

TRANSCRIPT_YORKSHIREGREEN_CAH2_SESSION2_18072023

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00:51

Welcome back, everybody, the hearing is now resumed, I'm going to pass him his keys, he's going to talk us through what we're going to do with the rest of our time before the lunch break so that we can make best use of those that we have only with us this morning, Miss games. Thank you Miss powers. So we're going to carry on with the questioning that we've got for Mr. Watson on a couple more points which have arisen from his deadline five submission, and then we're going to jump straight to the aspects in for B, which will be the points of objections that are still valid with them, Miss Johnston's clients. So we'll, we won't cover three B, we'll come back to that straight after lunch. And we won't cover any of Mr. Stevenson's objections. We'll deal with those this afternoon as well. So we're moving on now to the matter of extinguishment of rights in the area of the Tadcaster seating and compounds. And Mr. Watson, we're aware of the historic issues over this right of access, and we've read much on this matter. As you'll see from submissions from the applicant, we've asked the applicant to justify its proposals in terms of believability and a different way around the ceiling and compound. This is the east one. And we've also, at deadline five received a revised technical note on the Tadcaster East access. So I'm going to ask the applicant to describe those changes. In terms of that detailed note. I expect that Mr. Will be Mr. Fowler. But I've also just wanted probably this is one for Mr. Turney fast. If we had

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read in the consultation report that we were led to believe, from the consultation report that Mr. Watson was content. So perhaps that was a misunderstanding on our part, and it was meant by Mr. Ingram, but we just wanted to understand whether something what why we've sort of moved into this position where there's a lot of objections.

03:09

Perhaps, maybe you can come back to that after lunch, if you want to have a look at the consultation report. That's app 195, page 229. So I'll pick that up straight after lunch so we can move to Mr. Fowler. I presume Mr. Fowler? Just giving us a precis of the changes in that revised technical note? Yeah.

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So there were minimal changes. In terms of that report. What what happened is that we've noticed,

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also helpfully with the discussion with Mr. Watson previously mentioned that the proposed data access diversion that we'd shown in the

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in the previous versions of the report didn't actually match the right of way they came off the access track that we had to the north to the kala Turner compound. So there is the revised report shows the updated sweat paths that connects the existing right of way.

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What is useful to also know is that that hasn't changed any of the findings or conclusions on the suitability of that proposed access option. It has just updated the proposed sweatpants.

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Thank you. So

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just in terms of a more detailed response, I think what we're interested in is, firstly, Mr. Watson's suggestion to limit the size of vehicles, which I think you said considering that well, that's Yeah, you did consider previously, but can you just update us on

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outcomes in a discussion to which Mr. Watson refers on the 15th of May regarding the exclusion of articulated vehicles? So is that is it is there an option? I suppose what we're saying is, is there an option? I've got two more points. Mr. Follow up to this one. Is there an option

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And for limiting the size of vehicles that would enable the non extinguishment of the right of access.

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And then

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the second point is, Mr. Watson has asked about the access arrangements that the undertaker will require for maintenance. So possibly we've covered that earlier, but perhaps you can just cover that again. And then the final points, which is probably optimist attorney,

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is Mr. Watson raises the matters of progress on land masses with Mr. Ingram,

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which in the objections, shedule updated, it says that they're at an advanced stage. But Mr. Watson has a query about the extent of land to be acquired southwest of the Eastern cable seating and compound. So three questions rolled into one. Sorry if that's confusing, but I've got them as bullet points here. So Mr. Fowler, you're probably on first. Before national good. Yes. So we have considered following a meeting with Mr. Watson in terms of the use of agricultural vehicles on the access road. And our conclusions are still on the fact that we do not feel like it's suitable to accommodate agricultural vehicles. So there's still a number of safety concerns. And I think it's also worth pointing out that there is

a maximum of 3.7 meters between the edge of the embankment and the fence line, which it slips off significantly. So there are still significant constraints in and I think it was, it was visible on the site visit that kind of the distance between the edge of the embankment and the slope. So we still feel there isn't enough space to be able to construct a suitable access point in there. And especially with the concerns around safety for the FCC, for the turning circles on any Earth embankments that would be needed to make suitable roads. So our assessment is that it is not suitable for any vehicles to be around there. And there is not space to be able to put that access tracks around in that.

07:05

So that probably is the first point on the second point around the access for the third parties. So it is the proposals that the gas pipeline diversion would be one of the first elements of work so that the diversion could take place in the space where the embankment would eventually fall. So that the, the the excavators that needed to be able to divert that pipeline can sit to the north, in advance of the diversion and creation of the embankments. And in situations moving forward, and we expect that would be very low maintenance requirement for a gas pipeline and in the situation where any repairs or things would have to be suitable temporary work measures would need to be in place to be able to make sure that there is a suitable arrangement to be able to get to that pipeline, this would be in an a very unlikely situation that maintenance is needed on there. And we would deal with that was, let's say was suitable temporary works to make sure that it is safe, effective group, that he was on a small number of occasions over its lifecycle rather than the use of agricultural vehicles or more of a day to day basis.

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I think also, it might be worth to cover them. The last point which is in terms of the landscape, if we had the land plan that we could put on on the screen, which is the area that national grid are looking to

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take us freehold, which is the full parcel there is D 115, which takes the fall of that landholding. And in Mr. Lawson submission that there was a question around how National Grid would look to access that, and that area is currently proposed for planting and for wildflower planting. So it's our proposal is not to take vehicle access around there, and that we can maintain that really on foot. And so that also would all be in our lung tech. So there would be no third party access in there unless specified for the gas pipeline. So hopefully that answers most of those questions. I don't know if Mr. Turney wants to add anything on any of those points. There was that the 115 the plots that you? That's correct. That's the pot that we're looking to take as freehold.

