

# TRANSCRIPT\_YORKSHIREGREEN\_CAH2\_SESSION1\_18072023

Tue, Jul 18, 2023 2:59PM • 1:38:56

00:42

Good morning everybody. It is now 10 o'clock and time for this hearing to begin.

00:48

Before we go any further can I just check that the case team can confirm the recording and live stream have started? Thank you. I would like to welcome everybody to this compulsory acquisition hearing to 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 the Yorkshire Green Project. My name is Jessica Powis, and I'm the Lead member of the panel appointed to examine this application. I'm now going to ask my fellow panel members to introduce themselves starting with Mr. Jones, who is joining us remotely today.

01:21

Good morning, everybody. My name is Gavin Jones. And I've been appointed Mr. Jones, we can't hear you in the room.

01:28

Oh, okay.

01:31

You can you hear me now? We can. Okay, thank you. I'll start again then. Good morning. My name is Gavin Jones, and I've been appointed to be a member of the panel examined in this application.

01:43

Good morning. My name is Annie Coombs. And I've also been appointed by the Secretary of State to be a member of this panel and I'll be leaving much of the discussion today.

01:52

Together we constitute the examining authority. 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. The planning inspectorate is case manager for this application is Shaun Evans. And she's being supported today by case officers Caroline Hopewell and Jennifer Savage who you will have met in the arrangements conference this morning. Please don't hesitate to contact a member of the case team should you need help with today's event or with the technology. I'll now deal with a few preliminary matters before we move into the substance of today's

agenda. So today's hearing is being taken undertaken fully virtually. So we don't have any presence in a in person meeting as we have done in our previous rounds of hearings. Although you will be able to see that two members of the examining authority are in the same room today.

02:42

We are working with the technology to make sure that we are able to see and hear you well we have we may appear to be looking at screens. In fact, we are trying to make eye contact with you. So if we look like we're looking down, it may be because we have you on screens down here whereas you see us from cameras up there. So we are listening closely to everything you say. If you are participating and wish to speak at any point in the proceedings, please use the raised hands function on teams and we will invite you to speak at the appropriate time. Alternatively, please just turn your camera on so that we can see that you wish to speak. The hearings being both live streamed and recorded and the recording will be made available on the Yorkshire Green Project page of the national infrastructure website shortly after this hearing. In order to minimize background noise, could you please make sure that you stay muted unless you are speaking? And could all participants please ensure that electronic alerts are switched off or set to silent so that the proceedings are not interrupted?

03:37

Link to the planning Inspectorate privacy notice was provided in the notification for this hearing. And we assume that everybody here today has familiarized themselves with this document which establishes how the personal data of our customers is handled in accordance with the principles set out in data protection laws. Please speak to the case study. If you have any questions about this,

03:57

it is very unlikely that the panel will ask you to put any sensitive personal information to the public domain and we'd encourage you not to do that. However, if you feel it is necessary to refer to information that you would otherwise wish to be kept private and confidential, then it should be in a written form so that we can have it redacted before it's published.

04:15

Again, please talk to the case team about the best way to do this.

04:19

Today's compulsory acquisition hearing will follow the published agenda. And it'd be very helpful if you had a copy of this in front of you. The agenda is for guidance only and we may add other considerations or issues as we progress.

04:34

We plan to take breaks mid morning at lunchtime and mid afternoon. And if the discussions cannot be concluded then it may be necessary for us to defer some questions on matters to post hearing notes. Likewise, if you cannot answer the questions that are being asked or the required time to get the information requested, then you can please indicate that and make a response in writing by deadline six which is Friday the 28th of July.

04:59

I'm now going to do

05:00

introductions from those participating in today's hearing.

05:04

So I'll come to you in turn and when I do, could you please introduce yourself stating your name and who you represent and let us know on which agenda items or item you wish to speak. We'll start with the applicant and its advisors. And, Mr. Tan, we'll start with you. Thank you.

05:24

Good morning, Richard Turney here for National Grid Council, instructed by Womble bond Dickinson, so I'll be leading on most of the agenda items but handing over to others at the appropriate point. And I'll let others who are going to contribute introduce themselves now as well. Thank you. I'll run through them in the order of the list that I have in front of me and then we'll see if there's anybody else. So I have Mr. Bishop.

05:50

Good morning, transmission poem Junior counsel, assisting rich attorney with patient today. Thank you very much. Welcome. I have Mr. Bauer.

06:02

Good morning, madam. I'm Jonathan Bauer, partner with Womble bond Dickinson and I'll be contributing to the discussion this morning. Thank you. Thank you. Good morning, Mr. Jones.

06:16

Good morning Elizabeth tones, Womble bond Dickinson have the applicant likely to contribute on agenda item six. Lovely, thank you.

06:25

Miss cook.

06:29

Morning, Danny cook on Melbourne. Dickinson would just be assisting in the background not intending to speak. Thank you,

06:37

Miss McDonnell.

06:43

Wanting to win McDonnell, National Grid

06:46

speaking on behalf of the applicant, I don't plan on speaking today but I'm here to support if required. Thank you, Mr. Fowler.

06:56

Morning, Steve, our National Grid. I'll be speaking on that various points this morning. Thank you Welcome Mr. Fowler. Miss Kington.

07:07

Bethany Kingston National Grid. I don't intend on speaking on any of the points this morning. Okay, thank you.

07:14

And Mr. A lot.

07:19

Hello, Tom, a lot of National Grid lands team. I will speak be speaking on various agenda items.

07:27

Morning. Thank you, Miss Dimmick.

07:33

Every morning Rachel demote from DSP on behalf of National Grid are just here to support and not planning on speaking today. Thank you.

07:42

And then I have Mr. Long.

07:46

Good morning, in long on behalf of National Grid spotted the land side of things are speaking as required. Thank you. Good morning. Mr. Webb.

08:03

Sorry to say Mr. Webb's had some issues at the moment. So he should be joining very soon. That's fine. Thank you. And we'll ask him to introduce himself if he needs to speak or sir. I can see he's there on the list of those who haven't joined us yet. And Mr. McLaughlin.

08:22

Good morning, Phil McLaughlin. From McDonald representing National Grid, particularly on substations and construction matters as required. Thank you. Good morning.

08:35

And then Mr. Hughes.

08:43

I know Mr. Hughes normally helps drive out here. Morning, Mr.

08:49

Visual operator today. So I'm planning on talking. Thank you very much. Thank you.

08:54

Is there anybody else from the National Grid team that would like to introduce themselves because they might speak today?

09:04

Mr. Macabre, apologies.

09:08

All right. Good morning, Neil Mildura to be recipe on behalf of National Grid and the socio economic lead within the environmental impact assessment work.

09:18

Thank you very much.

09:20

And anybody else from the applicant side?

09:26

Okay,

09:28

Mr. Turney.

09:30

I think that's everyone. Thank you. Excellent. Thank you. We'll then move on to the organizations and the individuals who have expressed a wish to speak and again, when I asked you to introduce yourself because you just tell us which agenda item you may wish to speak on. I'll start with the parties who informed us in advance that they will be participating, starting with Mr. Reynolds please.

09:58

Good morning.

10:00

unemployment rules, policy offices of infrastructure, North Yorkshire Council that's required. Thanks. Thank you very much,

10:09

Mr. Bellingham.

10:13

Good morning, Paul Bellingham. I'm an in house lawyer at national highways. And I'll be speaking on an agenda item six. Thank you.

10:21

And Miss Garrett

10:25

finding Becky Garrett for national highways picking on behalf of planning and development on item six. Morning. Thank you.

10:36

Miss Johnston, please for Mr. Hey

10:42

good morning. Yes. I'm Katherine Johnston. I will be speaking on Item four in relation to James fell for Blackmore family and also Richard Elliot, although I had only made allowances until one o'clock so I'm hoping item four hits before one o'clock.

11:02

Okay, thank you for letting us know about that. We'll see how we will we will ensure we try and hear you as best we can before one o'clock then. So that would be our lunch break sort of time. We'll see how we're doing by the mid morning break and rejigged things if necessary. Thank you.

