

# TRANSCRIPT\_HYNET\_PRELIM\_ENGLISH\_2 0032023

00:09

It is now 10 o'clock and the time for this meeting, it's time for this meeting of the Hynet co2 pipeline national infrastructure project. To begin, I would like to welcome you all to this preliminary meeting, which is now open. Before the examining authority introduces itself, I would like to deal with a few preliminary matters. Can I check with the case team that you can hear me? The meeting recording and live streaming of this event has started please?

00:36

Yes, sir, we'll get to go.

00:40

Thank you very much. With regard to introductions, I'm Christopher Butler. I was appointed on the 17th of January 2023, under Section 65 of the Planning Act 2008. Under delegated authority from the Secretary of State as lead panel member to examine this application, I am a chartered member of the royal Town Planning Institute and have academic qualifications in Town and Country Planning. I have made a declaration of interest responding to the planning inspectorates conflict of interest policy and can confirm that I have no declarable interest in relation to this appointment. I'm now going to ask my fellow panel member who is also a planning inspector and appointed by the Secretary of State to examine this application to introduce himself.

01:19

Mr. Shrigley, thank you,. Good morning. My name is Matthew Shrigley.

01:26

I've

01:29

I was appointed on the 17th of January 2023. As a panel member to examine this application, the appointment was made under Section 65 of the Planning Act 2008 as delegated by the Secretary of State, I am a town planner and a full chartered member of the Town Planning Institute.

01:50

I have made a declaration of interest responding to the planning Inspectorate conflict of interest policy and I can confirm that I have no declarable interests in relation to this appointment.

02:02

Together we constitute the examining authority for this application and we will be reporting to the Secretary of State for energy security and net zero with a recommendation as to whether the development consent order should be made.

02:14

Can I also introduce my planning Inspectorate colleagues working with me on this examination, some of whom you will have already spoken to take Stevens who is the case manager leading the planning spectrix case team for this application. He is accompanied by Catherine alone and Jenny savage the project case officers, a technician from production 78 is also in attendance solely for the purpose of managing the recording and the live streamed at the meeting. In addition, there is a translator from Chi Minh translation in attendance for the purposes of translation from Welsh to English and vice versa. I would also add that other colleagues from the planning Inspectorate may join us in this preliminary meeting as observers. This is purely as part of the inspectorates commitment to continuing professional development. The preliminary meeting is taking place virtually online, but the format content and procedures will be very similar to traditional face to face preliminary meetings that have been held for previous development consent order examinations.

03:10

However, I am conscious of video fatigue conferencing fatigue, and I am I aim to keep the proceedings as focused and as efficient as possible. To assist this I issued Annex B to my rule six letter the 26th Sorry 20th of February 2023. And this sets out the introductions to the preliminary meeting process. I trust that you've all read this in advance as I will only provide a brief summary of the key points in this meeting this morning.

03:36

We will be examining application number e n 070007, which is for the order for development consent for the high net co2 pipeline and national infrastructure national infrastructure project. The application has been made by liberal base CCS limited. You will find information about the application in the documents produced for this examination on the planning of spreadsheets national infrastructure website. This website has a landing page for this project and further pages set out the examination procedure, the timetable the relevant representations and examination documents. My rule six letter of the 20th of February 2023 includes the web address, you are encouraged to take a look at the website if you have not already done so because the examining authority will be using this to communicate with you and to provide access to documents throughout the examination. I'd now briefly like to speak about today's meeting. Firstly, I would like to address language. We recognize that this national infrastructure submission is a cross border proposal affecting both Wales and England. As such, we aim to make this meeting and subsequent examinations as open and inclusive as possible. We have translated we have translation facilities available at this meeting and they will also be available for all subsequent hearings. In terms of this virtual meeting you will have seen from the joining instructions that there was a choice of channels in relation to this team's meeting. One Channel accommodates for those wishing to speak and participate in well

05:00

And the other channel accommodates for those wishing to speak and participate in English. Those speaking in Welsh or English when using the correct channels will have their words translated into the other channel so that you can participate and be understood and understand what others are saying. Joining instructions also advise those members wishing to take those people wishing to take part by telephone, that simultaneous translation is also available for those wishing to take part using that method.

05:28

Should you experience any issue regarding translation methods being provided, I would ask you to speak to the case team in the first instance, who will endeavor to resolve the issue with you.

05:37

You will have also seen that all of the documents issued by ourselves are being published in both Welsh and English and this will continue throughout the examination. Mr. Stevens, the case manager here today can speak Welsh. The rest of us on the panel will endeavor to pronounce places and names correctly. And I'd like to apologize in advance for any mistakes that we do make. But please feel free to point any mistakes out to us if and when we do make them. We welcome contributions in both English and Welsh. And with this in mind, is there anybody here today that would wish to speak in Welsh? If you could use the hands up function, please? Or if you're participating by telephone, if you could say your name?

06:23

I'm getting no indication. So I'm going to continue.

06:26

Thank you. Of course, if there is anybody else, or if anybody changes their mind and wishes to address the meeting in Welsh, that is not an issue at all. I just wanted to check so that those of us on the panel who are unable to speak Welsh can be slightly more prepared and will not need to hold you up when you wish to speak. Can I ask the case team to share the agenda on screenplays?

06:49

Thank you, the agenda for today's meeting is on the screen. And for those with small screens or on the telephone, it would be helpful if you have a paper copy in front of you instead, as you need to refer to it as we go through today's business. It can be found at Appendix A of my rule six letter of the 20th of February 2023.

07:08

And oh two this meeting will be produced and digital recording will be made. Both will be made available on the project pages and the National Infrastructure website that I referred to earlier. The applicant has also arranged for the meeting to be live streamed on the website for production 78. Please be aware that the chat function on the production 78 webpage is not in use.

07:28

The recording allows any member of the public who is interested in the application and the examination to find out what has happened whether they were able to attend the meeting or not. To assist viewers and listeners I would ask anybody speaking to introduce themselves each time they speak.