09:19

Oh, sorry. I'm sorry, Andy 119, as well. Oh, yes, of course. Yep.

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Mr. Attorney, was there anything you wanted to add to that? Going back to Mr. Watson in a minute.

09:37

Rich attorney for the applicant, I think as far as explained, all given answers to all your questions about the practicalities of what we're doing that

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I just wanted to pick up. Because I can do so now. I think your query about the consultation report.

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The landowner, who was content was

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Was Mr. Ngam.

10:02

So the right of way runs over his land. So he is the landowner, not the beneficiary of the right of way. So, apologies if that was unclear or though when you read the text that that is responding to it's clear that it's a response to Mr. Ingram, rather than a response to Mr. Watson.

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But that is certainly the position.

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And negotiations are very, very advanced with Mr. Mr. Wrangham and I think there'll be an agreement soon with him.

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Thank you, and we'll just touch on that later. Thank you. Mr. Watson, do you have anything to add? I will respond to what we've heard from the applicant. On those three points in terms of the land and

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the points about the extinguishment of rights and the reasons why.

10:52

Watson

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certainly in the response to Mr. Ingram's concerns, they said they didn't want to or were bothered about pursuing the land to the south, which is D 115. Of the cable ceiling and compound and they were providing access to Mr. Bingham. So they seem to have changed the viewpoint on that.

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Could they explain?

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Mr. Fowler? Is that something for you?

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A rich turning for the applicant? I think that's not the position that we've we've reached with this random identity that reflects

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the current position. So if

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I don't know specifically what Mr. Watson is referring to, but certainly that's what the current position.

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Is there anything further, Mr. Watson, that you wanted to clarification on?

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Sorry, I'm just trying to find out that the piece of but I think I did it in my response is deadline five.

12:01

Was it was it rep 1015 13.5?

12:21

Sorry, so that was a deadline, one submission, was it. I think I've got it down as rep 1015 13.5. And it's where they're responding to Mr. Williams concerns and they said they weren't interested in pursuing

12:38

or we're going to drop that the acquisition of that piece of land. And they were willing to give Mr. Egan access to it. So Mr. Turney, I think this is the applicants response to the relevant rep. For Mr. Ingram. And I'm seem to remember something about Mr. Watson's being

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a rich safety applicant. Yes, I've found it now on page 47. of

13:03

that document.

13:07

The point there is,

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was the national grid agreed not to that they wouldn't need to retain that land. Despite its restricted accessibility, then the landowner might wish to might wish to keep it.

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And but as the negotiations moved on

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with Mr. Wrangham, I'm not entirely sure what relevance it has to Mr. Watson's objection, because the point about the suitability of the land to provide an access is, is the same

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National Grid, someone else

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that it wants. And my point is, they were willing to provide an access point through on that six meter strip. And it didn't have any concerns about it. But they seem to have concerns about me using it. Now that rich save the applicant that that's, that's not correct. So what, just to read it out, it

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made clear that we included all of the land

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to the west of the

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Tadcaster at East cable ceiling and compound due to the restricted access from the retained land on the completion of work. So it was that that was the reason why we included the whole of the land because Mr. Ingram wouldn't be able to get to it.

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And that was what an offer to purchase was made. And then it's explained that should the landowner wish to retain the land despite its restricted accessibility, so even though he won't be able to get a vehicle to it, if he wished to retain it, that that was a proposition that we're willing to countenance but we were proposing to acquire it all because we were land locking it

14:57

I think that's clarified it for me Mr. Watts

15:00

Was that

15:01

helpful to you? So it was awesome. Just to clarify, they are definitely buying that piece of land. Mr. Regan is that

15:12

they go in the in the deal that they've gotten with Mr. Bing and privately.

15:19

That's my understanding, because it's shown for compulsory acquisition on the land plan. Is that right?

15:27

It's in it's in the, in the order for compulsory acquisition, whether the precise terms of the of the arrangements that are being agreed with Mr. Wrangham? I don't know. But more importantly, I'm not going to tell Mr. Watson what they are, because there's a private negotiation going on.

15:49

But you have assured us that negotiations are at a

15:54

final stage? Yes, yes. We expect a complete date. Thank you. Mr. Watson. Is there anything else that you'd like to pick up on this point?

16:06

That it wants some, I haven't been happy with the other excuses.

16:11

The reasons with the gas pipe and the telecommunications mast. And they just seem to be a series of unreasonable excuses to to get rid of the rights of way which they seem to have been determined to do from the from the word go.

16:31

Bye bye, believe the retaining wall could easily be put in.

16:38

A Mr. Fowler or Mr. Mr. Fowler? I expect Do you want to just comment a little on that? I mean, I think we, we did explore the retaining wall question in written questions, I think.

16:54

So we have had quite a detailed response on that.

16:59

The fossil fuel industry? Yes, it is in our response to the CA one here and action points, we've put our point and proposal for wood on the retaining wall, we do not think it's suitable to use the retaining wall in this area, there are a number of different reasons as to why that is not suitable in terms of ground stability, and their installation methods. So I don't I'm not gonna go into too much detail on that. We've set that out quite clearly, in terms of the reasons why that is not feasible. And I think in terms of the other points in suitability, in terms of the constraints, there is a significant number of constraints that make this access unfeasible one being the amount of space available from the term of the embankment to the highway and the slip in there. So because the gas pipeline and telecoms masks are on balance, there's a significant number of constraints in this area, that means that this access is not feasible and that we are not proposing to divert the access.

17:56

Yeah, anything else on to that, but that's our position on it.

18:02

Watson, did not the gas company asked for a six meter strip to be made available?

