, I mean, I understood that. And I suppose it was just seeing those three red lines on the drawing and thinking, okay, so if, you know, if it was more convenient to us to have those accesses, even though we're only using the non scaffolding type of approach, then there's nothing in the order to prevent that happening. It's the case of

28:26

efficiencies and cost, really, that would prevent National Grid from doing that.

28:34

Bridges any for the applicant? Yes, that's right. They're not shown if one sees in some orders, an express provision for an alternative that either that right or another right can be exercised, but not both. That's not the case here, because it's simply identified that we may in practice, not need to exercise all of those powers. But we still make the request to be given those powers by the Secretary of State. Thank you.

29:06

Mr. Carruthers, you've got a handle on the virtual

29:10

and you've got a point to make.

29:13

I'm effectively just looking for a point of clarification. Because is it possible to have caravans underneath the high voltage lines,

29:23

in particular residential caravans or is it the intention of Yorkshire green to acquire that?

29:30

Alaskan Mr. Attorney, so respond to that rich attorney for the applicant? The answer is yes. There isn't.

29:42

an impediment to stationing a caravan underneath an overhead line of this nature.

29:48

I think just because Mr. Crowder said at the beginning, his clients aren't affected by compulsory acquisition. That's not quite right, because there's compulsory acquisition of rights over that land. So I'll just

30:00

wanted to make that absolutely clear, given his comments at the start, but

30:04

those rights will not after the construction stage prevent the locating of caravans under under the line.

30:12

Thank you very much for making that point because Mr Coronavirus, was invited today and we've got questions for him. So

30:21

that did that. Did that answer your questions to Carruthers but answers my question entirely. We were aware that Yorkshire Green was going to require access. And that that was temporary. So that wasn't regarded as a serious issue. Thank you very much. But we would like to hear from you on some other matters later on in the agenda. That's fine.

30:47

Anybody else got any points on

30:50

rights that we've just been? Mr. Stevenson?

30:54

Stevenson.

30:56

I'm just interested to understand the reasoning

31:01

behind national grids application to purchase easements as opposed to have way leaves. Actually, I'm coming to that quite a bit later in the agenda. So perhaps we'll leave it but don't worry, it won't be

31:16

forgotten. Thank you.

31:22

There now, I think we can move on to agenda item 3d, which is

31:28

whether there's a compelling case in the public interest of the land.

31:35

etc. So and as we said, in the agenda, we found the response that you gave to some of our first round questions very helpful.

31:44

So there's there's no need to

31:48

sort of responded in detail. But we just wondered if there's if there's any updates, and specifically whether the figures in the status of negotiations table one, four 1.4 have changed.

32:08

Tom, a lot National Grid, in terms of the negotiations, we're talking about, come on too late. But we currently have 28 headed terms signed and agreed one agreement is completed. On top of that. There are 83 Outstanding.

32:32

And yeah, we're in negotiations with all of those parties. Thank you. And we'll come to a bit more detail of that and Agenda Item five, but thanks for that sort of top level figures.

32:46

Does anybody else wants to make any points on that?

32:51

No. So we can move on to agenda item for now, which is the site specific representations from persons who may be affected by compulsory acquisition provisions or temporary possession provisions.

33:04

And by that we mean rights over land as well as acquiring land. So as we stated earlier, we're going to go in the order of Mr. Carruthers then Mr. Steven, on behalf of Mr. and Miss Rob and Zurab if he wishes and then Mr. Stevens on behalf of

33:21

Miss husband, Miss eaves and Mr. BOMA?

33:29

And just a brief reminder, I miss Paris made the point earlier, but this is an opportunity to expand on evidence. But it if we can really avoid mentioning any specific addresses or personal circumstances, if you know, in terms of making it easier not to have to make redactions from the recording.

33:51

So Mr. Carruthers, it was really helpful for us to be able to visit the traveler site on Tuesday. So thank you for helping to arrange that. And also for some of the points that you made earlier today. Stick around for Suzanna.

34:11

Yes, I can see.

34:13

Yes, I'm here. The phone call come through. All right. Is it convenient now? Yes, they're in Canada.

34:21

But should you still be asleep and

34:24

they're all up there moving back to monk fryston When they're finished

34:35

just firstly, for the recording for this hearing. Do you think you could just set out the persons whom you are representing? I know you mentioned them yesterday, but it would just be helpful if we could have them in the recording for this hearing. They're basically a family group. There's two Clarys

34:55

a Quinn

34:58

to Londonist

35:01

And three, Mogens and Collins

35:05

who are all related to each other? Okay, we're all travelers, I will write to you and give unto Yorkshire green and give their full names the rest of it.

35:16

And just in terms of the points you were making this morning about the 10 owners, can you confirm if they're for both plots? le 734? And e 740?

35:30

Sorry, this two plots in the book of reference.

35:36

Are you familiar with that? There's not? No. Okay. So

35:42

there's the,

35:45

the traveler site has been divided into two, I don't know whether that can be put up as

35:50

if it can be put up on screen. The Traveler site has been divided into two plots, because the rights I'm over it are for two different elements. So I can you see that on the screen, Mr. Carruthers?

36:04

So quite close to that maybe you could point to IE 740, which is bottom left. green one, though. That's the western part of the travelers site. And then East 734, which is the purple one next to it is the

36:26

that's the eastern end of the travelers site. So as far as you're aware, that the named individuals that you've given us have ownership rights within both of those plots, is that correct? They will have rights over the entire site. Each of them owns their own page. And they collectively own the road that goes through the site.