07:44

In terms of the method of the meeting this is virtual when a preliminary meeting is held with all participants being present in

07:53

being present in person. The examining coach uses visual clues and recognizes managers and invites oral contributions.

08:01

In a virtual event like today's to today's event, this is not possible and we would require a much more structured approach. For this virtual meeting I and my fellow panel member were introduced the agenda items and invite each person to speak at the relevant moment. When you join the arrangements conference just before the start of this meeting, you confirmed your name and the agenda items on which you have requested to speak to the case manager and that information has been passed to us and we know when you wish to speak. We will use this information to ensure that you introduce introduced in that item.

08:33

If any parties are admitted to this meeting late or experienced technical issues which prevent them from speaking at the time that they have requested, the case manager will inform us and we will do our best to ensure that they heard before the close of the meeting.

08:47

Please wait until you are invited before you start to speak each time you speak. Please introduce yourself by name and organization. We need this to verify the correct person who's speaking and to locate the submissions that you have made. It will assist any party watching the live stream and recording as well.

09:03

To assist us and help us move running out of the meeting speakers should ensure that their points are relevant to the agenda item at hand and to be polite to other speakers. Please do not interrupt other people and examination is issued based if somebody speaks before your input to the point that you have agreed with or you do agree with. There is no need to repeat it is sufficient to say that you agree with the point made by the previous speaker. speakers who repeat matters that have already been put forward will be asked to move on to the next point. speakers who interrupt or a discourteous to other others will be warned. In such circumstances it is important to be aware that an award of costs can be applied for and made against a person who is behaving unreasonably, and repeated repeated interruptions or disruption of this meeting after a first warning or a request to stop is in principle deemed to be unreasonable behavior.

09:55

This meeting is being held on the Microsoft Teams platform and the chat function is not in use.

10:00

If a fully active participant using the team's platform wishes to make an additional unscheduled contribution, they can use the hands up function though please be aware this is often delayed. We come to you, we will come to you at an appropriate moment in the proceedings telephone prints. Telephone participants can indicate a similar requests by saying their name and appropriate braking proceedings.

10:22

In both cases, please wait until you're invited to make your point. At this time, we should acknowledge the submissions received a procedural deadline of ninth of March 2023. From the applicant at the canal and river trust Chester Western Chester Council, Flintshire county council, Steven scans on behalf of S and C Ultram national highways Network Rail pill natural resources, natural resources and energy hereafter referred to as peel Inari and those from Carter Jonas

10:55

on behalf of Travelodge UK, the content the contents of all of these submissions have been noted. But I would especially note that note the

11:05

procedural deadline a submissions from the applicants only items five draft examination timetable and license at any other business seeking to move hearings for are currently scheduled for the week commencing the fifth of June to the week commencing 22nd of May, holding company site inspections potentially over a two day period week commencing the fifth of June, moving deadline six from the 11th of July to the 17th of July. Moving submissions for any updated local impact reports from deadline eight to deadlines seven and the fact that the applicant would like to outline a potential change request. I also know that the applicant has submitted suggestions for sub for locations for the accompanied site inspection. Chester West and Chester Council wish to discuss items three the initial assessment of principle issues and item five the draft examination timetable, especially in terms of the importance of looking at wording of the draft development consent order at an early stage and delays in providing ecology surveys and data. And the consequential effects that there has improved providing a local impact report Flintshire county council in relation to item six hearings and accompanied site inspections in regard to annual leave commitments during the second round of hearings if held. And also in terms of suggestions of locations for the accompany site inspection.

12:25

PLN RA and Stevenson scan on behalf of peeling or re separately and skid Stevens and scam on behalf of SNC Altarum in regard to item six hearings and associate company title inspections with suggested locations for the company site inspection and Carter Jonas on behalf of travel Raju que, who wish to discuss item five draft examination timetable, with a view to move in deadlines by pushing them back from up to two to four weeks in each case. In addition to the above, we will also be discussing the nature and number of hearings that may be held in the future as part of item six should it be required.

13:02

In terms of the process, before we get into deductions, I would briefly like to comment on the examination process and we'll provide a summary of the key points and the purpose of this preliminary meeting and the examination process that will follow it. As I mentioned this is set out in greater detail in Alex P to my rule six letter of 20th of February 2023. Please do read this carefully if you've not already done so. So the purpose firstly the purpose of the preliminary meeting the preliminary meeting is being held to discuss the arrangements for the examination or an application for an order for the development consent of the high net co2 Pipeline Project, which is a nationally significant infrastructure project. This preliminary meeting will focus on the process only it is not looking at the substance of the proposal, questions, discussions and representations about the merits features of dis or disadvantages of the proposed development and the application of for the examination itself. This will begin the day after the close of the preliminary meeting, you will find the information about the application and in due course documents produced for the examination on the planning spreadsheets national infrastructure website. The addresses set out in my rule six letter of the 20th of February 2023. The examining authorities proposals for the examination are also set out in that letter. This preliminary meeting is your opportunity to influence the process that we will be following during the course of the examination. In summary terms the preliminary meeting will establish the procedures and the timetables for the examination of the proposed development. It will thus set a framework for the examining authorities task which is to enable the Secretary of State to consider and decide the application. We will do this by identifying relevant policy in examining the application in the light of it. Whilst touching on government policy and guidance as Secretary of State published draft revised energy national policy statements for consultation and that consultation closed in November 2021. However, the Secretary of State decided