18:11

And you've said it's only 3.7 meters? Is that right? Steve fires? Great. That's correct. There's only 3.7 meters we're in discussions with the gas companies around what easement they would require for the diversion of the pipeline and negotiations with them advanced as well.

18:29

It's true in in the first instance, they're looking for six meter easement, but we're having specific discussions with them around the space available in this constrained area.

18:43

Mr. Watson, is there anything further? Can I ask?

18:48

The distance from the edge of the ceiling and compound to the boundary? How big a space is that?

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Steep forest character clarify you mean from the fence line? Or would you would from the embankment of the earthworks from the fence line to the actual edge of the cable ceiling and compound? How much area? What distance is that? That's not something I'm gonna be able to give you an answer to now that we'll have to take away and measure the only distance that I've got is from the earthworks to the to the fence slide. So apologies. We'll come back to you on that one. Okay. So perhaps we could all see the answer to that. So if that could be submitted at deadline six, but obviously, I'm sure there'll be discussions between parties separate to what happens in this hearing. And Mr. Turney did you want to come in on that? I was just going to offer that that will we'll put it in a deadline six. Thank you.

19:49

Anything further Mr. Watson?

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Watson, the

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they obviously want to put the cables ceiling and compound as close as possible to the pylon and

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They can do it here, but they can't do it on my piece of land. I thought,

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Well, I think we heard from Mr. Fowler earlier that from an engineering point of view,

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this arrangement of the East cable ceiling and compound is is not the preferred one. But for technical reasons, though, Mr. Fowler if you if you want to pray see what you told us earlier.

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Steve Hall and Asha grid sets National Grid specifications is to only use Angkor Wat solutions in situations where there is no space, there is significant space constraints and that a typical gantry is not able to be accommodated, which is a situation we've got in this area because of the space constraints are there 64 anchor blocks allow for maintenance issues in terms of the fact that the anchor bolts come to the floor and that the strings and the insulators can move and could cause issues with maintenance when you've got mobile Alpha IP platform. So there are specific maintenance issues that arise like what solutions that you would not put them in in the in the situation where there are no constraints like the Tadcaster, West cable CNN compound is only in situations where there are significant space constraints that we would consider Angkor Wat solution.

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Mr. Fowler, can I just follow up on that one? Where do you have?

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Where I suppose I'm just wondering is do you have you preferred sort of your standard approach being that that would be the case where you'd only use anchor box solutions where there's space constraints? Is that written down in your kind of

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operating principles somewhere? Is that you say you talk about your net. And that's that'd be the national grid approach? Where could we find that as your standard national good approach? There is a technical specification that sets that out. So that's something that we can look at. And if we can, we will submit to the application to the examination. I think that would be helpful. Thank you. Given that this is a matter in contention, it may be that it's already referred to in the documents, but maybe if you just signpost us to that be helpful.

22:13

Thank you.

22:17

Mr. Watson, is there anything further on on this? So I was going to move on to the access of the 659. But if the if there's anything further you want to any further points you want to make? With regards to the extinguishing of rights then please do so.

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But at Watson, I mean, there won't be some, what vehicle? Could you get through that? Because you will need to get the vehicle through there, even if it's just for the gas company to get through? So what could we get through there?

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The follow up national grid, so we're not proposing to put any vehicles through there. And we're not proposing to put a track in that in the instance that that gas company would need to go in there and do any repairs on that, then suitable temporary arrangements would need to be put in place. But this is on an occasion where it'd be a one off basis. And that we'd have to sort of works would be to accommodate that in any sort of day to day instances. We are not proposing to put a any track to accommodate vehicles through there because we do not believe there's enough space, and that the seriously safety concerns.

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So that it would only be in that situation.

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Pivot Watson, would you be able to get a Landrover down there? I mean, obviously, it's not wider than 3.7 meters.

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Steve is good.

23:36

It's not so much. The fact that there's the 3.7 meters, it's on a serious slope as well. So we have safety concerns around it. So it's not just the fact that there is no space cost, space constraint, there's safety constraints as well, on the slope in London, it's down towards the Essex before

23:52

it Watson. Most roads have to have to have a camber of at least two and a half percent.

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This is we're talking about 6%. Fall. I don't see that as any concern at all.

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Mr. Attorney,

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bridge attorney for the applicant, I just want to make clear to the to the examination that

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we do not consider that these works again to be appropriate for the technical reasons that Mr. Fowler has explained. But there's a further layer to this, which is that we don't even necessary to accommodate Mr. Watson's farming practices anyway. So

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this sort of exploration as to whether

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a particular person could find a way to get around it is rather missing the point we're not proposing to create a new right of way on third party land. For the purposes of accommodating Mr. Watson. He's got a perfectly satisfactory means of access to his land.

25:00

And he doesn't need this to serve his farming operation so far as we can see, if contrary to that view, there is an impact on his farming operations, then he will be compensated for that.

25:15

I just I just say that because I want to make clear that we're not going to be proposing a track for the technical reasons that Mr. Fowler makes But moreover, National Grid's not going to be proposing a legal rights of way the creation of a legal rights of way, because there isn't a need for it.

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Thank you, Mr. Attorney.

25:36

Mr. Watson.

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If you want to respond to that, then please do so. Philip Watson, I think we have heard your points

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about the impact on your farm. Yeah, yeah. So you want to move on. So I'll leave it. Thank you. So what I'm hoping to do before one o'clock so that Miss Miss Johnson is with us is going through just one more, or two more points with Mr. Watson. And then we'll move on to the to

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landowners that Mr. Johnson's is representing that we haven't heard from already. So just on the access of the ace 659.