11:18

Mr. Stevenson. Are you with us yet? I'm not sure. No, we haven't got Mr. Stevenson at the moment. We know Mr. Stevenson was planning to join us on behalf of the Rab Mr. And Mrs. Rabb and also

11:35

the husband eaves and Ballmer group and I don't know whether we have any of those individuals joining us. I don't think we do. Okay, I suspect we might have Mr. Stevenson turn up within the next few minutes. But we'll if when we do, we'll allow him to introduce himself. And Stan was black has joined us.

11:55

Miss Black, are you there?

12:04

Okay, I understand Miss Black was on the call, but

12:09

maybe can't hear or can't introduce yourself at the moment. We'll come back to you at the end of the introductions. Mr. Watson, please.

12:20

Hello.

12:22

I shouldn't be doing much speaking today. But I'm only available this morning. So just bear that in mind. Thanks. Thank you, Mr. Watson. We were made aware of that in advance. So we've made sure that any questions we have for you are going to all be in the this morning session so much that should work fine. Okay, thank you. And Miss, do we have Mr. Black? I know he was on our list. Nope. No. Okay. All right. I'll give him his black one more chance in case Ms. Black, I can hear us and likely shoes.

12:53

She'd be muted.

12:57

Okay.

12:59

Okay, Miss Black, are you if you're trying to speak, you're on mute, and you need to unmute yourself.

13:08

But in any event, we know you're here. And so if you'd like to speak and you with at any point, raise a hand or send a message to our case team.

13:17

And we'll make sure we can bring you in. Okay. Thank you. Is there anybody else joining us today who may wish to speak?

13:30

Okay, I would just add at this point, we were expecting national gas national gas transmission PLC to attend this morning. But overnight, we've been informed there will not be represented today. But we have received a statement in lieu of their attendance. The statement is relatively brief. So it's just about just over one page. So what we're planning to do is when we come to the relevant part of the agenda, which is item six, then we'll read out that statement and we'll invite the applicant to respond to the points raised, and then we'll publish that statement as a hearing document later today. And the applicant may make may make a further response in writing for deadline six. Mr. Turney, are you comfortable with that approach?

14:11

Originally for the applicant? Yes, thank you. That sounds fine to us. Thank you.

14:16

And so then to all of our participants today, for the purposes of the recording each time you speak throughout the hearing, could you just first state your name, and if you're representing somebody who it is that you represent, because that helps us for the benefit of the recording to know every time we hear a speaker?

14:31

The order we've set out to hear representations under agenda agenda items, three, four and six is as follows. So, Mr. MC, did you want to come in next, okay.

14:43

So for Agenda Item three to consolidate specific land holdings, so item three is where we're talking about change requests, the change application, will hear changes in the order change one,

14:57

then changed three, which are both in regards to new

15:00

limbs farm, and then we'll hear change to which is the skeleton Springs area. And then we will have some questions about the change for that has not been applied for but it was notified to us and so we'll hear all of Mr. Watson's points. And that agenda item because we understand the he's only available for us this morning, as we've already discussed, for Agenda Item four, which is where we talk about other site specific representations, that we will hear affected persons in the following order which runs broadly north to south. So if Mr. Stevenson joins us, then we will hear from him on behalf of Mr. Mrs. Rabb. And then, if either of those represented by Mr. Stevenson are present and wish to speak for themselves, then they we can also hear from those parties. Then we would hear from Miss Johnston from Mr. Hay on behalf of Mr. Bell. Then we would hear again from Mr. Stevenson if he's present on behalf of Miss husband, Mr. eaves and Mr. BOMA. Then we would hear from Miss Johnston from this day on behalf of Mr. Miss blacker.

16:00

And Miss Black review wishes to contribute directly. You may also do that. And then we would hear from Miss Johnston from Mr. Hale on behalf of Mr. Elliott.

16:09

And then for Agenda Item six we will hear from statutory undertakers in this order. Firstly national highways Mr. Bellingham.

16:17

We will then take a points about national gas transmission PLC in lieu of the representatives that we were expecting today. And then we'll hear the applicants views on those Austrians takers that are not present.

16:33

Okay, so I shall hand back now to miss Coombs, who will cover item two of our agenda. Thank you, Mr. Paris. So I'll now briefly explain the purpose of this second compulsory acquisition hearing, following which I'll set out the excise remarks and procedural decision in relation to the applicants change applications which are received at deadline five. The purpose of compulsory accurate acquisition hearings are for those whose land and or 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. The CEA hearing is being held to ensure adequate examination of the provisions within the development consent order, seeking to authorize the compulsory acquisition of land and or rights over land, and to assess whether the conditions relating to the land and or rights being required for the proposed development or required to facilitate or 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.

17:46

This hearing is to enable the examining authority to hear individual objections from affected persons who are interested parties with a legal interest in the land or rights over 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 compulsory acquisition and temporary possession proposals have been met.

18:14

We recognize that other hearings may contribute information and evidence which will be used in support of recommendation in respect of compulsory acquisition. Indeed, some of the information we've heard previously and our inspections on site on Tuesday, the 23rd of May, will also have contributed to discussions that we'll have today.

18:35

Today's hearing is in three main parts. Part one is for the applicant to set out individually the contents of its change application submitted at deadline five and first notified on the 19th of June this year, and for relevant parties to comment on the changes. Prior to this, we'll be setting out the excise position with regard to the change application. And we'll also be covering the change number four, which which did not become a change application.

19:04

In particular, because of the landowner's related submission that's from Mr. Watson. And this part also allows for any further questions on the application applicants overall case for compulsory acquisition which we did here at the previous compulsory acquisition acquisition hearing give me

19:23

Part Two gives the affected persons the opportunity to present any further information in connection with their ongoing objections and for the applicant to respond. Part two is also when the XA will seek further updates from the applicants on all the other objections were affected persons are not present, and some other matters relating to land. It also covers the section 127 and 138 cases provided by the applicant giving such three Undertaker's the opportunity to respond and for us to hear any continued differences with regards to protective provisions

20:01

And then part three covers 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 any further matters on funding for the proposed development.

20:19

would say here that this hearing gives parties an opportunity to make an oral representation, in addition to any submissions that you've made, but it's not essential to make oral representation if you feel that matters can be raised through writing or if they've been covered in previous submissions.

20:37

However, I would say, with having only a week between deadline five and today's hearing the XA may ask parties to precis points from the deadline five submissions to ensure that points have been noted. And whether or not an oral representation is made at this hearing. You can continue to provide written submissions at the relevant deadlines, although bearing in mind the stage that we are at with regards to the examination period, and specifically the importance of deadlines six.

21:09

Deadlines six is on the 28th of June. And that's the last deadline before we as the XA will issue our commentary on the proposed schedule of changes to the draft DCO. So hence, our keenness to understand and hear all compulsory acquisition and temporary possession issues, especially involving statutory undertakers today, and if not for them to be submitted at deadline six.

21:37

Does anyone have any questions on the points that I've just made?

21:43

I didn't see any hands raised. So I'll continue with this.

21:48

That it with the hearing, and we'll move on to Agenda Item three of our agenda agenda.

21:54

So I'm going to set out matters relating to our procedural decision of the 13th of July, which is PD o one three, a relation to the change application which was submitted by the applicant, and accepted as a change application. It's been accepted into the examination. The implications for the examination timetable, which has been reissued were set out in our acceptance of that change application. And there are no additional deadlines, but there are additions to some of the existing deadlines. And these are as follows deadline six, which is 28th of July. This was an opportunity for APS and IPs to submit their comments on and responses to the applicants change application, which was received and published deadline five. And it's also the opportunity for the applicant to submit its amended application documents, and any agenda following acceptance by the XA of the change application. Mr. Turney, we will ask you to just explain a little bit about that later in the agenda. And then item 14 of the examination timetable.

23:07

On the 16th of August is the date for publication by the XA. And this now has an additional item which has been added, which is for further information under Rule 17 of the infrastructure planning examination procedure rules, so that if following this hearing or following hearings later this week, we have further points that have been raised in particular in relation to the changes, then it gives us an opportunity to issue further requests for information from individual parties.

23:40

deadlines. Seventh is sixth of September. And that's has an additional item added which is for comments on responses to the applicants change application. And then deadline eight, which is the final deadline on the 13th of September, has an additional item for comments on any submissions received at deadline seven. So hope that isn't too confusing, but it's the process that we need to go through in terms of receiving comments on comments in that set out in the act.