15:00

without any applications accepted for examination before the designation of any revised environment Energy National Policy Statement, the 2011 suite of national policy statements would have effect in accordance with the terms of those national policy statements. And the revised national policy statement will therefore have effect only in relation to those applications for developed consent accepted for examination after the discussion of those amendments. However, any emerging draft national policy statement or those designated but not having effect are potentially capable of being important and relevant considerations in the decision making process. The extent to which they are relevant is a matter for the relevant Secretary of State to consider within the framework of the Planning Act. And with regard to the specific circumstances of each development consent order application, we would stress that it is not the examining authorities role to consider the areas of policy but to consider the proposed development within the parameters of the national policy statement and the other policy that is important and relevant. Secondly, I wanted to say a few words about the remainder of the examination process. The examination of this national, nationally significant infrastructure project will commence once the preliminary meeting has been closed. The examination process is primarily original one, and it has an inquisitorial approach as opposed to an adversarial one. This means that it will be for the examining authority to probe test and assess the evidence primarily through written questions. cross examination of witnesses by other parties will not generally be allowed. The draft examination timetable includes numerous opportunities for parties to provide evidence in writing. These are detailed in Annex D to our rule six letter. following the close of this preliminary meeting, examining

authorities has discretion to make changes to the examination timetable, if possible. Events will be arranged for times when all relevant parties are available. However, the examining authorities are under the legislative duty to complete the examination of the application by the end of the period of six months beginning the day after the close of the preliminary meeting. So whilst we will try to accommodate requests in practice, there will be very little limited scope, there is very limited scope to alter these dates set out in the examination draft timetable.

17:16

hearings will usually be held face to face but there may be unforeseen reasons which means that this examination for this examination they may need to be holding virtual. However, we will endeavor to hold face to face hearings via the blender process wherever possible during the examination, and we will have sought to build in as much and we have sought to build in as much flexibility as possible in the timetable to ensure that this can be achieved. However, as stated above, there may be reasons why the examining authority need to adapt the process and for hearings to be held purely virtually like this preliminary meeting. I will now mention some of the events that may take place during the course of the examination and examination typically includes some hearings. The draft examination timetable includes proficiency for these witnesses are invited to speak and hear and and hearings are usually

18:06

used by the examining authority to gather and test the oral evidence. There are three types of hearings that may be held. Firstly, Any registered interested party may request an open floor hearing to make an oral representation about the application if they believe this to be favorable to restrict in their representations to the written form, though both carry equal weight. Secondly isn't there is a compulsory acquisition hearing related to the compulsory acquisition and temporary possession of land and rights. This will occur where an effective person may request a compulsory acquisition hearing to make oral representations about the application if they believe this to be preferable to restrict them preferable to restricting their representations to the written form. And again, both carry equal weight.

18:52

Finally, the examining authority has the discretion to hold issues specific hearings if they would, if they would aid the examination and there is a specific reason for them, that they would be more helpful than reliance on the written evidence alone.

19:05

Additionally, the examining authority may hold an issue specific hearing on the draft development consent order. This is normal practice and it will be held on a without without prejudice basis. Parties can thus suggest modifications and amendments to the draft order provided by the applicant without prejudice in their overall position on the application.

19:24

The examination also includes site inspections and there are two main types of site inspections that may be undertaken by the examining authority as part of the examination process. These are known as on the company site inspections and accompanied site inspections. information in regard to all forms of site inspections are available on the planning Inspectorate national infrastructure website. The purpose

of inspections is for the examining authorities to see features of the proposal within the context of the evidence put forward. We have already undertaken two unaccompanied site inspections and notes of these unaccompanied site inspections have been published on the project page of the page.

20:00

namely inspectorates national infrastructure website. It is possible that we may undertake further on a company site inspections in due course. In terms of company site inspections, we intend to discuss this matter further on it in item six dates and formats of hearings and accompanied site inspections if required.

20:19

At the conclusion of the examination, the examining authority will provide a recommendation report to the Secretary of State for energy security and Net Zero, who will consider the evidence and review the recommendations before making a final decision on the application. That concludes the key points I wish to raise about today's process. Please do read the Annex B to my rule six letter for further details. Does anybody need any clarification in regard to these general matters in the examination process that will not be covered by other items in today's agenda.

20:54

Can no hands up so I'm going to move on to introductions.

20:59

You can take the agenda down now please.

21:02

Whilst those that have joined the attendance conference earlier, will have already been given details.

21:09

Details you will have not yet been introduced and given their details you have not yet been introduced those who are here today or those who will be following the examination via the live stream or recording. shortly I'll be asking you individually for your details. Before I do just a few things to remember. I've already advised you that this meeting is being recorded because this is a virtual meeting, it will be listened to by attendees in many different locations both during and after the event and their participation is just as important as all of ours. At this stage, I must make it clear to you that because the digital recording we will make is retained and published they will form a public record and can contain personal information to which the general data protection regulations apply. The planning and spectris practice is to retain and publish these recordings for for a period of five years from the sector's Secretary of State's decision on the department consent order. It is important that you understand that the meeting is being recorded and the session is being live streamed and the recording will be retained and published. If you prefer not to have your image recorded, you can keep your camera's switched off and only turn on your microphone to speak.

22:16

It is very unlikely the examiner authority will ask you to put sensitive personal information such as email addresses and email addresses or economic financial cultural health related matters into the public domain. Indeed, I would actively encourage you not to do that and to avoid the need. In order to avoid the need to do it in the digital recording. We would ask you to try your best not to add information to the public record that you wish to be kept private and confidential. If however, if for some reason you feel it is necessary for you to refer to sensitive personal information, I would encourage you to speak to the case team in the first instance. The case team would then explore with you whether the information can be provided in a written format which could then be appropriately redacted before being published. If you are or we consider that there is no alternative disclosure of such information, we will agree a process to enable it to be made available without forming part of the public record. The normal way to do this would be to ask you to make a general or oral submission. But to include any private or confidential information you need to submit in a written document. Whilst the written document will also need to be published, it can be redacted process in which the personal content is removed before the publication. It follows that if you begin to make an austere statement that appears to include information that would include

23:32

include normally be kept private and confidential, we will check with you to ensure that the content the content to the

23:40

in relation to the retention and publication of that material, if you do not, do not you will be offered the opportunity to submit that material in writing.

23:49

Please bear in mind that the only official record of the proceedings is the digital recording that will be placed on the project page and the National Infrastructure website, tweets blogs or similar communications arising out of this meeting will not be accepted as evidence into the examination of this application. Finally, for the purposes of identification, and for the benefit of those who may listen to the recording later, could you could we ask that at every point in which you speak Could you please give your name and if you are representing an organization or an individual who that person is you are representing? Also please ensure that you speak loudly and clearly when making your submissions. Does anyone have any questions about the terms in which the digital recordings are being made?