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Mr. Watson makes various points in his

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deadline five submission. And there's just a couple that we'd value the applicants views on so

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that the point about the access

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being in the ownership of National Grid, and whether Mr. Watson could retain ownership of the entrance with rights for the Undertaker, and that is sort of linked to the issues that Mr. Watson has described to us with regards to fly tipping and his potential inability to get

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from the road onto his land because of lorries parking in the in the access overnight, etc. So could we just have a response on that, please?

27:12

The follow national grid. So in terms of the access and the issues around parking, and fly tipping, that is also going to be a problem for national grid, we will need unrestricted access to the cable CNN at all times to operate and maintain that. So there will need to be a solution, that means that we can have unrestricted access. That's the point that we were wanting to engage with Mr. Watson, and seeing what a suitable solution that could be that could work for both parties so that Mr. Watson can maintain his unrestricted access. So that National Grid committee now Institute's access to maintain and operate the keel sealing compound.

27:47

So if you've got any bright ideas from other projects that you could suggest, that's something that we will need to take away and come back with that. But in all situations and circumstances, there's different factors that kind of feed into this term, depending on the circumstances of that individual location.

28:07

But that's something that we were looking at in detail in the detailed design stage and would welcome Mr. Watson's cooperation and feedback in terms of what would work and what would be suitable so that he can maintain his farm operations.

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So did you say there's some discussions going on at the moment? Or are you saying that that will be left until detailed design? We're looking to have those discussions and as the meeting that we had in April, there was an action on Mr. Watson to kind of consider what options that would be feasible or work from? We're still waiting feedback on that. So we're, we're looking to have these discussions now and not wait. So detailed design stage.

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I think in terms of sort of action from us, then I appreciate that, you know, deadline six is quite close. And those discussions might not take place in the next

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seven or eight days. But if we could have an update on that point, at whichever deadline, it is, you're able to give it to us. So preferably seven, if you can't achieve six. Mr. Watson, do you have any points that you'd like to make further with regards to the the axis of the a 659?

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I don't know if I said it in my deadline by

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response, but it does get very busy do 659 And they will,

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because it'd be a wall that feeds onto the A 64 vs 64 is blocked all the traffic comes from you a 659. And it can get particularly busy if not gridlocked. And it's very difficult to get to the field

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because of that,

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so I wouldn't need builders any extra access, which I'm proposing to extinguish

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ICT that the solutions that they've come up with I think so far have been to put signs up and maybe putting CCTV but I don't see

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then how that would work. People who want to commit crimes tend not to look at signs telling them they're going to be prosecuted and who's going to maintain the CCTV.

30:11

They said, I was, I should come up with some ideas. The only usual one is what farmers using top boulders in the in the gateway to just stop people getting in. And that seems to be the most effective way.

30:26

Well, as you've heard, we've asked Mr. filer to give some consideration to that, and hopefully that in discussion with yourself, we can have something submitted with regards to suggestions for that.

30:43

Estimate board question, if the track could be reduced to four meters rather than seven meters? does? Does that have any implications for the size of the bell mouth?

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Steve, our national grid, yeah, that they'll be suited suitably sized to the permanent access truck.

31:06

So could that help, at least in some way to address Mr. Watson's concerns about the ultimate size of that that sort of area off the side gay 659. Mr. Watson?

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Philip Watson,

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it might help would would National Grid be able to put in an access point somewhere else and just leave my meter my own devices on the current axis I've got?

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As in go off the

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Samsung missile brewery field and in that corner. Mr. Turney, would you like to respond to that we've I know we've considered some of these matters earlier in the examination, reach 10. If the applicant Nope, we're not proposing a change in terms of where the access is, it makes more sense to use the single point of access. I think the issues that have been described, as we've already said, sort of in common between Mr. Watson and national grid. So we will want to ensure that there is a clear access

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as well, he and we'll have a common interest in in making sure that works in practice.

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Thank you. So we hope to receive some further suggestions rather than details on that at one of the next deadlines.

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So I've got one further point for you, Mr. Watson, which

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I think you will need to take away because I imagine you haven't read all of national grids, detailed documents, but there is in the response to your initial relevant rep, there was quite a heavy reliance on the description of the agricultural liaison officer. So this is somebody that will be appointed by the contractor. And he or she would be your point of contact when there were any issues or problems. So you know that the source of access problems you're talking about, then

33:01

this would be the person who would be the point of contact. And in previous hearings, we've asked National Grid, or we've asked the applicant to just detail more about the role description of that person, are all people. And that's now found in the code of construction practice. It's easiest to find it in the track changed version, which is rep five, dash O one, seven, and it's pages 12 and 13.

33:29

And in that there's also a reference to the role with regards to soils ie things like compaction and such like, and that's in the outline soil management plan, which is rep two. Oh, 23. So I'm, we're we're asking all landowners not who are have objections outstanding to comment on this, though. It's something that we're asking, well, we

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abandon landowners to look at so if you had any comments on the way that description is written, then if we could have those at deadline six, because we will be discussing that role later this afternoon. And we'll probably also be touching on it tomorrow, but we won't be making any final suggestions or discussions with national with the applicants until after we've seen points from landowners. So that was just our final point.

34:26

Unless there's any further points that you would like to make Mr. Watson, I've been in Watson, no need to read that. Back to you. But thank you so much for your time. And you've Of course, welcome to stay but I appreciate you've got other things to do this afternoon. So I'm just checking with my colleagues.

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Yes. So

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we're going to move on now to the clients that Mr. Johnson is representing. So thank you for your time.

34:59

Awesome

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blacks

35:05

they miss Johnson

35:12

so i We've I think we've touched on everything with regards to Mr. Bell unless you have any further points to make. Um,

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so I think we can. Did you have a further point with regards to Mr. Bell? Just a minor one a clarification. I think there was some confusion, although it's not, as was said to be covered by the inquiry of Acropolis I was referring to as having been assaulted. 23 numbers 22 harvest was all sorted. It's the 23 harvest crop loss I was referring to just as a point of clarification. Okay. Thank you.