24:09

Does anyone have any points on the point long questions on the points that I've just made?

24:18

Thank you. In that case, we'll move on to the full pass of agenda item three.

24:25

So further to the change notification and subsequent application, we've read that change application. And we will ask the applicant to give us a brief summary of each change as we go through one by one. And as Miss Powell said we'll take those in the order one, three and two, and then we'll go on to four which hasn't been included in the change application.

24:51

Mr. Tony, I hope that audit makes sense. And we'll listen to submissions from parties present on each change and ask questions and further comments.

25:00

As I said, can be made at deadlines six, seven and eight. But before we move on to the specific changes, perhaps you could just set out the applicants intention with regards to submission of further material in relation to these changes.

25:27

Reg attorney for the applicant, yes, just to confirm that the of the further material which we've identified is all for deadline six. So that's

25:38

the end of next week, I think.

25:41

So that's the that's the timescale for submitting the further material which were identified in the in the change application.

25:50

In terms of the changes themselves, completely happy with your running order, and I'll get Mr. Fowler at the start of each item to explain what the changes are. But I think to some extent, we've foreshadowed them earlier hearings as well.

26:05

Thank you very much. That was helpful. And I've just had a note passed to me to say that Mr. Stevenson, who would be representing the Rab family,

26:14

and the husband, Ballmer Eve group isn't going to be able to join us. So I'm going to have to sort of think quite quickly on my feet in terms of how we progress this, but there are other parties who we might have asked questions of so

26:33

I think if Mr. Follett could give us that

26:39

brief precis of the ship to North,

26:43

reduction in limits of deviation, change one, that would be helpful.

26:49

But we won't have Mr. Stevenson present to answer questions that we have set out. So I think in terms of moving forward, we will, just turning to miss powers to we will need to issue those questions in some form. Indeed, we did have quite a few questions for Mr. Stevenson on this. But what we will do is assume that he is will watch the hearing. And we will issue those questions in one form or another, we'll think about how best to do that, but we'll do it at the earliest opportunity. Thank you, Mr. Harris. So Mr. Fowler, if you'd like to

27:24

give us a precis of that change, number one in using whatever tools are most appropriate for you?

27:32

Yeah, good morning, Stefan National Grid, it might be useful to have the plan on screen that supported the change application.

27:41

But a brief overview, this is a reduction of the limits of deviation for the ship to North Carroll CNN compound. So this would be a reduction in the northern side by a meter on the eastern and western

sides by five meters. And then in turn, has then changed the plot that you can see there as b 133, B to a temporary construction area with the beyond 33 A been reduced to reflect the reduction in the limits of deviation to the north.

28:14

I think that covers that, that change unless there's any more information on that one you'd like.

28:19

Now, that's that's very clear. And that that plants very clear in terms of I'm sure people can see that. So um,

28:28

I mean, I think we'd assumed, but

28:33

perhaps, Mr. Turney I'm, I'm aware from the correspondence that and

28:38

I think there was a discussion on site where there's been some positive response to this change from Mr. Stevenson on behalf of the ramp family. So perhaps you could just update us on that from from the applicant side.

28:55

Richard, Tony, for the applicant? Yes, we understand that both the landowner, the occupier and the and the agent to contend with this, and we're positive about the proposed change.

29:07

So we understood that they were supportive of this proposal.

29:14

I don't think we can go any further. And I don't think there's any other parties on the call who are in any way related to this area of the proposed development. So

29:26

I'm just going to move on to change number three. Maybe we could just also flag in there that we do have a query for Mr. Stevenson about who he's representing. And the Newlands, York limited. We do I don't know as Mr. Turney might be able to help on that because Mr. Stevenson has only notified us that he's representing the ramp family but he has in fact signed a change request on behalf of the landowner which is Newlands, York limited. I don't know Do you have any clarity on that?

29:59

Reached anybody out

30:00

We understand that he represents both the landowner and the occupier. And certainly we've been dealing with him on that basis.

30:08

So that's our understanding. But obviously, Mr. Stevenson will have to confirm that to you for your purposes as well, he will, and then we can see from the way that your letters were addressed, but that was your understanding for so that will be one of the questions that we'll be putting to Mr. Stevenson. But thank you for that in terms of helping us get some reassurance.

30:30

Um, so maybe if we could move on to change number three, and that and Mr. Fowler, I

30:36

anticipate that you'll be giving us a short explanation about this change as well.

30:43

Yes, the colonoscopy? Yeah, that's fine. So on the same plane, you can see that there has been a change to the permanent and access that goes to the cable CNN compound. So this has moved approximately 50 meters to the north. As the discussions that we've had with Mr. Services and his client around this track, this would then be for the construction, it would also be for the temperate the permanent arrangement.

31:12

That would then mean that the existing gate that we use currently that we had previously presented would have been able to get up to the hedge so they will be able to fill that gap. And this then allows better access for the following practices. So we have had a positive engagement with the landowners on this. The access track was in the location that suited

31:37

the the occupiers and their landowners as well.

31:42

That's good to hear. Thank you. And obviously, we'll be seeking clarity from Mr. Stevenson on on those points.

31:53

So I don't think there's anything further that we can know just we were going to ask Mr. Stevenson here, and also at other points of overall agenda for the next couple of days about some of the other issues raised in his rep fi deadline, five representations, which kind of

32:08

well coincidental to this, but one of them being about the removal of hedgerows and the passing places and things down on Newlands lane. So just if like, again, if we don't have Mr. Stevenson present, then

we will be putting those things in writing. Yeah, I think we might have some questions for the applicant on that, though, that we can pick up under agenda item four.

32:28

So what we tried to do was keep everything to do with the changes in this part of the agenda. And any other aspects of objections are will be picked up in agenda item four.

32:40

So again, we're probably going to move quite quickly through change number two, which is,

32:46

well, the applicant is calling it New Farm cottage access, but we're calling it skeleton springs, because that's what we were told by Mr. Stevenson, who is representing those landowners that that was the name of that location. So we'll be calling it skeleton springs. So if we could, again, Mr. Fowler have a brief precis of the changes here.

33:10

Yeah, Steve, our national grid. So this change would mean that we would not utilize the access point that we previously had, which I think was a p 93. From memory, which came off the 19. For the majority of the construction traffic and a access track would be then taken from the northern side of firms got over a temporary bridge, other firms got down to SP five, this would then mean that the utility diversion that was currently proposed, I think that was you four would then not no longer be required. And that has been removed along with any visibility from there. What would the reason that this is still in there is that there was a requirement to be able to get to birth bridge sides. So we would need to get to the bridge. So there'll be a small number of vehicles and facilitate the bridge crossing. And this would then also be left in as the permanent men since access down to those towers. And the bridges then would be removed following construction.

34:11

Thank you very much. And obviously we did have some questions for Mr. Stevenson. But we'll be putting those in writing. But generally, I'm assuming there's been a positive reaction to this.

34:27

Stefan's good Yes, that's right. We met them on site. And we've run through the the chain to remove all of the interested parties on that. And everybody seemed to be appreciative and aligned with our proposal that we've put forward.

34:44

Thank you, Mr. Fowler. So I think but as we have Miss Johnston here representing Mr. And Mrs. blacker than we can seek comments from her. So Miss Johnston specifically with regards to the this change which I

35:00

and removes the access or in the main removes the access from your clients, land and farm. Could we have comments on his behalf, please?

35:12

Yes, thank you.

35:15

Although this particular chain wasn't instigated by us as we had an alternative, we are content that the conflict of use that we were concerned about will be dealt with by this.

35:28

And

35:30

we'll miss Miss blacker wood does Miss Black I have any comments that she wants to make on this part?

35:42

Okay, I think we'll assume that Miss Johnson that you've represented the views of Mr. or Miss blacker.

35:51

And we've seen from from the response that it's acceptable, and we believe it, as you said, would alleviate your client's earlier points. But I wonder if we can pick up with Miss Johnston with regards to the point on behalf of Mr. Bell.