24:34

Got no indication so I'm going to continue. We would like to hear introductions from anyone who has made a request on to be heard either on their own behalf or representing another person organization. If you know your name, sorry, I need to know your name, the person or organization that you are representing if any and your role and briefly confirm the items on the agenda that you intend to speak on. Can we start with the applicant first place

25:00

I

25:02

believe Mr. Boswell is speaking on your behalf

25:07

more than more than during most of purchase salmon on system often, and I'm representing camp. I've got people with me in the room because I think it's most efficient if I just briefly explain who they are.

25:23

So it's the opposite of William Dixon, who's a project manager with DNI, UK, which is the owner of Liverpool based CCS limited the applicant to this bright David Walker, project manager with progressive energy limited to his right. In Project Manager with W. SP, who will be environmental planning advisors to the scheme, and then opposite Mr. Don Smith. DNI UK HSE. Manager

25:58

on live stream, I think those people that actually

26:03

Okay, does anybody else who is part of the the examining authority, sorry, the applicants team, who is joining separately wish to introduce themselves please?

26:19

Okay, I'm getting no response. So I'm going to move on to

26:25

chess, chess, Cheshire West and Chester Council, please. Could you introduce yourself, please?

26:31

Yeah, my name is Michelle spark. I'm a solicitor at Brebner as a partner there. I'm representing Chester, Cheshire West and Chester Council and have with me Ben Greenwood, who is also representing them. We haven't for clarity, sir. And hopefully this is helpful. We do no longer wish to speak on Item three on the agenda, just entertain tabling an item five and six as relevant. Thank you very much. That's understood. Thank you, Mrs. Box. Moving on. Can we have Flintshire county council please?

27:08

Good morning. My name is Hannah parish. And I work for Ventura County Council and the lead planning officer with regard to this project, and I have on the call also Charlie Pope who will be supporting me in the process. Thank you. I would like to speak on items five and six respectively. Further to my left to

27:31

in accordance with procedural time deadline a with regards to the submission for deadline one. I'm not sure if you'd be made aware of my further request with regards to the submission of the local impact reports. Yes, I have

27:49

seen that request. And I've read it through and we will discuss those as part of items five and six if necessary.

27:57

I should say. Yes. Thank you. Okay. Thank you.

28:01

Moving on. Can we have

28:05

is there anybody from the Environment Agency present, please?

28:12

Yeah, I'm really McLaughlin. I'm planning advisor and the sustainable places team and green growth team at the Environment Agency.

28:21

Don't wish to make any comments on any of the agenda items just to confirm. Okay, thank you.

28:27

And then moving on Natural Resources Wales. Is there anybody present from natural resources? Wales, please.

28:35

Yep. Good morning. My name is Chris Jones. I'm a senior development planning advisor with Natural Resources Wales. Just to confirm we don't wish to speak on any of the agenda items today. Thank you very much. Thank you, Mr. Jones.

28:48

National Highways. Is there anybody from national highways with us today, please?

28:53

Good morning, sir. My name is Paul Bellingham. I'm an in house lawyer at national highways. For the purposes of today. I'm just here to observe. But I would like to confer national highway support for an ongoing hybrid hearing format to include virtual access, as that will help aid out attendance and participation throughout the examination. Thank you misunderstood. Thank you very much.

29:13

Is there anybody present from the Welsh Government?

29:17

Don't believe there is? Yes. Oh, nine. Yes. Good morning, everybody. Amanda Thomas, at regional economy team within Welsh Government north Wales Office. Don't wish to make any comments on any of the agenda items today. I'm here as an observer. Thank you very much.

29:37

Is there anybody with us from the canal and river trust?

29:49

Sorry, so sorry. Yeah. I tend Bethany Simmons area planning special projects off to the canal river trust. Yes, we are only here to observe and

30:00

Time to speak now the agenda items. Thank you. That's, that's fine. Thank you very much.

30:06

Have we got anybody from SP energy networks?

30:14

On Good morning, Mr. Steven. Steven Edwards. Thank you. It's the way it comes up on the screen.

30:23

Good morning, so others on the call.

30:26

So senior planner, SP energy networks,

30:31

which manages the electricity network for SP, which stands for ScottishPower. SP man Webb,

30:40

for the area covering the planning application. And I think I'm just looking at my notes and made an error because I'm also looking to speak to Item five, designed in item six.

30:53

Not three and four, as I said, my email. Okay. We'll pick that up as we go through if that's all right, Mr. Edwards. If we make mistakes, we've already made our notes on which ones people want to speak, just correct us and we'll move on to the next item if you don't want to speak on it.

31:09

Thank you very much. I believe that nobody from totallys on behalf of Peel Inari are present. But I'll give you an opportunity just to speak up if you are here.

31:24

Okay, in that case, I'm going to move on to Carter Jonas please. On behalf of Travelodge is that somebody can come to Jonas here. Come on. Darryl spittle the senior surveyor Frank who are representing all day and just asked you to discuss the limits for one and the timescale briefly.

31:44

Okay. All right. Understood. Thank you Mr. spittle, and Stevens son Stevens scan on behalf of s&c ngultrum.

32:00

Okay, I'll assume you're not present at all. So, have I missed any other organization or party present in this team? Who does wish to speak please?

32:17

Okay, I'm getting no reply. So I'm going to move on. Thank you all for this. The introductions are now complete. Before I move on to the next item on the agenda. Does anyone have any burning questions on an introductory or preliminary nature that needs to be resolved now will not arise under any of the other agenda items of today's meeting? Additionally, does anyone have any questions about how to participate all the technology that we are using?

32:44

Again, I'm getting no indications. So I'm going to move on. Thank you for items three initial assessment of principle issues and items for procedural decisions taken by the examining authority. These will be done by my fellow examining inspector Mr. Struggling Mr. Strictly would you like to take over please?