36:56

Okay, that's helpful. Thank you.

37:00

And we're applying for a utilities building, which is also collectively owned, but

37:08

that shouldn't be affected that shouldn't be affected by either the green or the purple one. Yeah. The colored lands will only be land that the applicant requires rights over. Yeah. Yeah.

37:26

I'm

37:33

so sorry, Mr. Crothers? Do you have points that you'd like to make to us, in terms of at Mr. Turney helpfully

37:40

pointed out that we're not just talking about actual acquisition of land at this hearing, we're also talking about where the applicant will want to have temporary or permanent rights over the land. So in terms of the green and the purple, and the purple, one will be short term for construction, but the green one will be right. But in the long term for access and maintenance, I presume. So other points that you want to make to us with regards to either the

38:15

construction stage or the longer term rights over the land. Now, our understanding was that we'd reached an agreement with Yorkshire green, that we were quite happy with what they were doing,

38:27

provided that everyone was able to continue to live that.

38:31

That's not looking into the planning side of it and the planning issues, but provided they didn't stop them using the land. And our understanding is that your chagrin wasn't looking to do that.

38:44

So I'll just turn to Mr. Attorney to have a response to that, please.

38:49

Thank you, Rich attorney for the applicant.

38:54

I think in terms of just just in terms of the language, there isn't an agreement in place. And we'd certainly be very happy to formally reached an agreement with landowners in respect of the rights that we require at the site.

39:10

I think Mr. Crothers helpfully indicating nothing's been in case on site that, in principle, there isn't a concern about the land interests and the temporary powers that we're taking here. subjects, as he says, to ensuring that those who are resident on the site can continue to be resident there, and obviously, the issues we've discussed in the environmental VSH about the impact on those owners. So I think it's there isn't a formal agreement. I think there's been a just signified that they are content with what's proposed and certainly would would welcome progressing a formal agreement. But if that's not possible,

39:53

that it seems as though there isn't a objection to this the powers that we seek

40:00

We don't have a formal objection from any of those owners do we know we don't reach 20 from the African? No, we don't. And obviously, we've now got more details of those owners than we had from the land referencing exercise. And

40:19

Mr. Crothers has been a very helpful point of contact. But obviously, if those people want to engage directly that we would welcome that as well. You don't want that?

40:29

Sorry, what did you say? Mr. Carruthers?

40:32

I don't I think if your dream was to contact them directly, they would probably be very confused.

40:38

Do you think agreement agreement with them is is an option or, or not?

40:45

Agree and basically, there's been a lot of deception. No, it's basically if Yorkshire green moved into direct discussions with them,

40:53

they will Yorkshire green would probably end up very confused.

41:01

My understanding from the residents is that they are quite happy with the Yorkshire green proposals.

41:07

And they're quite happy to enter into a formal agreement with them. At the moment, we're trying to sort out their planning.

41:16

I understand. We look at Yorkshire green and green.

41:24

The residents are very happy that Yorkshire green is happy to happening.

41:28

There would you use it you said earlier today actually that you would be able to put something in writing to us i Well, for this hearing and for the hearing this morning. So would you be able to give us some of the assurances that the as far as you can give on their behalf that of the points that you've made with regard to I can have them all sign the assurances?

41:55

Oh, that would be very helpful. We can arrange that. I would, we want you to go through this with Yorkshire green before we went any further, because we weren't quite sure what they were looking to do.

42:07

Okay, we now understand much what I understand much better what Yorkshire green is looking to do with thoughts that the whole battery plants didn't the grid

42:20

was a good idea. And it's in the national interest. And it's basically we've just been through our own planning site for the site. And it's just interesting watching it being done on a larger scale, and exactly the same issues coming up.

42:37

So we're not particularly my side, my clients aren't particularly firstly, just looking for somewhere to live. And we're trying to go and probably get as much as we can out of Yorkshire

42:49

in the form of mitigation.

42:52

But if they haven't got the money, or they can't do the mitigation, we have no real objections

42:58

that we can't get involved in the value of the compensation side. But what we're keen to do is to ensure that the right connections are being made in terms of facilitating any agreements. So what would be the best way for would it be best if Mr. A lot got in touch with you or somebody from national quids got in touch with you? So

43:24

we're already in touch with each other. Okay. Okay. emails from them. I passed the emails on when I told them what the emails are about.

43:32

Do you think would a meeting help? Or is email Okay, as your meeting

43:38

when they want a conclusive meeting and people sign that can be arranged? The issue with it is is that most of them won't. They can't read and write.

43:50

Now I understand I understand.

43:54

So

43:56

it's trying to make sure that everyone understands what's going on. Yes, and acts fairly, as, as long as they're all treated differently. They're more treated exactly the same. All the site residents are treated exactly the same. They're perfectly happy. If one of them isn't being treated the same as the rest. They're not happy.

44:16

So, Mr. Attorney, are you happy if we leave this as an action for further discussion? And, obviously, if there's anything versus conclusive, if that could be submitted to us as soon as it can be, but I appreciate this may take some time. Richard only for the applicant. I just think I think Mr. Crothers knows that we're we're happy to discuss a meet and he's been very helpful in providing a point of contact.

44:45

And that's a process that will continue. And obviously, if we get to a point where we can reach a formal agreement, then we'll do that. And we will keep you updated. But certainly there'll be there'll be more engagement through Mr. Crothers.