36:09

So he was wearing the exact location of the new proposed crossing of Hearn's gutter, which is necessitated by this change. And he said that crossing wasn't known and so the impact couldn't be fully assessed. Now. I think the proposed turns gutter crossing is on blacker land and not on land of Mr. Bell. Perhaps Mr. Attorney could confirm that for the applicant. I'm thinking it's plot B 333.

36:44

The,

36:46

if I can be

36:49

Mr. Bell owns the land to the north side of the gutter. So the bridge will be crossing from Bell's land to blacker land.

36:57

Science good. Yeah, that's correct. That is correct. The Crossing will be across the path B through that's through the north of the gutter as well. So the access track will come down from the pile and SP



fall on it will come south across firms got to and there will be a bridge. So there will be a part a portion of that bridge on either side of that. So apart on Mr. Bell's line down on Mr. Blackwood one.

37:20

They miss Johnston. Are there any sort of can you enlighten us any further on the concerns that Mr. Bell house with regards to that? Or is it just a case of seeing more details.

37:33

The main concern is the entire that entire bottom triangle that is formed by the boundary to the railway line and Hearn's gutter has been planted with trees under a grant scheme, and the carbon has been sort of registered. So the concern is that due to increased access over this, there may be more trees that are lost,

37:57

I was informed that the intention would be that it would be no different to the route that was going to be used anyway as the lines overfly that area, however, until we actually see where it's going to be. And I was told a couple of weeks ago that it wasn't known exactly where it was going to be.

38:18

We can't really assess whether that will or won't have an impact.

38:23

I wonder if Mr. Fowler can give us any more clarity on the points that Miss Johnson's just raised with regards to the area of land.

38:34

Steve? Oh, that's good. Yeah, that's, that's correct. At the moment, we haven't done the detailed design on that bridge location. So we would need to assess that as to where that would be, but it would obviously be within that square there be 333. And up the location, there is a polling position that is on SP four. So there will be equipment as needed for the stringing of the red line, which will need to take in consideration where the access track would go. So once the polling position has been designed up, and we know where the winches will be there, we will know where we can look at the access that they don't conflict with us. So we will sync suit to meet. So we will look to minimize the amount of tree loss by

39:14

putting that access where there is already tree loss for the removal of the red line. But we'll only be able to seek to clarify that once we've got the detailed design.

39:25

I think Miss Johnson has just made a point that I wasn't aware of previously, which is that that's planting I'll be young as subject to a grant. So the there are implications that I Well certainly we hadn't appreciated until this point. So I don't know whether I'm there's any possibility of trying to do some sort

of sketch design calculation as to the difference between area of trees lost before the change and areas of trees lost as a result of the change.

40:00

Mr. Attorney, I can see you're probably wanting to answer this one.

40:04

Rich attorney for the Applicant I think two things, first of all, Mr. Fowler's nodding to me, in answer to your question about a sketch design. So I think we could look to provide a bit more information about that. Secondly, we're aware that the planting there has been subject to some grants, and might be accounted for in terms of carbon credits or similar.

40:28

Obviously, in those circumstances, compensation would be payable if it meant that there was a loss

40:37

in respect of planting that was subjected to those grants.

40:41

And that's a matter which obviously will be will be settled in the normal way through the compensation process. So yes, we're aware of the issue, that there is going to be some tree loss we expect in that area.

40:57

It's a matter which we can find a little more detail on. But ultimately, if there is a financial loss to the landowner, it will be subject to compensation. That's very helpful. Thank you. So if that's some additional information could be with us for the next deadline deadline six, then Miss Johnston, that will give you an opportunity on behalf of Mr. Bell to look at that. And give us further comments that deadline seven

41:25

schemes. Also, we do have at that as part of the change application, we do have the revised trees and hedgerows potentially affected plan, which does in this area show the difference compared to the original. So that's a good reference point in terms of that particular location and the loss of trees in that location. It shows it quite clearly. I think the point is that the small plantation isn't shown on the trees and hedgerow removal plan because of the sort of immaturity of the scheme. But I've, for me, there's a sort of increased importance to that now, because of the the contribution. It's making us as Mr. Turney said. So that would be helpful to have that additional, additional information. Miss Johnson, I'm just wondering, do you think this is going to be a sort of

42:09

is this a point that you feel there'll be sufficient information from a sort of sketch point of view for Mr. Bell to have confidence and be contented in terms of

42:24

the sort of issues that are at play? Or? Or do you think this might be something that will

42:31

not be resolved?

42:33

During the examination, it's quite important to us to try and get a feel for where the as you I'm sure, you'll appreciate where the

42:42

the real sort of difficulties that are going to lie?

42:46

I would hope not. And most of it is just trying to, from a practical point of view, know exactly what is going on. And

42:55

I'll be honest, when I heard that this particular change was going to be requested, given that the potential flooding at that end of the field as I've got highlighted, which is why the substation is to the north and the field, given the

43:13

I'm not sure the best way to phrase it. The very enthusiastic

43:21

concerns about environmental issues when it came to moving the pylon on the land further south and how that contributed to it. I was very surprised that there was going to be a bridge overhangs got it. But you know, that's, that's fine. But we would just like to know what it is that we're dealing with. I completely accept that, you know, any losses will be covered by compensation. And we are very much driving towards reaching an agreement. But at the moment, the ball sits in National Grid's court, I had a meeting with Duncan Clark, official German colleague of Ian Long's on site a week or so back and basically set out you know, how we could come to a conclusion to try and just get everything dealt with in relation to Mr. Bell, but I am awaiting the results from that.

44:16

Okay, well, that's, that's really the points that we will be covering later in the agenda, but was passed. Do you think maybe we should just take that now because of Miss Johnson's availability. So I am going to now I just need to pass flick through my speaking notes, but I think it's opportune, really for perhaps we can hear from Mr. Turney or Mr. A lot with regards to the point that Miss Johnson's made in terms of the ball resting in National Grid's court at present.

44:48

It's going to be Mr. Long's. Thank you in on behalf of the applicant. Yep. So we had that meeting on site with Katherine and her client

45:00

Notice that there are a couple of points where we need to finalize around the commercial deals for where we've been temporary occupation of specific areas. But fundamentally, we're on the larger scheme.

45:14

The large Atlantic, we're nearly there, I think it'd be fair to say,

45:20

with regard to legal instructions, we've issued documentation to their clients, they can look through the documentation and ask for comments back. And we expect by the end of the examination, things to be concluded.

45:39

Can you give us any more insurance than expect?

45:46

Yeah, but we'll do everything in our SEC to get that I think we're awaiting some comments back from Kathryn sits in the we're expecting put some comments back to her. So the dialogue is ongoing, and it is still very positive.

46:01

They Miss Johnson, I've just sort of flick through to the the points that I was going to raise under agenda item four.

46:09

And I noted from the most recent, your most recent submission on behalf of Mr. Bell, then,

46:16

in terms of responding to our second round questions, we'd asked

46:21

for a bit more information about answered outstanding issues. And were they nearing resolution and you think you said most but not all, were resolved. And so obviously, the existing trees is one of them the location of the bridge as a result of the change.

46:39

Number three is another.

46:42

Are there any other areas where there's ongoing dialogue or concern on behalf of Mr. Bell?

46:50

As Mr. Long said, there is

46:56

well,

46:57

in relation to the temporary occupation, we have

47:02

made some representations that the repayment rate is not sufficient for compound

47:09

the compound not for substitution, if you see what I mean see temporary structural compound

47:17

that has been raised in relation to because the other template construction compound is on Messrs. Buck is on the other side of the room as well. The same comment has been made there. So there's issues on that. The other issue with regard to Mr. Bell is the were an enormous number of boreholes.

47:37

Trial pits, archaeological trenches, which led to a full field crop loss last year. Subsequently, the amount of compaction and other issues arising from that have affected this year's crop for which we have put in a crop loss claim. And we are in negotiation with that we've been reinfected at the same time, a couple of weeks ago, and that really just trying to bring everything to a close because it just seems to take an inordinate amount of time to actually get payment out of national grid for clock loss claims, which is, in the greater scheme of things is seems very annoying.

48:20

We, yeah, we waited an enormous amount of time for some crop loss for some additional inspections. That was it was agreed in October, and I think we got the money in April,

48:32

something like that. It's ridiculous amount of time to organize club last time.