33:01

Yes, thank you, Chris. Turned into Agenda Item three, the initial assessment of principle issues it would be useful if Annex C of the examining authorities rule six letter could be shown on screen please if that could be undertaken.

33:21

That's a request to the case team. If they can, they can arrange that please.

33:30

That's great. Thank you.

33:34

So if your technology does not allow you to see the last on the screen, clearly, you can find it on the Annex C of the exe is rule six letter of the 20th of February 2023.

33:49

The less referred to will provide a framework of Su's for the examining authority to look at going forwards, though it does not preclude the ESA from amending the list by the removal or addition of issues at a later stage in the process.

34:07

I did have requests in relation to this agenda item from Ben Greenwood of Cheshire West and Chester Council. And I've just heard that that request is no longer made. I also have requests from Hannah parish, Flintshire county council, and Stephen Edwards ASPI. Energy network again I heard from earlier discussion, the latter party is no longer wishes to speak on this item.

34:44

Turning to

34:46

Flintshire county council if you still wish to speak on the site and can you please do so now?

34:58

Hello, Hannah Parrish with French bank

35:00

Mt Council, sorry, with regards to item three.

35:04

Was this? Yes, that's right. Agenda item three.

35:09

Sorry.

35:10

I don't I don't know whether I actually made it a request to speak on this item. It was with regards to the timetable. Correct me if I'm wrong, I have not got any of my files because our it is not working this morning.

35:25

So I've xx access my letter, because I don't I don't believe I requested to speak on this item. That's fine. If you've got no request, I'm happy to move on. And the other parties have already indicated that they no longer wish to speak speak on this item. So

35:44

on that note of if there's nothing to add, I'll move forward. Thank you. Thank you.

35:52

There is somebody with a hand raised in the background I can see.

35:57

So impossible for the applicant. We've been told by people on our team, the live stream, as long

36:06

as your attention.

36:09

I see. So there might be some technical problems with hearing participants.

36:16

Can I just ask the case team to confirm that

36:21

all the technical setup is working properly, please. Just before I proceed?

36:31

Just checking for you now. So bear with?

36:43

Yeah, the live stream seems to be working fine.

36:46

Okay, I can hear parties loud and clear.

36:51

I'm just going to throw this back to the applicant. Can you? Can you hear me clearly,

36:58

we can hear you. It's other members of our team that are elsewhere, as well are dialed into the live stream. That's the only means that they're using to participate.

37:11

I'm looking at my colleague, Mr. Who's indicating that they're still telling him that they can't hear anything on the live stream, that they can't hear anything whatsoever.

37:24

The filmmaker suggests suggestion can perhaps if they dial out of the meeting and dial back into it.

37:32

We can continue if you can still hear us Unless you object to that, whilst your colleagues dial in and dial bail out and dial back into it. But

37:44

if they continue to experience a problem, then ultimately what we can do is we can pause for a while. But I prefer to continue if at all possible, please

37:56

think we're happy with that for ourselves, but I can't

38:00

possibly other people are experiencing it, by definition aren't hearing the conversation we're having now. And we can't, we can only deal with the people that are part of our team who are contacting us if other people were dialing into the live stream can't hear any of this. They're just stuck, not without with a problem. And I just feel I should have mentioned

38:22

we are recording this and the digital recording will be available for them to watch back on. And obviously if they want to participate that might be an issue. But we've already received procedural deadline a responses. The only people that are present today are people have made procedural deadline responses or primary deadline responses. So,

38:43

you know, I would prefer to continue but if you can see if your colleagues can dial out and dial back and see if that resolves the problem in the first instance. If not, can you let us know and we'll we'll make a decision as to how to proceed from that point onwards. In terms of other parties. As I say the we've not had any notification from any other parties, the case officer and the case manager hasn't been notified or any other difficulties. So so I'd like to continue, if possible, please. Do the muscles get bent. Yes, no, that of course, that's fine. So I just wanted to sort of draw that point to our attention, but we're in your hands. Just how we proceed. Okay. It remains to be a problem. Can you just let us know, please?

39:26

Yeah, we'll do. Thank you.

39:29

Sorry, Matthew. She'd like to continue.

39:32

Yeah, I understood.

39:35

We've, we were covering agenda item three. That was the initial assessment principle issues. Those are being shown on the screen and the shown in the annex to the exe is real six letter

39:53

dated the 20th of February 2023.

39:57

There are no parties seeking

40:00

to speak on this item, no other parties that is, unless anybody else wants to raise anything further on this item, I wish to now move forward.

40:14

And I'll take that silence as no one else wants to raise anything. So moving to agenda item four.

40:23

And this is the procedural decisions taken by the examining authority.

40:29

We would now ask that all meeting participants turn to Annex II of the rule six letter, where you will note that the examining authority has made a number of procedural decisions

40:43

please because the procedural decisions be shown on screen please I think they already are. Yeah, I'm gonna look solve it Yeah.

40:52

The procedural decisions made covered the following aspects.

40:57

Requests for statement of common ground by deadline one that's Monday the 17th of April where possible, and statements of commonality of statements of common ground throughout the deadline set, accompanied site inspection with the say suggesting Thursday the ninth of June for the accompanied site inspection. Also the applicants draft itinerary for the accompanied site inspection to be submitted by deadline one with comments to be submitted by other interested parties by no later than deadline to and that falls at the date of Tuesday, the second of May.

41:38

There was a request for the submission of local impact reports by deadline one. However, I do note that Flintshire county council has requested this be set back the deadline to this matter will be covered by item five

41:56

on the draft examination, timetable matters later today.

42:02

Requests for a compulsory acquisition hearing by deadline one.

42:08

Before I just move on, I am aware that the parish council is in the background wanting to speak or Flintshire county council rather if you if you want to just come back on the screen.

42:24

Sorry, thank you, sir. Hannah, parish, Lynch county council just for matter of clarity. And for a matter of

42:31

correction. My request for submission of the local impact report was for from deadline one to the 25th of April, not deadline to

42:44

talk about it the next item on the agenda but I just wanted to make it clear now.