35:46

Um, but other than that, yes, I think I think the only other thing I would note, and this is in common with one or two is that the solicitors that my clients have instructed, certainly as regards, Mr. Bell, and also Mr. Elliott, have not had any contact from the solicitor's for National Grid. I believe we're still even waiting on Mr. Bell, the undertakings in relation to fees, although the terms of service have been popping toward us.

36:19

So thank you. So I'm not going to ask Mr. Turney to respond to that. I think there was discussion earlier about who needs to take action where but I think Mr. Turney or whoever it's the applicants, then just to chase up with Miss Miss Johnson or chase up with Mr. Elliot and Mr. Bell solicitors were

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sorry, I've got a fly flying around here where the

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progress is happening. So should we move on to Mr. blacker and blacker? And, Mr. I'm just going to hand over to Mr. Jones here, because there's just a couple of questions on the agricultural aspects.

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Thank you. Thank you, Miss Coombs.

37:14

Just get to my point in the notes.

37:17

Okay. Thank you. I don't know if we've managed to get Ms. blacker.

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online now, but if not, Miss Johnston, if you can take the questions on Miss blockers, and obviously Mr. Blockers behalf.

37:32

In your deadline five submission, which is rep 5109. You raised a number of issues regarding the locations of pylons, SP, double O five and double O six.

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Is there anything that you'd like to expand on arising from your deadline five submission?

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Basically, what happened at the meeting we had two weeks ago 20 nights, so to do.

37:58

It was arranged that the location is at the pile on reportedly pegged out so that David blacker could have a look at practicalities of issues, they have been pegged out, he has had a look, a number of points to have actually raised within the response. We were hoping that we were going to have a meeting yesterday. But unfortunately Wisata wasn't well. So it was it was hoping that we could try and get something moved forward for this. But otherwise, we will try to have that meeting to explore what the possibilities are.

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either later this week or early next, it would be certainly our preference to try and get something sorted before deadline six. So we can see how these things would lie. It's in brief as been set out. It's very similar to the situation that

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that we've heard in relation to Tadcaster.

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The difficulties of working your way around pylons, additional compaction areas that you can't get a spray at or both of the pylons are located approximately 14 meters from the edge of the field spreads 24 meters wide.

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I'd left it in discussions with David Black, he was going to try and see what would be a least worst option because he was thinking well, could it go for him in the fields? Could it go back out to the field within the realms tolerance that there are

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but but it was it had to wait in the site meeting to get that level of detail and discussion with the C file to actually

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say Miss Johnson? Can I just clarify so the limits of deviation were going to be pegged out? Is that correct? The footprint of the pylons SPO, five and six were to be pegged out.

39:42

Okay, thank you.

39:45

Mr. Fowler, perhaps you can just confirm that because obviously the footprint can move.

39:52

As we know within the limits of deviation I know the limits are constrained a bit there but has the pegging out

39:59

show

40:00

In the limits of deviation that are available there.

40:04

The following is good enough. So the pigging out was just put the shirt in the positions as currently shown on the worst buttons, not the limited deviation.

40:14

Obviously, the pylon can move within the limits of deviation. So it's not practical to put, put it in a position that he could move it in there, because there's obviously a number of areas that he can move. There's a lot of constraints in this area. So that that some consideration of this in terms of the location or SB six,

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I think there is potential that movement could occur in these pylons to accommodate some movement to allow the spreads. But the what we're at is the fact that it is so constrained that we need the detail designed by the contractor board to be able to look at this, how they would construct it, and then they can then look at the movement of these pylons within the limits of deviation, so accommodate or unknown requests, something that we think that is achievable and should be able to be accommodated. But as I said, because of the constraints, in theory, I would need the contracts on board to be able to confirm that.

41:09

Mr. Failure, is that something that's likely to occur during the course of this examination, would that be post examination? See if that would be post examination that we would be looking at that we do that once we have a contractor on board, that these movements would be in line with the limits deviation that we've set out and so far in this examination.

41:31

So sorry, Mr. Foster, just during the examination, and what stage do you think we're going to be able to be at is regards to the potential for any movement to try to accommodate Mr. and Miss Black as

41:48

farming preferences? Where do you think we're likely to be by the close of examination if we won't have detailed design? I think, on that point that we will not propose to move the locations of the pylons during the examination. So we propose to keep them as is, and what our preference would be was to continue the discussions with Miss Johnson and her client in terms of what's flexible, and what can be achieved. It's something that we can look at. But we're not proposing to move the pylons away. It's something that we would have to deal with outside of the examination at the detailed design stage. It's not something that we're able to commit to at the moment, but it's something that we are committed to discussion and hopefully coming to an arrangement and a suitable practice for everybody in this location.

42:34

Okay, can I just do you mind if I just ask Mr. Turney a point as to whether there's any way that we could secure commitment to that ongoing liaison in the development consent order.

42:52

Richard any for the applicant? I don't think we'd suggest that it is something that should be reflected in the development consent order itself. Obviously, one of the consequences of having limits of deviation is that we will take only the land that we require within those limits.

43:12

And

43:14

we obviously, in various locations, will have a process of micro siting through the design process.

43:23

I think if it was necessary to reflect

43:29

the the sort of commitment to negotiate with the landowner, then that probably would line the clcp If, if anywhere, rather than on the face of the order.

43:41

I think the other points, first of all, is when we think there, there's the ability to continue to have access to the relevant parts of the field in any event,

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regardless of the micro siting, discussion,

44:00

and then I think the final point is that obviously, if there is a restriction on access as a consequence of the siting of the pylon, then that would sound in compensation so far as it resulted in the value of the land diminishing.