45:00

was

45:02

through the examination process and beyond. Thank you. And we will just touch on this in terms of communicating with us under psad. Later. Thank you.

45:13

So you would like me to put the issues in writing for you, I will sort that out is Yeah, I thought that would be really helpful, Mr. Carruthers and Mr. Credit Suite. There's, there's a legal thing called public sector equality duty, which I'm sure you're familiar with. So there's an agenda item on that later, where I'm just going to be asking the applicant in in terms of the updates that it will give to us. So if you can stay on the lane line, then it will be helpful, perhaps, for you to hear that.

45:48

And I'm mindful, you want to say something on funding as well, which comes much later in the agenda. That is fine. There is no problem with this. We're quite happy with the Yorkshire green proposals. And that's what the

46:00

the residents of the site are quite happy, is I think, probably the most important thing.

46:06

Thank you. Thank you. You've been very, very helpful. Thank you.

46:11

I'm

46:13

nothing else.

46:16

So I think now we can hear from Mr. Stevenson. First of all, on behalf of Mr. and Miss ramp, and I'm,

46:26

I might have had a message is

46:29

possibly Mr. Rob's father in law is here as well. Is that right? Thank you.

46:35

So, um, we were really grateful for the opportunity to visit the land on Tuesday. And that was really helpful. And we've obviously read the written representation on behalf of Mr. or Mrs. Rob, and seeing the applicant's response.

46:52

So I think now, if, if you can set out the points that you wish to make regarding the proposed rights over the land that National Grid is seeking, in firm in terms of rights of access, and temporary possession, and any further points that you want to make with regards to alternatives.

47:13

And you and Mr. Ramp helpfully pointed out areas of land yesterday where a revised access route is being is under discussion.

47:24

And so I think it would be helpful for us to understand

47:29

what we understand what it is because we saw it on a plan we just like or ask for confirmation from National Grid later. But just how that discussion is progressing. If you could just

47:42

talk about those Edward Stephenson behalf of the rub family.

47:47

First, what are we going to go into later on today?

47:53

The technical side of the legal documentation, because

47:58

having listened to Mr. Turney, they're applying for permanent rights and temporary rights. And are those temporary rights included in in the in the document the easement document? And then do they fall away? Or I haven't quite understood that yet. Are we going to go into that later today? Or is that or do you want to put that as a richer representation? But I'm maybe Mr. A lot could respond or Mr. Turney in terms of I'm not sure I we weren't see the details.

48:35

Because we've got, you know, we've got the brown land which purchase? Yes, we've got the green land, which I believe is which is right, which which is rights to construct? No, well, no rights to maybe somebody from the applicant? Can you just explain for me? Should we get that particular part of the land? Yeah. Can we have the land plan up for? It's the B, cable ceiling and compounds? Brilliant. Are these the plans you've been referring to? Mr.

49:09

Can you just just for the purposes of clarification, so I can fix it in a line. Mr. Turner, if you could just go through exactly

49:16

what is required, please. Thank you, Richard. Tony, for the outcome. I think the key thing to communicate from the way you've posted Mr. Stevenson is that in terms of the agreement that we're seeking to reach with, the landowner, and and with others, these distinctions are to some extent lost. Because when we're negotiating for those rights, by agreement, we're not making the sort of sharp distinctions between

49:51

the various different colors if I put it that way, we're distinguishing between the rights that we need to construct the scheme and permanent land

50:00

acquisition whereby in Freehold so that's the main domain distinction in terms of the particular colorings on this plan. It may be mystery a lot. You want to just run through it for the for the various parcels here or they might be, in terms of the

50:18

initial how to I don't know, it's probably is Mr. Fowler.

50:22

We just, we just briefly touch on the various parcels that we can see immediately around Newlands farm. I think as a starting point, that we're also Mr. Stevenson was also asking just to understand what the each color means, aren't you? Yes. So when we start with that, perhaps that would be missed a lot. And then if it's about which element of the scheme falls within each of those colors, we might then need just about, you know, I can see if I could happily give an overview that the Brown is a compulsory acquisition of land, the green is a compulsory acquisition of rights in order to construct operate and maintain the line. The purple is temporary construction areas that we would need for to just for the construction purposes, and the blue is the areas that we would need a permanent axis of right in order to maintain that line in the future.

51:08

Thank you.

51:11

So so if we, if, if it comes to there is no agreement, and we have, then we have the my clients have these rights thrust upon them, then

51:25

what happens to the purple area, which is the area that you just need to construct? Once you've finished constructing Have you gone? Yes. Mr. Stevenson, if we if you've recall from yesterday, if you

can address the questions to me and that sorry, I'll address them to politicians, why does it register only for the outcome? Yes, once the need for the temporary use of that land falls away, then we leave the land, reinstate it will reinstate and then leave it. Thank you. And can I just ask you about we talked this morning for made just talked about

52:00

biodiversity net gain. And

52:05

I and run this morning's discussions, the the applicant and the various councils are looking at entering into a section 106 for buyers versus net gain.

52:17

My concern is, if there is biodiversity net gain, where does it go? Well, that that will be subject to agreement with the local authorities and agreement with landowners. So no landowner would get biodiversity net gain whatever that might mean thrust upon it. And without a process. In fact, in this case, it's all to be delivered off site. So outside of the order limits.

52:45

As far as we're currently we're registering for the Africa.