42:49

Because it was not until considerably after Okay. Understood. That's noted. Thank you. Thank you.

43:02

There was requests for a compulsory acquisition hearing by deadline one request for an open floor hearing also by deadline one, responses to relevant representations by deadline one requests for regular or dated documents during the examination including the guide to the application and explanatory memorandum. Statement of reasons shedule of negotiations with London trusts funding statement, book of reference, a sheduled of changes to the draft development consent order, which is to be updated whenever changes to the draft development consent order are made.

43:46

In addition requests for NPs document tracker,

43:51

information and regular updates in regard to the draft and PPS prospectus December 2022. And the government's proposed approach to national development management policies.

44:06

Furthermore, the acceptance of additional submissions into the examination and closing submissions no later than deadline eight, and that falls on Tuesday the 12th of September 2023.

44:23

Does anybody else

44:26

want to raise anything further to the decisions listed in the rule six letter?

44:39

Again, there is somebody with the hand raised.

44:43

You'd like to come on screen. Dude impossible for the applicants.

44:48

Just wanted to make a couple of comments on the list of proposed statements of common ground and that's right.

44:58

But yes, go ahead.

45:00

because the

45:03

vast majority of we will, we will proceed in the normal way. But there are just a few observations to make Maritime and Coastguard agency,

45:14

we've discussed them being on the list, and then they don't want to enter into a state of common ground. So we'll get that in writing, but just wanted to manage your expectations on that.

45:28

entity, UK health security agency, we've had no engagement with them throughout. So it's unlikely that they will engage with us on stage around. Okay, to confirm that in due course.

45:43

We've raised we've had a number of seats on the ground in motion for some time. And there are a few additional ones to those which we were expecting, we are delighted to rule successively, date contact when with the other entities, and there is a dialogue going on as to whether whether they tend to engage or not recognize, of course, that we can ask, as it were prompted by noon, but we can't assist,

46:15

engage with us. There also sort of final category, which comes up, as I'm sure you're aware on different examinations, where there's a judgment call as to whether the effort spent on engaging with brings up something utilities, for example, is best spent focused on technical provisions as opposed to the status of common ground. So dealing with some very experienced examination participants here and

46:42

just want to indicate that it's possible that two or three of the utilities Wait a minute lay out is that we've focused more on the tax provisions and some sense of common ground in a position to update you on that. And

47:00

that was all I wanted to say on state ground.

47:06

Thank you for that all those points are noted and understood.

47:11

Is there anybody else who wishes to raise any other points on this before I move on?

47:19

The the examiner authority is aware because of the submissions that procedural deadline a have several proposed locations for site visits. And we'll be taking these into account.

47:33

In Item six to this meeting. I also draw attention to all parties to that there's also been a range of additional submissions from the applicant, which has been accepted into the examination by the XA.

47:48

Those have been subsequently published and made publicly available on the 30th of March as part of the examination record. Therefore, whilst not inviting discussion on the content of the additional submissions accepted, the ESA acknowledges those documents now represent an updated outline of the applicants overall position having regard to several technical assessment matters, and any conclusions which could be drawn to from those. In addition, several requests to become interested parties have been determined in the names of Nicola Barrow, cellnex, UK, and the British pipeline agency limited, all of which have now been accepted as interested parties. copies of those decisions are also publicly available on the examination record.

48:42

Those announcements aside, there's nothing else further for me to raise on procedural matters. Again, just before I move forward, does anybody else wish to raise anything else about procedural decisions already made?

49:00

I'll take that as a no thank you. We are now moving forwards to the draft timetable for the examination hearings and site inspections and I'll hand over back over to Chris Butler for those aspects. Thank you.

49:14

Thank you.

49:16

In terms of Agenda Item five, it would be useful to have the draft examination timetable on screen for this item, please.

49:23

It's there already? Pre emptying me.

49:28

If your technology doesn't allow you to see the draft examination timetable clearly on screen, you can find it at Annex D two are all six letter the 20th of February 2023. As soon as practicable after the close of the preliminary meeting, the examining authority will issue its rule eight letter which will finalize the timetable.

49:47

At this time at the same time, the examining authority intends to issue its first written questions on the application. More than one round of written questions may be issued and as you can see from the draft examination timetable a second round of written

50:00

Question is set for the 15th of June 2023. And if it's considered necessary a third round has been penciled in for the 15th of August 2023. We can also, if necessary at any point during examination issue a specific request for information from named parties and this is known as a real 17 letter. Deadline one is currently timetabled for the 17th of April 2023. And on deadline one, amongst other things, the examining authority is expected to receive written representations as well as notifications from other people or organizations who wish to speak at the open floor hearing or at an open floor hearing, or a compulsory acquisition hearing and or for attendance at an accompanied site inspection. We also expect in response to our first written questions, statements of common grounds as far as possible, and local impact reports from the relevant or local authorities at this deadline. Although we do note Flintshire, County Council's request to set the submission back to for the local impact report back to the 25th of April 2023. Deadline two is currently currently programmed for Tuesday, the second of May 2023. When it is when at this deadline, amongst other things, the examining authority will be expecting updated compulsory acquisition and temporary possession schedules and updated book of reference together with a schedule of changes any schedule of changes,

51:27

and updated developed consent order and any comments on the submissions made a deadline one including responses to the examining authorities first written questions and the local impact reports that were submitted, again subject to Flintshire County Council's comments on the date for the local impact reports. As you will see there are draft timetable. From the draft timetable, there are further six proposed deadlines where the examining authority require information to be submitted. for expediency, I don't tend to go through all of those requests. But I do note that I have requests potentially to speak on this item from Flintshire county council, Chester West, Cheshire West and Chester Council. And we did have an indication from Carter Jonas on behalf of travelers UK, but they don't seem to be present. And I will offer them an opportunity to speak on this item when we get that far. But if they're not present, then clearly they'll miss their opportunity.