44:14

So we certainly were willing to say to the governing authority, we'll continue to have those discussions. I don't think you should say it on the face the order, but if it needed to be reflected in in language, and they cotpa Perhaps it could be

44:29

and certainly we

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think we can, you know, we would intend to maintain those discussions as the detailed design comes forward.

44:41

And ultimately, if it's not by

44:45

accommodating enough or the for the Black has concerns then that that becomes a head of compensation.

44:57

Sorry, I interrupted Mr. Jones, back back to you that

45:00

Okay, thank you, Miss Coombs. Okay, thank you, Mr. Turney. Miss Johnston. Obviously you you you've heard what Mr. Mr. Farmer and Mr. Attorney have said. And also, before you respond on that, can you also

45:16

comment on this issue of loss of even if you can access the land, this issue of loss of yield and the additional time, so the economic and operational implications of that we've heard from Mr. Watson that, you know, of his estimate of the, I suppose economic costs of having to

45:35

turn turn Roundup? Uh, well, in that case of cable signaling and compound, in this case, a pylon? And so the additional time and the soil compaction, etc. Would those estimates be something you would concur with? And also, as I said, if you'd like to comment on anything you've just heard about, you know, potentially there being some room to accommodate

45:57

some change within the limits of deviation, you know, once the detailed design is known?

46:04

Thank you. Yes. Well,

46:07

the reason for the meeting was to explore what the possibilities are, I recognize obviously, that we wouldn't necessarily get a firm commitment, but what we would gain would be potentially ruling out some options, that wouldn't be possible. I mean, fundamentally, we're not trying to throw the lying Off, off kilter at all, I suppose. The nearest

46:35

I suppose analogy might be moving beads up and down an abacus.

46:39

The pylon can be a little bit further, there can be a little bit further there is obviously tolerances. We're not trying to move it any closer to the railway, for example, because there are, as I mentioned, very serious constraints. And that's not what we're suggesting at all. It's fundamentally if you can just shift, for example, and I'm not sure until I actually meet with Mr. Barker, again, whether whether it would be

preferable, but as an example sbw five move at 10 meters further north away from the access track. So there's 24 meter gap between the two,

47:14

envisaging from the non technical point of view that the standards aren't going to be massively varied, it won't be any close to the railway line.

47:24

From our perspective, how big a problem would that be? That's really what the site meeting was to explore. If there's a fundamental issue, that we haven't taken into account, though, it can't be because of this, then, you know, fair enough, but we're just trying to minimize, as is our duty to mitigate losses.

47:42

The other pile on

47:46

SP double O six, again, something that hadn't occurred until the footprint had been seen on the ground, picked out a week and a half ago.

47:57

That actually, in order to get round it more controversially, bring that pylon further south, rather than further up the neck so that you can get around it and up the neck 24 meters away from away from that. So it's it's if that, because that's not actually been looked at before, and that's what the site meeting would have would have helped to see. Well, is that something that fundamentally means that that couldn't happen? And then if that was further south against something that hadn't occurred before?

48:24

That would be then closer to pylon seven, which is the original corner pile on the last one that's being retained? Actually, the scheme does go down to pile on eight, that's also on black as land on the south side. Could we get rid of seven and just go straight from six to eight? Eight will be the corner pylon? What do we still be one corner piled on? You're not gaining any corner pylons? Is there something? Is there something that actually practically could happen? That hasn't actually been thought of? Because we've been focused on could that pile on six go as far up the neck as possible to maximize the land that was available from the field. So it's, I realize it's quite a late stage for that concept to be introduced. But yes, if there's if there's an engineering problem, that means that it's absolute non starter, then that's really what we need to hear.

49:13

I think to an extent because the line is no longer at pylon seven going to be doing it virtually 90 degrees, it the whole line becomes a more straight thing. It has a lot more emphasis been placed on the retention of pylon seven than is actually necessary, particularly given the constraints that have been highlighted about the issues with its foundations and the rather technical that you know, oh my hands I'm no expert about whether they're pushed tensions you know, all the different tensions that the foundations have been built to deal with arms

49:47

for the line that it will be going on and that span links are being reduced or played around with the fact that in will get rid of that pylon move Six South, make eight the change or six to change the bend whichever way works to keep it

50:00

do well to the railway. And then we still only got one pylon in that field, and also striped lane. So that's why we wanted to have a slight meeting. Just to try it with an engineer, we know that obviously it's the finest detail of the variations are going to be when when when people get going. But this is an opportunity now to try and work around the framework of the detail or becoming later.

50:26

So that was that bit.

50:28

As regards losses, yes, me when Mr. Watson was saying what he was saying it very much mirrored what I've actually put in the epi having discussions with with Mr. Blah.

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Just giving the detail additional time and fuel for every farming operation, cultivation is drilling fertilizer spreading, spraying, combining going around the pylon to pylons in that field.

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SP six and seven is just going to make matters, you know, it's going to exacerbate matters as it stands already that the lands to the east of pylons seven had been

51:05

sort of is used less is generally not been in as much production because of the difficulties there. And it just you start to look at your time you take off the side and then take off the north side, you know, you start to look at really the viability of working around two pylons in a field that's that's getting increasingly small.

51:25

compaction, yes, exactly reduces the reduces the yields, it was like and pretty much to the difference between just farming in a straightforward fashion and the level of yield yield curve of a headland which basically has exactly the same issues with compaction, because it's the area that you turn on each side. Each side as you as you as you, as you farm.

51:49

As I say most of it was set out within my my response on on those on those matters. I'm happy to comment further if if needs.