52:49

We're not compulsorily acquiring land for the purpose of biodiversity net gain. When we come to calculate biodiversity net gain, it may include it will include

53:00

any land within the order limits, which is then used for that purpose. So for example, areas for mitigation planting, and the permanent acquisition may count towards biodiversity net gain calculations, but we're acquiring that land for in that instance, landscape mitigation, and not for biodiversity net gain, and the land that we're in these sorts of locations. We are not compulsorily acquiring land for biodiversity net gain. Thank you. Thank you very much. Okay. So moving on, on for the rubs, I'd like to split split it into into three parts of a May to talk about alternative site, one alternative type site to guess. And then

53:44

the proposal from the applicant.

53:49

Please do Yeah. So first of all, I'd like to give

53:53

my clients can I call them out or

53:56

like my clients do not have any objection to the

54:01

to the scheme as a whole.

54:04

Just make make that point, please. Yes. And they also appreciate and thank National Grid for moving the temporary diversion from the northern part of the ceiling Empire compound to the southern part, and also reducing the size of the of the of the ceiling and compound. Can they just explain please, they just explained in their statement on 2.9.

54:32

is eight point the document has 8.2 Interested parties deadline to submissions, and they've referred to it as

54:42

what's an anchor block solution? What does that mean?

54:47

I suspect Mr. Fowler can answer that.

54:50

The following.

54:52

So the cable CNN compound and anchor block is a solution where we come from an overhead line to a cable

55:00

solution which is a block in the ground, these can typically be brought close to the tower. And the dowel is connected directly into a block rather onto a gantry solution which is on the typecast as shipped in South.

55:15

Right. So that's why it can be a little bit smaller than than the notional. Okay. Thank you much. Thank you. So if I look at our alternative site, one, which is like the west side of it, the West West one.

55:33

And the reason that we've proposed alternative site one, an alternative site two is to remove the structure the ceiling and compound from the proposed extension and expansion of the business. Now, did you did you say yesterday that you're going to send written questions on that date on so on, on impacts on the farming on the farming side, so I

55:59

don't need to go into that day. It's fine for you to explain the reasons why you want this alternative. While you're progressing the alternative, we understand that it is as an alternative to help with the help avoid impacts on the future expansion of the farm. We've got that, yes, loud and clear. But yeah, oh, that's, well,

56:19

it's,

56:22

it's not stopped. But we have to install it, we're going to have to go round it. And one of the main reasons for purchasing for my clients purchasing the farm was that it is in a ring fence.

56:37

Well located, but it is inland, and therefore is a long way from individuals. And it doesn't have a public right away that we're running through it, which is very helpful.

56:53

And, and also, the homestead is

56:57

relatively centrally located, which allows them to allow them to expand the business quickly, and they still intend to do that. Yeah.

57:09

And the, the the the issue that we've got is we're going to now have to work, if it's sitting in compound is not is not moved, we're going to have to work around that. And with all the associated costs

57:25

that we've got, and it's not quite as unfortunate. It's not as simple as going out and buying another 300 acre ringfenced farm because they just don't, unfortunately, they don't grow on trees, which is disappointing.

57:38

So I don't think above my written submissions have nothing more to add on on that front. Okay. Okay.

57:48

And when you said the third point was alternative site one, yes, yes. Yeah. Alternative site two, two. Yes. Is I think altos I want, we appreciate that that

58:02

would be difficult for national grid to do.

58:06

Because it would be coming offered a very large, very large angle tower. And that it would be taking the line

58:17

closer, possibly to other residential properties. And it would also go at effect third party land or alternative site to in our view, yeah.

58:32

Well, it's a fact it remains on the ceiling and compounds remain on our land. Yeah. We then only have one field that is

58:44

born to be very expression messed up

58:47

instead of two at the moment.

58:51

I think,

58:53

by inference National Grid have confirmed that that alternative site two does comply with the Hallford rules.

59:03

They do go on to say that in order to achieve that,

59:08

then we have to have y o 38. Has to become an angle tower. Which is I don't think it's quite on that. On that ship. Sketches wire 38 might be in a minute. Look at that. Thank you, whoever's doing that is very, very good.

59:25

Thank you. So why is 38? Is that the right hand edge of it? So that would have meant that's the line? That would be that would have to become an angle tower. They also say that

59:38

is it T w 6168 and TW 169 become angle towers. They are already angled towers. So there's no change there.

59:50

And also, they say that why Oh 40 which is the tower that's sort of in the middle. Yeah. Has to become an ankle tower as well. And that is

1:00:00

I agree with that. But that is that is actually within the ceiling and compound itself. So

1:00:09

from a visual aspect

1:00:12

I can't read our view is that it doesn't affect the, the view of the pylons, because they are quite a long way from anywhere else. We aren't moving them much closer to any other residential properties.

1:00:30

They do go on to say

1:00:33

just find the right the right but yeah, on hear in their response

1:00:40

that this that in order to build the new tower 38 a temporary alignment will be required with a significant diversion. If orientated to the north, can can National Grid explain what that what that actually means?

1:01:03

The fallen off grid. I was I was gonna suggest that we hear that we respond to all of the points at once if that's easier, but unless you want to we

1:01:15

I already have some questions based on two of the points that Mr. Stevenson had made that I was going to ask you anyway. So

1:01:26

let's hear all the points for alternatives connect to but let's stop then. And the proposal afterwards.