48:38

So what we were trying to do a couple of weeks ago, is try and just cover every last issue that we're still outstanding, obviously subject to these changes, and try and put forward a proposal to just get the deal done. So we can all move forward knowing the position. So yeah, that's that's basically where we are. The discussions with fishermen at Singapore National Grid have taken place. And my understanding would be that were waiting for national grid to respond to the fishermen with

49:10

a reaction.

49:12

Okay, thank you. And as I'm sure you're aware, we, as the examining authority, don't get involved in the quantum of compensation at all. So it's

49:22

not part of the examination that we will be undertaking but I think what I'm feeling is that there's obviously some frustration on your part in terms of the length of time that things are taking and so we're just urging the applicant to expedite these as much as possible because from our point of view, withdrawn applications are what we would like to see.

49:50

Sani you want to say anything on that just very, very briefly rich tourney for the applicant. So, yes, as you heard from Mr. Long, obviously we

50:00

We hoped to conclude the agreement. And I think the position is there's information on both sides, there are various documents in circulation. So I don't think it's a case that everyone is just waiting on my client.

50:16

I don't think our recollection of how the issues around crop loss payments

50:23

played out is quite the same as Miss Johnston's, but I don't think you're going to be assisted by that.

50:29

Obviously, there was some surveying carried out on the land.

50:36

It resulted in a crop loss payment. But but that's obviously needs to be subject to evidence. And it's not necessarily a straightforward question

50:47

about the extent of the loss. And as far as we're concerned, full compensation for that crop loss.

50:54

More than full conversation has now been made.

50:58

But in essence, I think the main point is about the permanent arrangements, the ongoing arrangements for the necessary agreement to be put in place. And as you've heard, there's been an on site meeting recently. And obviously, we're continuing to engage with Miss Johnson and her clients to to finalize it.

So hopefully, we can get on and report back to you before the end of the examination with positive news. Thank you, and however frustrating it might feel, I think this isn't something that we can play out in this hearing, because we can't do anything to influence the compensation anyway. So

51:37

but there is one other point, which is my now, I think there was, somebody will correct me if I'm wrong. There was going to be a meeting on site yesterday to look at the possibility of the planting on Mr. Bell's land, which would be a result, which will be helping Mr. Stevenson's clients. Is that right? Mr. Farlow? Probably is the person who would

52:04

be able to help on that.

52:07

The long it's Mr. Long, it is yeah, apologies. So I can take that up. So we did have two meetings planned for yesterday, one meeting was

52:18

had to be canceled, unfortunately, due to in house and it was with Mrs. Johnson's client here, but we did meet with their subsequent landowner

52:29

with regard to landscape planting along ferns got to stop last hearing. And those discussions are ongoing with with that, Grant. Oh,

52:44

sorry. Can you just repeat that with the names of the landowners?

52:51

Apologize? Yeah. So the grant or who we had to cancel with was David blacker.

52:59

So that that got canceled yesterday. But the meeting that went ahead was with Mr. Ritchie, who owns the slither of land between Mr. bales and Mr. blockers, and they bought on to Hearn's gutter.

53:15

So, the plan thing would be on Mr. blacker and Mr. Ritchie's land. Is that the case? No. So we were able to look into plant on Mr. blacas. Land, land that borders onto her in the gutter is Mr. Ritchie's, who we had a meeting with yesterday.

53:33

And was that successful in terms of discussions about planting? Yeah.

53:38

Successful that they were amenable to it. We are looking with

53:45

at Stevenson, the agent for husband eaves and Ballmer said a different solution that they have proposed to her us around close to their property, the meeting was a positive meeting.

54:01

Okay.

54:02

So we'll come back to that. Under Agenda Item four with regards to I only raised it because I thought that

54:11

the land that the planting would go on belonged to MIT would belong to Mr. Bell. So that was the only reason I raised it. So Miss Johnson, I'm sorry, if I confused you. It's

54:21

it's a different piece of land.

54:24

Perhaps as a perhaps as an

54:29

action. Could somebody just give us the plot numbers of the land this is being proposed, which belongs to Mr. Ricci. So if that could just be an action, that would be helpful. And

54:44

yep, this attorney, sorry, registering for that. I think, just to be clear, we've had that discussion with Mr. Richie. But I think the way we are progressing this matter, which is about providing some additional planting to provide visual mitigation

55:00

For the cottages, we're now looking to plant on the boundary of those cottages. So it's land

55:11

which is belongs to the Balmer and Eve's

55:19

interested parties.

55:22

But but for your note Mr. Ritchie's land, which was obviously also the subject of discussion is shown as plot B three hyphen 38.



55:32

That's really helpful. Thank you.

55:36

So in terms of the so obviously, in the absence of Mr. Stevenson,

55:41

in terms of the

55:45

possible proposal, is that something that

55:49

the applicant will be able to submit at deadline five and I'm not seeking detailed drawings or anything, just a sort of statement about what the intention is? deadlines? Six, I'm sorry.

56:01

Average 10. If that we can. Yes, we can. We can explain where we've got to on that in our in our post hearing submission or that deadlines? Okay, I think we'll have that on our action notes as well, our action list. Thank you.

56:14

So that was a little diversion up in that neck of the woods, though, that was really helpful to get a lot of things clarified. For me anyway. And I'm just having to flick back quite a long way through my notes.

56:33

Got

56:38

um,

56:40

so the only thing I will just add in terms of that change number

56:47

three, was that two sorry, was that the we note that the Kyle Nupur, who was IDB has confirmed that it's got no objection in principle subject to detail. So I think we're hearing the same as Miss Johnson has indicated on behalf of Mr. Bell. So um, is there anything further Mr. Attorney or miss Johnston on this change? But

57:13

nothing from us? Thank keeps

57:17

Swanson

57:19

sorry, you just said change to So Young is this not changed? Sorry. Hi assist. This is changed to this is the I'm so we're talking about the access track, we were talking about the access track, which has changed to I took them in the wrong order. Because

57:37

of the the tube first ones related to the same area of land. That's fine. Sorry, I've made a note that that was changed for

57:45

no change for we're just about to come to.

57:49

No, that's fine. That's fine.

57:52

So Mr. Turney will talk about change for now, which we understand from your submission that the change notification has not resulted in a change application. But we are going to cover this in some detail in light of Mr. Watson's submission, which is route five 100.

58:12

And that's in order to ensure Mr. Watson can be with us for all parts of the agenda that cover his objections, because he's only here for this morning, I'm, we're going to cover aspects that he's raised, other than that relate to the change. So all Mr. Watson's

58:28

objections, so that will take the cable ceiling and compound location first. And then we'll talk about the proposed extinguish of rights.

58:40

And we'll then look at the specifics on the 60 659 access point.

58:46

So we are taking the whole of the points and Mr. Watson's objections.

58:52

Under this agenda item.

58:57

Though, we're going to go through

58:59

this in some detail, Mr. Attorney, and that would like an action for the applicant, just to provide a comprehensive post meeting notes on all the points raised by Mr. Watson. And we'd like that separate from your the sort of written response record of your contribution to the hearing.

59:21

Boat Mr. Tony, can you confirm as the change was proposed in the applicants earlier, change nature is now being offered, which is now being offered and would not be sorry?

59:34

I registered if the app can do it. Do you want me to just briefly explain why the approach that we've taken? Yeah, that would be helpful. Yeah. Yeah, that change. So

59:46

this is a change which we canvass previously in the examination when we were looking at how we might

59:56

seek to accommodate some of Mr. Watson's concerns about the leg

1:00:00

ation of the tax cuts to us cable ceiling and compound.

1:00:04

We were aware that Mr. Watson was proposing a different approach.

1:00:12

We thought that the reorientation approach, which was going to be the subject of change for was one which might alleviate some of his concerns. However, it is not the optimal engineering solution, and it would result in more freehold acquisition. So we made clear to Mr. Watson, that we would only be proceeding with change for if he agreed that that was the that was his preference. He is not given that agreement. Indeed, he's said that he doesn't want that change. And in those circumstances, it doesn't. It's not the optimal engineering solution anyway. So my client doesn't want to make the change. But also it would require more of Mr. Watson's land for freehold acquisition, a small amount more but but more, and therefore, it'd be inappropriate to propose it in the face of objection to it. So that's why we are where we are.