51:58

It was really just to try and put some ideas put try and put an estimate of a figure in terms of the additional time in the

52:07

company compaction in terms of what would that mean in economic terms?

52:15

Which is a difficult question.

52:17

It was in the response. I mean, the work rates the work rate for drilling for example, it gives me a figure of what his work right with beats per hour. And that

52:29

would be the day you go Yeah, the normal work right would be five hectares an hour for drilling, which was reduced to naught point four per hour.

52:36

Yeah.

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But

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so if you're worried, you're worried about what somebody's going to be paid. So you start looking at hourly rates, if you're paying a contract to do it, then you're going to be paying him more, because he's taking more hours to do it. If you're doing it yourself, then he's taking more time out of your day, it's taking you longer to do the work there than it is elsewhere. The issues of of trying to work out what the least worst option would be in relation to the level you can't spray with it becoming a complete weed fest, not to put too fine a point on it.

53:09

So it was grass that causes problems, I can get caught up in the combine.

53:14

Keeping cropping it is the least worst option and you just have to deal with the extra costs and and everything else that that that runs with, I accept any losses are to be compensated.

53:27

I can't really sort of sit and say right now, in quantifiable terms other than give you an idea of well, that's the difference in work rates. That's the difference in yields. Anything else is going to depend on what the crop is what the what the price happens to be at any particular harvest in any particular year. Given that just just off the Black Sea again, I suspect it's going to get rather expensive very shortly.

53:49

Okay, thank you. Miss Johnson, I think we've taken that about as far as we could. And obviously, I was just trying to get you to expand on some of the comments that I've already read in rep. 5109. But I do appreciate that, as Miss Kim said, we don't actually get into the you know, the finer details of compensation anyways, the examining authority. There clearly that would be discussions for you to have, you know, with the applicants land agent should should the order be made? Okay, just I think before we move off this, just revert to Mr. Fowler, I presume and on behalf of the applicant, is there anything you wish to say particularly focused on this issue of the potential for removing one of the one of the pylons? Yes, Stefan Ashok great. So I think it's worth mentioning that the microsite in SP five and SP six, around the limits of deviation is certainly something that we'd like to sit down and have the discussions around, and something that we can accommodate within those limits of deviation subject to the technical kind of study on that in terms of removing SP seven and the use of X SP eight. I think that's not going to be feasible. SBA is a suspension tower. It would then not be able to accommodate an angle so

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or it would then need a replacement tower in that situation and a significant temporary diversion in order to construct that, that temporary diversion would also have to connect into SB nine, which is upside in his further Downing. So, to add to that, it's not something I can give a definitive answer on this one, but just looking at the distances. So when we design the pylons, there is something that we need to design to, which is the max sum of adjacent spans, which is the design specification for the pylons at which the distance of the two adjacent spans so say, SP five to six, and SP six to do in this instance, eight have to be within. And I think looking at those distances, removing that pisp Seven would mean that the maximum of adjacent spines would be exceeded in this instance, and that the pilot would not be capable of spanning that distance between there with the removal of SB seven. That's something that we would need to look at separately, but just on the initial assessment. Now, I don't think that is feasible. And then obviously, coupled with the fact that SBA would need to be replaced as it is a suspension tower. So I think that we are open and able to look at the movement of SB six and seven, sorry, SB six and five within the lives of deviation in terms of what we could potentially do. However, the removal of SB seven is not something that we would be able to feasibly consider at this point.

56:24

Thank you, Mr. Fire. I don't have any further questions. Just before we move off the topic. I just wondered if last chance to say anything to work Miss Johnston.

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Now, though, I did see that this is blackout had been

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on and whether or not she wishes to say anything.

56:47

Don't emit Ms. Black. Do you wish to comment on anything you've heard?

56:52

On this matter?

56:54

Yes, I agree with everything Mrs. Johnson said today. Just for clarity. If you refer to us, I'm Mrs. Baca senior. And Mr. Blacker is Jr. We're not Mr. and Mrs. Mother and daughter, her mother and son.

57:11

Just to clarify, from your point of view, I agree with all the points that Mrs. Johnson has made.

57:19

And it is extremely frustrating. And totally an economical to have all those pylons in such a small field in great, great proximity. When I would like to hear a contractor's view, whether one could be removed or knocked, as Mr. Fowler seems to refer to contractors opinions.

57:42

And I know looking at the lengths of some of the others, it does look as if it was possible on the span available.

57:54

Thank you Mrs. Blacker.

57:57

I don't think I need to hear anything more on that. Miss Combs. Is there anything you wish to hear on that before I returned to you? I think I'll just make a couple of points. I think we heard from Miss Johnson, saying that she was keen that the site meeting could take place in the next few days in order to be able to submit something at deadline six. So we would just urge that if Mr. Blacker is

58:24

is well enough, then if that could take place because obviously from our point of view, receiving something at deadline six, with regards to whether or not the any of the movements would be physically possible, that that would be helpful. And I think Mr. Turney

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to me, this just feels like, you know, one of those places where,

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you know, we've always known from the outset that there was quite a lot going on with a lot of constraints. I'm the sort of

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the difficulties, the recipes are a 07. And so I'm I think we would like to see some wording in the COC EP that isn't, it's just a commitment to working

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closely with the landowner with this connection, because the message I'm getting quite strongly from Miss Johnson is that, yes, compensation is there, but actually what

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Mr. Blacker and Mrs. Blacker senior, really want us to be able to continue to farm as much of their land as possible. So with that objective, if there's shifting that is possible within the limits of deviation, then we'd like to see

59:44

a sort of assuredness that that discussion would go on the latest stage, which we understand it needs to be at later stage when the contract is on board.