1:01:33

Yeah, so yes. So this, we're talking about have to have a significant diversion for

1:01:40

to make a new make wire, what 38 An angle tower? Well, just to confirm the land to the north does belong to my clients. So there's no issue there. They also go on to say that all it says and he says all removing a large amount of woodland to the south? Well, I think that belongs to my clients as well. So if it has to go that way, we can plant woodland somewhere else. But moving to the south. In it, we're not talking about temporary diversion we're not talking about we're not talking about permanent, it's just a temporary diversion. So that can be accommodated within land. That that that's my clients own.

1:02:21

And the the

1:02:24

they then go on to say that alternative site two would require the removal of existing infrastructure, which is correct. And the replacement with new infrastructure, which in the current design does not read replacing, which I agree with them is correct, yes. And then they go on to say, this goes against national grid obligation to deliver an economic transmission system. So

1:02:50

that, to me, means actually, it comes down to money in the end, because

1:02:58

our view is that we have proposed an alternative site to

1:03:03

complies with the whole flood rules, just as their national budget proposal does. Yes.

1:03:09

And therefore, if that is the case,

1:03:13

then National Grid have made a decision that they are going to proceed with their proposal on economic grounds.

1:03:22

Is that I think we'll, we'll ask the applicant to confirm that. But

1:03:28

I, perhaps I can give my questions as well at the same time. So

1:03:34

I've had picked up on the whole foot rule arguments. And I think we do need the arguments set out in terms of the specific rules, it just says, in a court compliant with the whole food rules. So which rules and

1:03:48

just on that we will be asking for the whole food rules to be submitted in our actions from yesterday, because the two references we were directed to do not include the full rules with their notes.

1:04:03

And the second part of my question was why one angle Tao would make a difference.

1:04:10

So

1:04:13

I'd sort of

1:04:16

did have the stand for a response in writing, but I think it's important because of the points that Mr. Stephen has. Stevenson has made that we hear it now.

1:04:28

And probably it'd be tricky for you to do the whole federal thing in detail now. So maybe that can be an action for

1:04:36

deadline for if possible. We'll pick it up as best we can, and then probably follow up with the notes anyway. So just before I bring Mr. Fowler, who's going to who will explain a bit more about the conclusions that we've set out already in response to these points. Just to say that,

1:04:55

as a matter of principle, delivering an economic project is we say alleged

1:05:00

estimate consideration in deciding how to design it. So yes, we are entitled to take account of cost, obviously, ultimately, for National Grid, its cost to consumer, because it's paid for by the people who use the electricity network. So we do say that we are entitled to take into account the economics as well as environmental factors and matters such as that. But if I hand over to Mr. Fowler to provide to sort of provide that detail,

1:05:26

Steve Fowler read just on the whole world, it would be helpful to all three, which states that other things being equal, choose the most direct line with no sharp changes of direction and thus with fewer angle towers. And in this instance, if we were to occur with the alternative, option two, you would end up with two tdb 169 as an angle 222168 as an angle, the wire that's in it as an angle, and y 38 as angle. So you would ultimately end up with four or five angles in a very short section of overhead line, which is less halfway compliant than the option that would be putting forward.

1:06:08

Thank you.

1:06:10

Do you think Mr. Ballard, you think you could could pick up then the the broader points that are made about

1:06:18

the possibility of

1:06:21

on site to have that lift the other impacts of the alignment in terms of where they would move to in terms of would impact on woodland impact on other land holdings in the foreign asset? Yes, that's right. So in order to construct that, why are 38 as it currently stands, is aligned suspension tower, in order to accommodate the proposal, it would have to change to a tension sour?

1:06:50

As we've got for yr 40, we've had to create a temporary diversion in order to be able to construct Why are 40 in the current alignment, which is in line with the existence of red line. And in the same instance, we would need to do the same for y 38.

1:07:06

To be able to create that in the same alignment. In order to do that another temporary diversion would be needed, which could either have been to the north, which would have to go back to why are 37 or Why 36, we haven't looked at that.

1:07:24

Or it would have to come south, which would go over the area of woodland to the south. So in order to be able to construct an additional tension chart, why 30 another temporary diversion would be required. And the design principle that we followed is to utilize the existing infrastructure where possible rather than build new infrastructure when that was the option su slice existed.

1:07:48

Thank you.

1:07:50

So I think I'm going to move us on now. We'll get that in the written. Yes, Mr. Stevenson.

1:07:59

There was a third part of the split into three, which was the proposal I was just going to ask you to. I'm saying we're moving on on the alternatives on alternatives one and two, but I gather this them discussions about an alternative access. Yeah. So I was just going to firm up on that. No, we do want to hear about that. Well, if we can we go back to the other slide, please.

1:08:24

Thank you. So looking at the black, the brown area, and the access road, which comes in from the lane

1:08:32

that currently runs alongside the existing hej hej line out.

1:08:39

And we would propose that that is moved in a northern northern direction on the same angle, exactly the same angle. So that actually it finishes at the top left hand corner of the Northern sit the northern compound.

1:08:55

And then we would we would, we would propose that that is a joint access used by both ourselves and National Grid. Because as as all parties here, know that the homestead and the farm buildings and the business is expanding in a westerly direction. And that was a proposal that was that even without National Grid would have happened.