1:01:13

I suppose the real issue now is whether Mr Watson's alternative, which is what he describes, in his original representations, but again, in his deadline, five representations, whether or not that is a suitable or appropriate alternative? Our clear view is that it is not. And

1:01:38

Mr. Fowler obviously can explain in more detail why why we don't accept his suggestion.

1:01:46

But I don't know whether you want to hear from Mr. Watson first on that. What do you want to hear from Mr. Fowler? Now on that?

1:01:51

I think we're going to sort of separate the questioning out into a number of points. So I'll be going to Mr. Watson first, and then back to yourself each time so we're going to take some points on the impact on farming, which Mr. Jones will lead on.

1:02:10

And then we'll ask, as you anticipated, Mr. Attorney for the applicants response to Mr. Watson's proposed sighting.

1:02:21

And then we'll just want to explore the points made by Mr. Watson about the 10 meter strip, and whether that's required the 10 meter strip between his land and that owned by Samuel Smith, old brewery. And we'll then just pick up Mr. Watson's points on limits of deviation and what happens with regards to land acquisition within the limits of deviation?

1:02:50

Though

1:02:57

I think first we'll meet Mr. Jones, I think I'm going to hand over to you now because we're on to the impact on farming. So Mr. Jones, okay. Thank you Miss coons.

1:03:08

Mr. Watson.

1:03:11

Question for you got a bit of a preamble to it. We've read your deadline five submission, which was rep five 100. In relation to the effects on your farming operations, due to the location of the cable CNN campaigns. Is there anything further to your submission that you'd like to elaborate on? In particular, can you please expand on what the operational impacts of both the proposed development would be if the cable signaling and compounds were constructed in the applicants proposed location and also what you perceive them to be if they were constructed in the alternative location you've put forward in rap five 100.

1:03:55

And I can repeat any of that if you need to. Mr. Watson.

1:04:01

Watson, could you just repeat the first question? Yes. It was really just obviously, just saying that we've read your deadline five submission.

1:04:12

And is there anything you'd like to to expand upon from that? And I suppose in particular, in terms of focus, looking at what the operational and economic impacts on you would be from both the applicants proposed proposed locations of the cable, CNN conveyancing and also your your alternative that you've put forward in? Rep five 100. Okay, well, the original one, which is the one they're going ahead with,

1:04:42

obviously, I won't be able to get a sprayer and round the back of that cable TV and compound. So all that land essentially, I think would be lost.

1:04:53

As well as

1:04:55

trying to plow around that seems like a bit of a nightmare, to be honest. Um,

1:05:00

it'd be a lot of land glossed around at the mentionable cable ceiling and compound. My proposal, of course, moves it much closer

1:05:09

and over the boundary, and so the angles that would need it would be much less, they wouldn't be sharp right angles, possibly keep going around with a spray around that proposed

1:05:22

area that I'm saying, and obviously would minimize disruption for me.

1:05:29

It wasn't really helped that

1:05:32

the proposal, the one shaded blue, got it there.

1:05:38

That was a bit better, but obviously took more land up with the road.

1:05:43

Yeah, that's what.

1:05:47

So I would have quite sharp right angles, but I obviously I wouldn't lose the land around the back of it, which I suppose is in a way better.

1:05:59

Thank you, Mr. Watson. And just in terms of the going back to the economic impacts, obviously, there's the impact of a total loss of been able to farm the crop. What about the in terms of the impact of you can still get to it, but it's more difficult, obviously, you've got to do more turns to get around it. You've talked about compaction issues, what what what issues? What are the economic implications of those in terms of say yield, for example, earlier, you certainly see a significant yield loss probably, in the compacted areas, probably 30%, that the turning round, and obviously, there's just a sheer time wasted, because I can go straight down that, that that part of the field right now, and you wouldn't stop at all, there'd be an awful lot of stopping and starting and

1:06:47

then just a yield loss, and you just won't be able to work quite a lot of the callers. That area around the back. I just can't see me being able to do it. Because I don't think the spread could get in

1:07:01

round the back there. And combining would be tricky as well.

1:07:10

Yeah, it would be significant.

1:07:13

Thank you, Mr. Watson, kind of leading into the next question. In terms of the actual crop, how many times during the growing season, would you actually need to to access that area? Obviously, you've got planting spray, and etc. How many times would that be during the during the overall course of a year, for example? Okay, so I'll go in on plow, then I would go in with the seed drill. And I would probably roll it as well.

1:07:43

usually go about six times spraying around it.

1:07:49

Fertilizer probably go on

1:07:54

four or five times. And then obviously, there's the combining. And hopefully, that's that's the end of it. But

1:08:06

thank you, Mr. Watson. So you're looking at broadly about a dozen times a dozen times during the overall life of that crop in in any particular season? Yes. So I would say so. Yeah. Okay, thank you. And just sort of a supplementary question to that.

1:08:23

In red, five 100, you refer to two crops that you grow?

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Can you can you tell us what those two crops are in roughly what the location of the boundary between those two crops is?

1:08:35

Sorry, I think I meant to say I've gone to crops in that field in the past. I don't always go to crops in that field. I think I last did it about four years ago. And I would use the

1:08:50

the rights of way that you're proposing to extinguish to access that bit that was basically take off the corner of that field.

1:08:59

And put on that was about five acres? I think I would.

1:09:05

Thank you, Mr. Watson. When you say two crops do do you mean two lots of the same crop planted at different times? Or do you mean two completely different crops? Two completely different crops? There would be so I think I think I put beans in their balls. And obviously, they get really tall and so you can't access the land further down. So it will use the the other access point to get to them.

1:09:31

Okay, thank you very much. I don't have any more questions for you. Mr. Watson. I don't know if there's anything else you'd like to add at this juncture? No, no.

1:09:43

Okay, thank you very much, in which case I'll turn to

1:09:47

miss Mr. Attorney or somebody on Mr. Turner's team. Are you able to respond to what you've just heard in terms of impacts on farming operations?

1:09:59

Rich attorney for the

1:10:00

The applicant, I might ask Mr. Long to come in in, in a moment on those impacts. But just to be clear,

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in terms of the land that we're taking, obviously, the drawing that you have here is in front of you is illustrative.

1:10:17

But within the limits of deviation, we will locate the final design of the cable ceiling and compound, the precise point at which we put the boundary fence will be subject to discussion with the landowner. Because in the final design, obviously, there's some flexibility in that regard. And if there is a strip of land that is not capable of being farmed, then we can include that also in the acquisition. And he's obviously entitled to compensation for that. So

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the same is true of any impacts of compaction, or the obviously you've heard previously about how soil management can assist in that regard. But if there are impacts on yield as a result of compaction from the construction period, then those again would sound in compensation. So

1:11:11

what

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we say is, we'll be able to minimize those impacts through the final sighting of the CSET. Conversely, within the parameters that we've identified for engineering reasons, we can take more land if that land is genuinely not capable of being farmed. And in terms of compensation, then he'll be compensated for those losses. I think I didn't if I didn't think Mr. Holmes, looking at me, I suspect there's not much more to add. We've obviously heard what Mr. Watson says about his farming operations. We weren't aware of the the approach that he described of separate cropping, although we don't see that if he wanted to introduce that in the future that there would be any particular problem because he could have another means of access, if necessary, from the from the access track

1:12:03

that we're proposing to the CSAC. So he can get into the bottom triangle

1:12:10

separately if he needed to. But as we understand it, the the fields been cropped in the same way for certainly so far as we're aware, we weren't aware of any, any sort of division up.

1:12:23

So obviously, there is an impact, we recognize that there are ways in which those impacts can be minimized. But ultimately, this is a case where Mr. Watson's going to be compensated for his losses, both permanent losses and the temporary interference with his farming operations.

1:12:42

And in trying to find a mutually agreeable solution,

1:12:49



we consider we've gone as far as we sensibly can, having regard to the engineering requirements of the scheme.

1:12:56

And that's why we proposed

1:13:00

change for as an option.