52:22

In addition to the governor also noted the applicants request for amendments to the examinations proposed time examination timetable, which is contained within its covering letter submitted a procedural deadline a that's our reference PDA 001. I intend to invite the applicant to outline their proposed request, and their proposed revisions for the timetable shortly. But before I do so, I'd like to deal with the draft timetable as set out in Annex D to my letter of the 20th of February 2023. And at this point, I would say that we are aware of school term holiday dates, especially the Easter holiday generally being between the 31st of March and the 17th of April, in both England and Wales. So in terms of interested parties wishing to speak could I invite Flintshire county council to speak if they would like to on this item, please?

53:13

Hello, hello, parish, this county council. So with regards to Deadline one as per my email to to the case officer on Friday, we

53:24

despite best efforts to get delegated authority to provide a local impact report and the Cabinet meeting on the 14th of March, which was obviously after your procedural deadline if the 10th of March, and they

53:44

made a decision that the local impact report would need to go back to cabinet for their approval. So the effect of this is that I would not be able to provide the examining authority with a local impact report by deadline one. And there is a Cabinet meeting on the 25th of April and therefore I respectfully request a very short extension to submit flinches, local impact report, all other matters and the statement of common ground and moving through the examination, any questions raised by the examining authority? And any further written submissions? What are delegated to officers? It's just that first initial local impact report that I would need additional time if I met. Can I just clarify you You asked for a delay until the 25th of April for the submission of your local impact report. But your cabinet meets on the same day I'm assuming the cabinet meets during the day does it it correctly meets during the day and in the morning. So on just as I understand it, that the local impact report would obviously have to be prepared well in advance of that meeting and

55:00

And so my, the indication from my chief officer is that the original the original recommendation in my report was that the Cabinet member could sign it off. However cabinet, we did meet prior to procedural deadline as well in an informal Cabinet meeting, and there was no indication that there was going to be an issue. However,

55:23

for whatever reason, cabinet has decided they would like to see the full local impact report. So my understanding of it is once the local impact report is presented to them, I would be able to

55:37

provide you with a local impact report by the end of the day on the 25th.

55:42

And you're satisfied, you'll have sufficient time following the close of your cabinet meeting and whatever they've agreed to finalize in the form that they want it and to submit it on the same day. Well, I guess I am taking making a presumption that they will be satisfied with my local impact report.

56:04

So maybe it would be prudent to maybe go to 26.

56:11

Not to be so presumptuous.

56:16

Okay. Well, as I say, we won't make any decisions on on the timetable today. But we've heard what you've said, and we can bear in mind what we were discussing about 25th or 26th. So obviously, all of these timetables have to work for everybody. So I can't think of a moment and it is a big jigsaw puzzle. So why

56:42

don't ya

56:44

if you'd like to continue? Yes, sorry. Yeah, you know, it bearing in mind this particular issue.

56:51

If the examining authority wasn't to grant this extension, I would, would need to arrange a

57:01

an emergency cabinet meeting, which I think in normal circumstances would be okay. But I'm bearing in mind the the Easter holidays is a couple of weeks before then. And that's that was my predicament that I did go down that route of, instead of asking you for the extension going down the route of having a special Cabinet meeting, but it's it's very tricky in terms of the diary with regards to the bank holidays, so. But thank you. That's all the matters I wish to raise on this item. Thank you. All right.

57:33

The applicant? Would you like to come back now? Or would you like to wait to hear what other parties have said, and then come back at the end of other parties speaking please.

57:44

Human mind makes sense for us to come in. And as you've just indicated, it saves saves dipping in and out and missing stuff. So thank you for that. In that case, I'd like to invite Chester West and chess or Troy, Cheshire West and Chester Council, please to speak.

58:01

Hello, I'm Michelle spark on behalf of Cheshire West and Chester Council. That's quite hard to say. And so we have just one point to make in relation to our local impact report. We will have it available for deadline one save for the chapter on biodiversity due to updated surveys and being submitted on the third of March to us and our ability to turn those around. And so not necessarily asking for an extension to the local impact report itself, but that biodiversity impact elements. We will struggle to get that to you by deadline one, sir. Okay, so that's understood.

58:47

I'll come back to make a point about this once we've heard what the applicant has to say if that's okay, but did you have anything else you wanted to add at this point in time? Nothing at the moment so thank you very much. Thank you very much.

59:00

In that case, the next person I've got indicating that they wish to speak on this art item originally was Carter Jonas, but I don't believe that they are actually with us today. But if they are and giving you this opportunity to now to speak, Carter Jonas was on behalf of Travelodge UK. Hello, Darryl spittle. Like yes, sir. Okay. Okay. We do like to speak. Yes, that's me. Thank you all it was the client rates you failed.

59:28

So considering that the timescales it was overwhelming, because often information that has been put forward here. So when they're reviewing all this, we're looking at having an extension to other shows the deadline one and we also appreciate this knock on the other ones, just to allow themselves and others a little bit more time to sort of get the information over to yourselves. So it was just a meeting with him recently. And it's just really to try and see if there's a tour possible to have those excellent by one or two weeks, or a little bit more. Again, looking at these two health as well to more people more time.

1:00:00

And to have those consultations and get the information overseas out. Okay, that's that's understood. And I read your procedural deadline a request in in any event.

1:00:11

Obviously, we won't be making any decisions today on the finalized timetable. But we will be doing that within the next week and issue in the rule six letter so it'll be contained in the rule six letter. The only thing I would say to you Mr. spittle, you need to be aware of is that once the examination starts examining authority is under a duty to complete the examination within six months. Obviously, that means that the timetabling is very strict. And, you know, generally there's not a not a not an awful lot of maneuverability within it, to allow extension deadlines because of other things it affects off outside of the timetable, if you mean, like preparation of agendas and wealth translation, for example, they will take extra time, so

1:00:57

we'll see what we can do, but I can't make any promises. Okay, thanks. Thank you very much. And thank you. All right. Okay. Thank you very much.

1:01:05

Is there any other party I have missed that would like to speak in relation to this agenda item, please, on the draft examination timetable?