1:09:25

Thank you. So um, we looked at we were helpfully showing this on site, and we had a discussion about whether it is in or not in the order limits, and I think Mr. Fowler confirmed that it could be in the order limits the following grade. I think I just need to take let's have a look at that the access point itself, I believe could be within your limits. I'm not entirely certain what to do with the visibility spy. That's all that's one point. We do need to clarify.

1:09:53

So I think in fairness to all parties, then it would be helpful if this could

1:10:00

be progressed. So really an action on parties to continue talking and to keep us informed.

1:10:08

In terms of, well, I'm sure we'll hear it deadline for anyway, but ongoing as well. So I just thought before we move on to your next set of clients, Mr. Stevenson.

1:10:19

I just had one further point to further points actually, for Mr. Turney. So, in the Africans response to question 4.9 point one in connection with

1:10:33

justification of interfering with human rights, it said that the land acquisition in the vicinity of chips and T cables ceiling and compounds would have a minimal effect on the affected party. And that was before the submission that we've seen from Mr. Stevenson. So on behalf of Mr. or Mrs. Rob, so

1:10:54

I'm just really want to know whether the response would be different now. But this is something we're happy to take in writing rather than unless you want to give an immediate response.

1:11:04

Having having had thin the the affected persons submission,

1:11:09

rich to any of the African will, I think, will respond to that in writing as to whether that conclusion would change.

1:11:15

And I went to labor, the Human Rights point and the way in which is engaged at this stage, but we'll respond in writing on that, thank you.

1:11:22

And we also wanted it in terms of taking this forward, if the access option is

1:11:32

the one that is progressed, then whether there's any

1:11:37

small moves that could be made in terms of limiting the limits of deviation on we'd be on the northern side of the Northern cable ceiling and compound, which wouldn't be very much, but it might just give that landowner a little bit more land. And I do appreciate you need some flexibility because of geotechnical factors. But, um, if we're talking and I think we'll maybe explore this more in our questions on socio economic. But if that's just something that could be looked at that would be helpful, I think, bridge attorney for the app, can we we can sweep that up as we respond on the access issue. Again, hopefully these matters, it's going to be progressed, I think it was going to have to be progressed by way of agreement between the parties. So hopefully, we can we can look at that. And then take it back to Mr. Stevenson and his client, and then explore whether it's something that is capable of being delivered. But we can we can pick up the question as to whether

1:12:41

there is whether and to what extent, the scope to cut back in that location.

1:12:47

I think as a matter of generality, we would want to make sure we do have that construction flexibility, but perhaps if it might help to at least provide some assurance as to how we would go about trying to say that, that CSAC within the within the order limits and

1:13:07

that might provide some comfort. Exactly. And we've seen borehole sites on site now so you've got more geotechnical information than perhaps you had at the earliest stage.

1:13:20

Um,

1:13:22

there's Mr. Stevenson. I was hoping to move on to the or other clients.

1:13:28

Would it be possible to see if my clients would like to, of course, I'm not Mr. Ramp.

1:13:33

Mr. Rob, would you like to make any any comments following on from this discussion?

1:13:40

Just what we spoke about on Tuesday, I think, with the sales, obviously, the impact that it has upon us both personally, and from a business point of view, it's very intrusive upon our property.

1:13:57

Being farmers, we do things for the long term. I'm fortunate enough to have two young children.

1:14:05

We hope that what we're progressing and building will be something that they will take on in the future. So we appreciate that these things

1:14:15

have to be done for a national reason.

1:14:19

And National Grid have to say these things somewhere. We do feel that they're here today to build it gone tomorrow. And actually, where they are placing these items, having a direct consequence on possibly generations of us to come.

1:14:39

So, you know, I think that the the

1:14:44

US to be a a,

1:14:47

an acceptance that it's a far greater, greater thing for us than it is for the National Grid.

1:14:55

far bigger impact on us than maybe they appreciate just on a personal level.

1:15:00

at an appropriate level, and I think Edward said everything else that we wanted to say thank you. Well, thank you very much for for saying that. And

1:15:10

as we've said before, we will be asking some questions about the impact on the business. And so we like that message. It has come through to us and we do want to explore that further.

1:15:21

Mr. Stevenson Are you

1:15:24

is fathered on Mr. Sanderson mops, Mr. Sanderson.

1:15:34

Hello, Mr. Sanderson. Hello, thank you for that. We've listened to everything that's been said. We agree with everything. Thank you. Thank you.

1:15:48

Let's move on to

1:15:54

actually just let me look at my notes.

1:15:56

Mr. Sanderson, you can help Mr. Sampson. Sorry, you can turn off the camera on your perfect thank you so much.

1:16:05

Excellent. We can't see or hear you now. Oh, we can see you again.

1:16:11

We're going now.

1:16:13

Thank you, Mrs. Rosalind. This reminds me of doing virtual hearings in lockdown.

1:16:23

So maybe we now we can turn onto the representations on behalf of most Eve, my husband and Mr. BOMA.

1:16:32

So this is regarding access to pile on SP double 05.

1:16:37

So we heard from you yesterday in connection with traffic and other effects on your clients.

1:16:44

And we've also heard from the applicant that it's in the process of preparing a response for deadline for

1:16:53

so maybe a precis of the points you wish to make on behalf of your clients regarding the temporary and permanent maintenance access to tower, SP 005. But I think in terms of the applicant is in the throes of preparing a response to Oh, yeah, just suggestion. So I don't feel that we need to play out the detail of it all.

1:17:21

I do.