1:13:03

It doesn't satisfy Mr. Watson's concerns, and for the reasons we've said, we're not going to pursue it and that it does. So that's that's our position on it. I think the only further point is, is why we can't go

1:13:15

further in terms of moving off

1:13:19

his landed along his proposals, but we'll come back to that. Thank you. Thank you. Can I just interrupt Mr. Jones briefly, and I'm just not quite following the geography Mr. Turney. So you sent that Mr. Watson would be able to access the bottom triangle from the cable ceiling and compound access

1:13:39

crack. So can somebody just point that out or explain that just reached any for the applicant? Yes, of course. The point was to have a spur off from the access track that you see in orange approaching approaching the cable scene and compound. So that will get you into that

1:14:05

that triangle of land in that corner, which I think is where Miss Watson said there was a different prop so in other words, he could run along the

1:14:16

the northern Northeastern boundary of his land and then dropped down into that

1:14:25

that area to the south of the cable see the end compound?

1:14:30

And sorry to interrupt again, but so are you talking about the

1:14:35

change because I thought the orange were only related to the change that the pink is the access track. Yeah, I'm, I'm giving the the location the approximate location of where we are. So the access track, perhaps Mr. Fowler can talk through the precise location of the access tracking the

1:14:59

speed

1:15:00

All right, Scott, can we just have that Pastor plan on the screen if possible?

1:15:05

On the one that was just on the screen, so yeah, so in the instance, where we would maintain our proposal is currently shown, then there would be, we'll be able to put a gate at the bottom where the purple is where the Spurs are for the orange. So if that is where we could put a gate down to the bottom of the field, so Mr. Watson could use that as access track, and we could put an access code specifically there to access the bottom of the field. Thank you. Mr. Turner was mentioned as if that proposal had gone forward, we could have put it off the off the orange track.

1:15:36

Okay, thank you. That's resolved my queries on that point. Thank you. Although it might just help to check with Mr. Watson, that that's location of the second crop just for absolute clarity. Mr. Watson, are you able to we were talking about on that plan? The bottom right hand side, essentially, that triangle was that the location of a second crop that that is the location, but it's usually much further along, so I'd need to travel further than that to get to it. So it's a fairly small ish area in that triangle? I think. Usually it goes up to the kind of quarry hole

1:16:14

so much further along the nose.

1:16:17

It wouldn't get it wouldn't reach to the that triangular pit. But I'm, I'm talking about. Okay.

1:16:28

So would you like to respond on that point about the acts that the access could be provided via gate at the end of that access track?

1:16:38

I think I'm sorry. Mr. Watson, come back on that one. Thank you.

1:16:43

So yeah, yes, I don't think it would reach it would obviously, I'd be limited. That would be

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it would stop there, wouldn't it? And I'd need to go another 50 meters by look a bit in order to reach where I usually

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draw, draw a temporary boundary line and when I do two crops in that field.

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Thank you, Mr. Turney, did you want to come back

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a rich turn for the applicant, I think two things, we don't see this as being much different from the status quo. In terms of how that area of crop would be accessed. Obviously, there have to be some

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driving in the field, as well as off our new access road. But we don't see that as being much different from the status quo. We're obviously at the end of the existing track, it'd be necessary to drive into the field.

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But ultimately, and I think I do emphasize this, we recognize there is an impact, obviously, on Mr. Watson's land holding in this location, and these types of impacts will be the subject of compensation. So if it becomes less easy to farm, that parcel of land in the way that it has been farmed, then that will sound a compensation. But But I do emphasize, we haven't seen the evidence that that use is carried on. Mr. Watson's obviously referred to it, he's explained that he has has done so in the past, but certainly, to our knowledge. It's been farmed effectively. It's one block.

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Thank you.

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Mr. Jones. Did you have any further?

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I did miss grooms. Yes, I was just going to come in about general assessment of socio economic effects. And this is a question to the applicant. We asked in our further written questions. I think it was the x q two, question 13.0. Point four, about the reasons for scoping out the socio economic effects of the proposed development on new farm and on Newlands farm, given the submissions that we have made by those interested parties, but we didn't have anything about we didn't ask a question about Mr. Watson's farming operations. So I'd like to take the opportunity to ask you the same question now. But as regards Mr. Watson's operation, so can you provide a more specific explanation for your reasons for scoping out the socio economic effects on Mr. Watson's farming interests? And do you maintain the view that socio economic effects on this area and do not require detailed assessment?

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Rich attorney for the applicant, I will ask Mr. Macabre, I think to come in on that. If he's still on.

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Thank you. Perhaps Mr. Barbara, you can pick up the the way in which these impacts on farming operations have been scraped out from the socio economic assessment and the Yes,

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yes, certainly. Neil Mildura for National Grid within the social economic assessment, our focus was very much on the degree of economic change which may occur

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which looked at the, obviously the impacts on any particular farm business themselves and the ability of that business to accommodate those changes. So the original proposal to scope out farm effects was based on the fact that the farming units along the route were all relatively large sizes, and we were taking relatively small proportionally parcels of land, particularly when you look at the permanent lantic required.

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The information that we've received on a new farm and Newlands farm backs up

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that position, we understand that they both have over 300 acres of land in these particular areas. And the lantic is around one or 2% of that. For Mr. Watson.

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Obviously, there's a bit more of a impact on that particular field. But again, we understand that he has a wider farm holding available,

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at least kind of 70 acres in that particular location we're talking about and more substantially, kind of nearby as well. So again, I think we're talking about a few workers have lamented, so as an impact on the farm business as a whole. We maintain our conclusions from the EIA work.

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Okay, thank you, Mr. Mole. But just before I move off this topic, Mr. Watson, did you want to make any points in response regarding what you've heard about socio economic effects on your farming operations being scoped out?

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And it wants some, no, don't have anything further to add to that. Okay. Thank you, Mr. Watson. In which case, I'll hand back to miss coons. Thank you, Mr. Jones. So, Mr. Attorney, can I just clarify

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that the applicants position with regards to the

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the change that was changed number four. So

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is it definitely off the table? Now, I heard what you said about

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it being the lesser of the sort of options from an engineering point of view and from Atlantic point of view. And I think we had assumed it was off the table. There was just something that you said when you were talking earlier that made me just want to clarify that point.

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Originally for the applicant, I'm sorry, if I said something ambiguous.

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The the position is we are not pursuing it. So in that sense, it is it is off the table. I think we've made clear to Mr. Watson opposition outside of the examination on this, that this was the point at which realistically,

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he would have to make the election to go for the foot to go for that change. And he has said he doesn't want to so in those circumstances, we're not pursuing it. And it is, it is safe to speak off the table. That's very helpful to have that. And so perhaps I can just turn to Mr. Watson. And just to check that you're clear that that is the position, although obviously, Mr. Turney said there's been conversations outside of the examination. Mr. Watson.

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Watson? Yes, I am aware of that. So. Okay.

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Thank you.

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So now, we're just going to move on to I mean, it Mr. Mr. Attorney, you have

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given us some of the points, but I think we just need to hear response to Mr. Watson's proposal of citing the cable ceiling and compound next to the proposed pylon XDS 001. And that would obviously require land from another landowner. And just to have your response on behalf of the applicant for that.

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Thank you. I'll ask Mr. Fowler to just summarize the reasons why we're not pursuing that option.

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Steve, our national grid, so the proposal put forward on the screen that you can currently see wouldn't work in its current solution, so it would be too close to the tower. So we would have to use an ankle lock solution in that instance, and as you'll see seen on shipped to north and Tadcaster, East that instance, so we have to encompass the tower within the outside of the pylon within that cable sealing compound,

so that would drastically increase the size of the cable CNN compared to accommodate that as well. So that will push that further as into behind XD one on the end and also anchor blocks are not the preferred method of cables in and compounded and only used in situations where there is no other solution or that space constraints, calls it so maintenance issues with the fact that the anchor has gone down to the ground and that the condoms and the enchiladas can move. So in accessing the Kelson uncompounded additional kind of measures need to be in place for a

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To avoid crashing with any sort of mobile elevated platforms and such. So our position is that that would increase the amount and size of the cable sin and compound and would bring in other maintenance issues that would not be there if we proposed a gantry solution as we're currently moving forward with.

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Thank you, that was very helpful.