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Rich said if the applicant Thank you, we've taken a note of that and we'll look at whether there's wording for the COC

1:00:00

up that we can propose. Certainly that's also our objective because of course, there's a National Grid's interest and minimize the compensation payable. So it's got no interest in disturbing the farming operation more than it needs to. So we'll we'll take that away. And and I think there's already behind the scenes, trying to get new dates the meeting, which will, obviously well, I hope we'll take things further forward.

1:00:25

Okay, thank you very much for that.

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And

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so I think now Miss Johnson, if we could just move on to your wrap with regards to Mr. Elliot.

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And I wasn't quite clear from the deadline for submission, what the position is now I'm very aware of the what the point he made and his relevant rapid RR zero 42 regarding access, not going through the standing. So perhaps you could just enlighten us on the position with regards to Mr. Elliott's perspective.

1:01:03

Basically, since the last meeting, I had a we had with Duncan Clark, we are aware that as it goes through the access to the setting up on London by Mr. Elliot, as it proceeds further east towards the pylon, it then crosses land to which he is a tenant.

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My understanding is that there was going to be a meeting with the landlord to ensure that he was also on board with the route remaining straight from the highway and down

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the side of the head, rather than turning a corner and going around the building and across the yard. That's a housing cattle. So we don't know where that's got to from there.

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So realistically, we are waiting to hear whether that has also been agreed by the landlord. And is that now something that we are going to proceed with? So I'm I can't enlighten you as to what the exposition is. I spoke to him this morning, when he last spoke to his solicitor, she had not heard anything further from the solicitors on that. So we don't know where we are on the ability to move up access if there's development of the art in the future. And then the final one was in regards to Northern power grid section where for some undergrounding works to be done, and we had said that, rather than just the bare minimum, which would leave extra poles in the middle of fields, could they not underground it from the highway down to, if not the other road to the far end, at least to a boundary an old boundary that okay, isn't a boundary now, but is easier to farm around from a practical point of view? To which reply was it? In effect, it's down to Northern power grid, but national grid of quite happy and we're going to have a meeting with them. Now, I don't think that I think there was going to be a meeting and he got called off. But again, we are waiting feedback as to what the situation is we can't do anything further other than wait for the answers.

1:03:07

So Mr. Attorney, I think that's two points to pick up on both of which I think we'd have discussed at the previous ca hearing,

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Reg attorney for the applicant. So the first point about the rerouting were contempt for that. But as Mr. Johnson emphasizes, it's dependent on landlord's consent as well. And

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we understood that the landlord was content or at least through their agent content in principle, but we're awaiting their confirmation

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that that's the case. So so we and

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Mr. Alia to a dependent on the landlord agreeing to that, but if it is agreed, then that is the solution that's satisfactory to us. The semi tries get that agreement by deadlines. Six, do you think please?

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We will keep drawing, we will keep trying. It's outside our hands

1:04:02

in terms of relying on the landlord there to respond with agreement, but we are trying to get that over the line.

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The second point is about the extent of undergrounding. The northern power grid undergrounding. We have I think, as we previously explained, only taken the powers to do them what we need to do to get the

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line out of our way. So and that's appropriate and proportionate. We shouldn't be trying to do more than we need to do to accommodate the project. However, I think as Mr. Johnston explains,

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there is in northern power grids, consideration of how they carry out those works. They can do more undergrounding there certainly we see logic in what's being proposed by the landowner. And I think that's now a

1:05:00

effectively a point between Northern power grid and the landowner, which is a discussion which we've been able to or at least we will be able to facilitate. So

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the point is understood, but the order powers are limited to what we need.

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The practicalities of whether further undergrounding is carried out is for NPG together with the landowner.

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Thank you. That's helpful. And we understand that in terms of the compulsory acquisition regs that you and we are needed to abide by. So I hope that's helpful, Miss Johnson, but I think that's, I think we can all see the logic of it. But I don't think we, as the examining authority can do anything other than hope that there's agreement from Northern Powergrid. I'm so I've just got one. It's, I know, it's one o'clock, and I'm going to close for will adjourn for lunch very quickly, very soon. But just one final point, Miss Johnston.

1:06:06

The question that I put to Mr. Watson about responding to the agricultural liaison officer,

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role description, that that really is a question for all of the affected parties in terms of landowners. So

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I, would it be helpful if I go back and give you the references? Or did you make a note of them? I made a note of them that you moved on to me so fast, I couldn't find them. Okay. Oh,

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no, no, I haven't. In writing that deadline. Six is fine. for that. So if we could just hear, because again, for I think both Mr. Bell and Mr. Elliott, then there was reliance on that role in terms of

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mitigating construction stage effects. And that's what we're just wanting to satisfy ourselves that the role description that there is going to meet the needs of the people that he or she is going to be serving. It's also going to apply to my two clients whose objections we went through on the basis that there would be an appropriate person in place. Absolutely. The role is absolutely critical. I shall I shall read it with interest. Right. Okay. Thank you. So unless there's any further points, Mr. Turner, you've got your hand up

1:07:26

originally for the applicant? Could I just raise I wrote to the case officer earlier, but at the outset, There was reference to a representation that national, the ng t, the gas transmission company had sent to the XA. Today in lieu of their attendance. Would it be possible for that to be distributed outside of the normal course of events? I think it's it's being processed, but it would be good if we could consider it before. We are being asked to respond to it, if at all possible, but but I think that requires your approval, to ask for it to be sent on. We're going to read it out under the relevant agenda item when we come to statutory undertakers, and it will be posted on the website at the end of this hearing. But we have to be fair to all parties.

1:08:22

So with that, I'm we'll adjourn for lunch, and we'll take just less than an hour. So if we can be back at two o'clock.

1:08:31

And thank you for your contribution Miss Johnson.

1:08:34

Thank you. Thanks for fitting me in before lunch.