1:17:22

Yeah. I had actually written down that we would do would be just a summary of where we are. But I think just can I just be clear, please. Yes. You said that it's access to SP wo five.

1:17:35

Is it access to sbw? Five and six? Yes. And M six. Thank you. So as of your point of view, yes, yes, two pylons. So

1:17:46

that was the first time yesterday on Tuesday, that we were told that.

1:17:52

So we had a site meeting on the 23rd of March. And we were not informed of that at that site meeting?

1:17:58

Well, I think we just have to move on with the information that we have now. Yeah, that I understand that. Yeah. But

1:18:06

my clients don't like to be misled.

1:18:09

I'm afraid. So.

1:18:13

They, as you said, they were coming back to us, they are coming back to

1:18:18

by deadline for with with that

1:18:22

sort of representations. Yes, kind of just all those representations because they seem to have gotten into quite a lot of detail already. In, in in the construction phase, but not too much in in their response, which is in here.

1:18:40

In Volume eight, document 8.2 deadline two submissions. I don't think we've had a response yet on the detailed submission. So we're awaiting a response to your proposal.

1:18:56

Looking at the wrong thing,

1:18:59

the real respect.

1:19:03

I've got to dot dot 10 Stevens raw LLP on behalf of Mrs. Pamela husband, Dave's. And then I've got I've got I've got two applicants response. So we want I think the document you're referring to from our examination library is rep 3032. Which is about the metadata table. Is that right? Where it goes through each of the submissions and point by point responds to them, the applicant responds to the points.

1:19:29

Looks like the dog. Yeah. Yeah. Yeah. It's quite detail. And you're and and the husband. Group is table two point 11. That's Yes, that's it. Yes. Okay. I think you know where we are. Yeah. Thank you. Thank you very much for clarifying. So I'm just asking, just to clarify what what are we getting more comments on on the construction phase because that's quite detailed. And then the cutting back on the,

1:19:57

on the permanent or

1:20:00

All right, so I can ask the applicant to respond my my understanding, but that might be wrong is that there is more work being undertaken to respond on the proposal that was put forward, because you needed more time to assess the practicality of that as an alternative access.

1:20:20

Rich attorney for the African That's right, we're, we get we're looking at the question of providing the alternative access route that's been suggested, which involves bridging over Hearn's gutter.

1:20:35

So we're looking at that in more detail. And we are providing a fuller response to say whether or not that's something that we can pursue for the construction phase at the next deadline. So that's the point it in terms of

1:20:51

permanent? The The answer is no, that's not going to affect whether we want to take permanent rights over this road anyway. So we would wish to use this route, in any event, for permanent access for maintenance purposes of the pylon. So we we would seek those powers, regardless of the conclusion that's reached in that assessment as to the construction phase.

1:21:20

And so I don't think we'd propose to say, aside from repeating that we wouldn't be saying anything more on the permanent situation, in that in that further representation.

1:21:32

And can I can I just clarify that that assessment

1:21:37

will include the fact that that option would then negate the need for the youth for undergrounding.

1:21:47

Registering for the applicant? Yes, the undergrounding. We, if we were not to use this route for construction access, it would avoid the need for that undergrounding. Because the permanent access requirements would be less onerous in terms of the width of the access or the width of the bell males required. So that avoids the need to move the pile on the pole. And thus to underground the connection, that I just wanted to satisfy myself that that's going to be weighed in the balance in terms of the assessment that's being undertaken. But Mr. Fowler's nodding. So take that as a yes,

1:22:25

sir. So just

1:22:27

assume Can I just assume for one minute that

1:22:32

that option doesn't go ahead, and that the option to use that track for construction actually does go ahead. And I just really wanted to understand the rationale of

1:22:47

leaving one bit of overhead line between two poles,

1:22:54

the foreign national grid, yeah, I can expand on that. So we seek to underground what's required and we deem necessary for the, for the project. And for that bellmouth, that doesn't necessarily mean that that that is Northern Powergrid would see that it may be efficient for them to underground, the whole section. And that is a discussion that we'll be having with them in terms of what's left. But we've just seen to underground, the bit that we feel is necessary for the construction project.

1:23:21

Though this is one of those situations where engineering has resulted in, you know, a bizarre solution. So are those conversations going to take place with Northern Powergrid during the course of the examination, their underwear currently good. So we'd like to hear about that, that's absolutely fine, we can provide an update on that. And I don't know if it'd be helpful to get the plan up anyway, at this point in terms of the works and exactly what we're talking about here. But that would mean a change to the

1:23:49

but it wouldn't mean a change to the average attorney for the applicant. So this also comes up elsewhere on the line as well when landowners have made representations about the extent of undergrounding. So

1:24:01

we take through the order, or seek to take powers to allow us to underground, someone else's kid. In practice, we asked northern power grid to underground it, they do so in a way which reflects their general approach, which is going to lead to a solution that doesn't just get out of the way of us our project, but also deal with it in the most prudent way for them. So in this instance, we would be asking Northern Powergrid to deal with the undergrounding under their statutory powers, we would hope they'd be out of the way before we get to the scheme and indeed elsewhere on on the route. Some of the underground things where we have taken powers to underground, you will see the utility that were undergrounding has already gone because northern power grid have gone in and underground at it. So

1:24:55

that's the process. The reason why we take the powers in any event is because obviously we can't

1:25:00

On proceed with a scheme that has that potential impediment of us not being able to remove that equipment if it is there on the day that we need to start constructing scheme.