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And, Mr. Attorney, this is probably one for you. But the end of Mr. Watson's

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deadline for submission, he refers to more suitable positions for cable seeding and compounds. Perhaps we could just have a response to that part of Mr. Watson submission?

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I don't know whether it's something that's been discussed in the past. It originated gapping. Yes, it has. This is about the sort of approach generally to site selection. And we've addressed that already in earlier responses. So obviously, whilst we will flag our responses in in our written response to the deadline, five submissions, effectively, we've already explained why we are here, why we were in this particular location. And that that's to do with the the broader routing and citing case, which we've already explained.

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Thank you. And I think Mr. Fowler very helpfully

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talked us through the engineering aspects, but I don't know whether the applicant would like to comment on the practicalities of an alternative being suggested by a third party at such a late stage and the timing implications of that, because we would welcome comments on that as well.

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Bridge attorney for the for the applicant, obviously,

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the impact of pursuing a change, which would bring in third party permanent land take is going to be much more significant than changes which are within existing land holdings, where we have where we're already taking land and rights, and in particular changes where the landowner is in a position to agree that they're willing to have the change come forward. So

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it would cause a significant problem at this stage and examination in terms of progressing such change, because the terms of the regulations.

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And obviously, that's a reason why we wouldn't wish to pursue it. I think, though, more fundamentally on that.

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It's not so much the procedural point. But also, we are effectively just interfering with another landholding, it's not

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avoiding land taking this location, it's not avoiding an impact on farming in this location, it's just distributing that impact slightly differently.

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They would be another affected landowner, whose interest obviously would have to be taken into account, but it would just redistribute the impact rather than reduce the impact on agricultural holdings.

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In terms of the technical issues, I think, probably, Mr. Fowler has already covered it. But we wouldn't want to proceed with with such an option in engineering terms for the reasons that he's given. And we don't, therefore want to redesign our electrical engineering solution to accommodate a proposal which which we don't think is appropriate.

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Thank you very much. Mr. Watson. Do you want to come back on any of those points that Mr. Turney or Mr. Fowler's made?

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Watson? Is there a minimum distance that the cable ceiling and compound should be from the pylon? Does it have to be set back as far as it is, on both their proposals

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is to follow the national grid. Oh, sorry. Yeah. Yes. So when we look at the call center and compounds, we set the gantry but the height, typically the height of the tower, that is the optimal distance setback we're at is the electrical clearances. So that's where you'll see that it's set back in that distance,

currently, so I think it's around 50 meters or so whichever the highest tower is away from the away from the tower to best optimize it electrical clearances.

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Anything else, Mr. Watson, I was going to move on to the 10 meter strip. Unless Unless you've got anything else on that point? Nothing. Well, no. Thank you. So I think, Mr. Tony, you probably sort of touched on this, but I would just Mr. Watson in his representation sort of

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challenges why a 10 meter strip is required.

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and where the hedgerow exists on the northern boundary of his land. So that's the boundary between him and Samuel Smith's old brewery.

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So I think if we could just have an explanation, I think you referred to maintenance of the hedgerow.

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And then also there's the need for the 10 meter strip next to the 659. But if we can take the the one between the two landowners first.

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But Steve, I should grid I can cover that one in the first instance, because the strip along the boundary between Mr. Watson and Cyrus was probably lined also accommodates the permanent access track that there will be going on there. And in the submission that there was a question in there in terms of is it? Is it required to have a seven meter wide access track? Or is it possible to four? And I think in this instance, what we're saying is that we would be willing to accommodate a four meter access tracking there. But what we seek to near in the REITs, at that point is the ability to be able to cite that and also allow for the drainage. But yes, in that instance, I think we can accommodate a four meter access traffic, tracking that in that location.

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As to what some does, is there any points you want to make it in that regard with regard to the access track, and the points Mr. Phan has just made?

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Yeah, for me, it is a lot better than the seven.

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I just, yeah, it's just how did, what are they going to do? They're going to plan to a hedge row. And they're going to have five meters either side, which just isn't going to be as a track on either side of the hedge. Is that the proposal?



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Maybe Mr. Fowler can respond to that. That stick is good. Yeah. So the proposal is not to have a permanent tracking there. It's just to allow the space to be able to maintain that hedgerow and the permanent mitigation that we're proposing in that area. So it's a lot for this space to be able to do that we're not proposing to leave a permanent tracking that.

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We're talking about the

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10 metre strip along the 659. Now, oh, that's correct. So in the in the instance, on the boundary, that we will have our permanent access right to the cables and then compound. So that's where you can see on that planet that there is a wider strip that comes down from the 659 down to the calcium compound, and then a smaller strip that continues along the side of plot D 127, which is the area for the men to exit the hetero.

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I think Mr. Watson's point was

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couldn't be asked to maintain the intro. And then would that land be needed in the compulsory acquisition? Is that correct, Mr. Watson? Is that the point you were making?

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Put it Watson. Yes, that is Yeah. So perhaps there could be a response to that.

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Rich, certainly for the applicant, obviously, we need to ensure that the hedgerow can be maintained because we rely on it for mitigation. And therefore, we do think it's appropriate to have the powers to do that to ensure that it is maintained in the long term. But I think in practical terms,

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the the impact of having those rights is going to be is going to be minimal performance to Watson because it will just be for maintenance activities rather than for any permanent infrastructure.

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And obviously, if the hedgerow is maintained and workers aren't required to, then the need to rely on that right to enter the land and maintain the hedge row falls away.

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Thank you.

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I expect we'll return to this in terms of maintenance of hedgerows tomorrow.

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Mr. Watson's Is there anything further you wanted to make on on that point?

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I suppose you maybe said you're going to cover it tomorrow, but are they going to look after this hedge in perpetuity?

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Well, I'll ask Mr. Turney to answer that now.

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Richard if the applicant Yes, that's under the the terms of the

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DCA we'd be seeking the power to maintain the headroom

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Thank you.

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I'm

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Philip Watson. What they obviously there'll be a lot of weeds coming up around this, or they're going to be responsible for keeping the weeds down, as well.

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which attorney for the applicant? Yes, that's that's part of the maintenance regime to ensure that

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the head tro is kept

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in line as well as

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as well as to ensure that it isn't undermined in any way so that it continues to provide some sorts of visual mitigation.

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Thank you.

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Um, so really, that's the justification for for that land. So, um,

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I think we can move on now, Miss past two limits of deviation. And this was really Mr. Tony, if you could just respond, Mr. I think we've sort of probably covered this in respect to other

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areas of land. But Mr. Watson specifically asked about acquisition for the cable sitting on income pounds. And I he's taken the figures from your lessor to him with regard to the change, I think, and so he asks, would the land acquisition only be the 1149 meter squared? Or would it be the entire 4541 meter square that's in the limits of deviation?

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Richard any for the applicant, we would acquire the land for the cable ceiling and compound and not the entirety of land within the limits of deviation. Obviously, there's the the compound and its fence line, and so on the access roads, so it's not just the compound itself, but

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the permanent acquisition would only be of the land required for the permanent infrastructure. So that that reduces the figure below was materially in this case below what the figure is the total figure is the limits of deviation. And just

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that that was also the point I think, that Mr. Fowler was making with regard to the seven meter or the for me, so you need the seven meters.

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In order to work out the best location for the four meters to go.

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I think it's actually a 10 meter. It's a 10 meter strip, we were we had the I think we had the flexibility to put in or one of the propositions was there could be a seven meter road within a 10 meter strip, we're now be looking at a four meter road within a 10 meter strip, but at the limits of deviation there, it's to provide that flexibility for the siting of the of the track itself to ensure the space for drainage, etc, etc.

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But the permanent land take day would be would be less.

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Okay, thank you.

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I'm just looking at the time, should we? I don't know whether we should break or carry on this house. I think we have a fair bit more Mr. Watson. So I think it might be an idea to break and return to finish those points.

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Perhaps I'll just ask Mr. Watson, if he has any further points if he's now got what he wanted in terms of answers with regards to the limits of deviation, though that we've closed that part of the our list, but it wants. Yes, that does answer my question. Okay. Thank you. So we'll

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Yep. So if we can be back at five to 12. Please, will break now.

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Thank you, returning 1155