1:25:13

And Mr. Stevenson, can we just go to the London plan, please in this area?

1:25:20

So, looking at the So can I ask the

1:25:27

green line underneath the blue axis, the blue axis track at the other side, west side of the anime scene?

1:25:36

Yeah, Bella Bella. That's it. Perfect. Yeah, that so that there, as far as I'm understanding is either is to allow access for taking down the Northern Powergrid round. And also if you need to put on you if National Grid need to put a new bell mouthing.

1:25:54

So can I ask then? So on the other side of the road, I'm just interested as the Why do you need apart from getting access to underground for not for Northern power grid? Why do you need any permanent rights? They're

1:26:13

just there's no pylons on that field.

1:26:17

Mr. A lot. Can you help Mr. Bhalla before I asked? That is for us to be able to leave the underground infinite northern power grid and give them the rights to leave the cable in once it's under grounded. So how does that actually?

1:26:34

Mr. Stevenson, I wonder if this is something that could be a discussion between Mr. Fowler and Mr. A Lawson, yourself during the tea break? Or perhaps the meeting arranged because I'm there's a lot of other points on the agenda. And

1:26:50

I mean, I don't want to cut you off. But I this is getting into such a level of detail that I'm fine. So that that's fine. Okay. I do have one more point on there. Sorry to

1:27:02

delay you. On there. The proposal for the future maintenance of the of the line, not the construction, but the future maintenance along the track along the along the track. Yes, yes. So I think Mr. Turney has already

1:27:20

explained that they would that the applicant would want to continue to have maintenance access, whatever the routes for construction was. So understand that.

1:27:32

They've said so in the in the response here, yes. But but but what what they've,

1:27:39

what they've said here, yeah, is that

1:27:43

it consists of a light. And this is the justification for keeping the permanent access rights in place. They've said in it here, that it is, the overhead line will be subject to an annual maintenance consisting of a one line walk, which is typically a person in a van. Yeah. Future II conducting works typically only occur once every 40 years. So

1:28:09

I think what they're saying is that it's going to be minimal. For for now is the Okay, so when we're on site? Yeah.

1:28:18

They sorry. They are proposing to have a green, the green routes, from SB seven to SB six, to SP five to SB four anyway. So they have that right of access. There. Yeah. What they're asking is and what they have

1:28:41

access on foot. Two, SP seven, SP six and SPS five anyway, through that, there is a bridge over Herms gutter that is within the green line, which will allow them to access from SP six to SP five or walking purposes. I don't think I think we're going to hear the response to this in the document that's going to be submitted at deadline for Mr. Fowler. You wanted to make a point the follow National Grid, yeah, we will set that are in for but I think the point here is that we have no control over that bridge in the future, it could be taken out at any point and we need to have full maintenance and access at all times.

1:29:22

So if the points that

1:29:25

I apologize, I understood from Mr. tourney's

1:29:29

words were that they were not going to come back on the permanent access route.

1:29:36

I've obviously misunderstood. Reach 20 for the African work.

1:29:41

We are requiring the permanent access we're not we're not presently for exactly the reason Mr. Fowler says we need to get directly to this pile on in the permanent case. And we're not proposing that that changes. As you rightly note, that interference is of the most minimal type, but it ensures that now

1:30:00

National Grid through routine maintenance and of course in emergency situations can access its infrastructure. And we say that's an entirely appropriate thing with

1:30:09

the lightest conceivable interference with his clients interests. So

1:30:16

I think we do we do say we stick with that. If we will. Set we will set this out again, thank you represent in our response at the next deadline. Thank you. Thanks very much. I'm Mr. Tonia now like to just hear a little bit about the alternative access point that's been proposed by Mr. blacker. and Mrs. blacker, which is north of the access point 29 of the a 19. That was pointed out to us yesterday or day before yesterday on our asi.

1:30:51

Mr. Farley, can I ask you to pick up the alternative access then?

1:30:56

The power National Grid? Yeah, I believe we've put a response back to this. In response to the questions, we're not proposing to move forward with that alternative access on the basis that it would create another access points of DNA, an enzyme seen and it would have a longer access track than currently proposed.

1:31:20

So on those bases, we went up a person to put that chart forward

1:31:36

I just will go very briefly to Mr. Baldry for the city of York and Mr. Reynolds for I guess, Miss Reynolds versus isn't room. And these, both of these access suggestions would have highways implications. So

1:31:53

stripe lane, which is we heard from

1:31:58

Mr. Turney yesterday is very narrow lane. But that's is a proposed access as part of one of the alternatives. So I don't know whether you can give us any opinion on that at present, or whether that's something you could just come back to us on.

1:32:13

Michael Reynolds NYC, I think I'll be coming back to you on it. I think that the fewer accesses, the better, I think. Thank you, and Mr. Baldry that the access we've just talked about, would be a further one off the a 90 and that's in the back would be in the city of York, I don't know whether you're able to just give a view on that.

1:32:36

Maybe Mr. Boulder isn't here.

1:32:40

Okay. Um, we can cover that in writing. Um,

1:32:48

so I think probably was passed, because I think it's probably time to take a break now. So if we can.

1:32:58

Yep. 350.

1:33:01

And we'll then be starting off on the site specific matters for the applicant,

1:33:06

which I'm just going to go through the ones that are on the agenda, some of which we've already dealt with, and we'll just we'll pass over those the ones that we've already handled.

1:33:17

Thank you.