1:01:16

In that case, I'd like to invite the bear with me for a second.

1:01:22

SP energy networks, please. Mr. Edwards. Thank you, sir.

1:01:28

I think star item. Fine.

1:01:33

Yeah. So just surrounded by papers,

1:01:38

I think is the right time as well. And just to say, perhaps, appreciate that short responses until now. But if you think there's other times today, so what you're hearing only it's cut me off. Okay. I think so in terms of the timetable? Yeah. So just want to try and sort of

1:02:00

raise a couple of points,

1:02:02

that perhaps a more sort of detailed specific routing type points, but they seem inevitably to come back to timetabling and potential impacts on timetable. Okay. So we've submitted our relevant reps, which are there to see

1:02:19

two concerns, routing impacts on assets that we hold, above and below ground. And secondly, how we move forward to manage

1:02:31

pole operation with the developer promoter applicant around our assets through protective provisions.

1:02:41

I think in previous irrelevant wraps, we refer to about handful of pinch points.

1:02:49

By and large, one of those pinch points,

1:02:53

appears the first one appears that there's some flexibility around the Indicative alignment of the pipeline.

1:03:01

And in other places, it looks potentially quite tight.

1:03:06

But our concern is with any below ground assets, how they impact other assets.

1:03:13

Mr. Edward, sorry to interrupt you. But this is more to do with the specifics of the the way the preliminary meeting is to discuss the specifics of how we're going to hear it as opposed to the concerns related to you know, how it affects the infrastructure, etc. So really, what I'm interested in is if you are concerned at this point in time, because obviously, we're interested in what you've got to say, but there will be subsequent hearings for specifics around the

1:03:47

the root of the pipeline and how that affects you, and SP energy networks and their equipment. But at this hearing, we're specifically interested in

1:03:58

the timetable and how that works, and how the hearings will work, what hearings we're going to have, as opposed to the content of them, per se. So whilst the points you're making will be valid at a future point, in terms of, you know, how you're going to be discussing protective provisions, for example, how they would be included into the draft consent order, they would be specifically for an issue specific hearing on the draft amendment consent order, which would contain a part about the protective provisions.

1:04:32

So if you have something to say specifically about you don't have enough time in terms of deadline six, for example, to submit whatever you would need to submit or you're concerned about the hearing scheduled for the week, commencing the fifth of June because you're on leave, for example. That's the sort of stuff that we're hearing today. So that we can set the timetable to then discuss the specifics of the case. Which, which we'll start from tomorrow.

1:05:00

Are the examination staff on tomorrow providing we close this hearing today? Sorry, I think I was.

1:05:07

I delved into sort of the reasons but I respect what the format of the

1:05:14

preliminary meeting is today. That was by way of it, I suppose referring to

1:05:21

potentially a sort of amount of work that we identified so far as our assets are concerned, relating to design, and engagement and resolution to matters such as protection provisions in the draft PCO,

1:05:36

which will give me some concern for timetabling.

1:05:40

We have been sort of seeking to engage for well over a year on

1:05:46

sharing data of our assets and our concerns insofar as that protective provisions are concerned.

1:05:55

And we have an application submission that we'd like to know we need to go over but perhaps could be

1:06:05

looking to address what we've been saying. So we see before it's quite a lot of engagement yet to be done. The timetabling? You know, as you say, you need to be looking at this within six months

1:06:19

needs to be an awful lot of additional engagement. So a result we were very

1:06:25

confident I should say that, you know, our concerns can be resolved.

1:06:31

But we do need to see.

1:06:35

Suppose the speeding up in engagement for us to be able to respond timely to get applicants changes at the moment concern for that is any changes where there are pinch points that we've not yet to be

1:06:51

assured about potentially leads to other further changes, which might have a bigger impact on timetable. Okay. I understand that. I think the applicant, if if, if they're wise have noted what you've said.

1:07:05

And clearly, what I would say in regard to your concerns about pinch points and a lot of negotiations to take place within the next six months. We are asking as part of the procedural decisions that have already been made for regular updates to be made to the draft development consent order. That clearly includes in relation to the prospective provisions. We've We've also asked for the statements of common ground to be completed with certain parties. And for those to be updated regularly. So as the applicant was saying already, in terms of statutory undertakers for specific facilities, they they are

1:07:48

comment, they've already commented on their ability to cover both the statements of common ground and the protective provisions. And clearly they will want to focus on the protective provisions, which I'm sure is probably what you would like, as well.

1:08:03

You know, so that said the statements of common ground that come in from utility companies may be limited. But clearly, that's for the purpose of the applicant focusing on the protective provisions, which might hopefully give you some assurance.

1:08:19

Engagement. Okay. Is there anything else you wanted to add to?

1:08:24

It as far as the design, as I say we've we've sent details plans around network, we're waiting to see what impacts are not considered to arise? We know for sure, and I'm sorry to go into detail, but this is by way of

1:08:42

flush out sort of point about timetabling and discussing these takes place. But we're aware that one section of the pipeline goes right under one of our recently built substations. So it's clearly a need for change.

1:08:57

And it's how that change is managed in design. And then how I'm aware from my own schemes when changes are made, further consultations are carried out and everything starts to get squeezed.

1:09:09

Okay, I understand those points. And the concerns that you've got, as I say the applicant hopefully has heard what you've said and will engage with you further on this matter and with regard to resolving your concerns. Yes, thanks. Okay. Thank you. Is there anybody else that wants you to speak in relation to this item please.

1:09:32

Okay, so that case, I would like to offer the applicant the chance to respond, please.

1:09:39

And then we will come back to your own timetable shortly after that, if that's possible, please.

1:09:45

Yes.

1:09:49

Starting with the minister county council request in relation to the report

1:09:56

see heard issues with the

1:10:00

capital. So on. Our suggestion is that if you were observation is that if you were to accommodate this that made sense to have a

1:10:12  
deadline one

1:10:15  
either

1:10:18  
and then it would suggest that

1:10:24  
having a deadline to a on

1:10:28  
a cloud responses to

1:10:33  
patients

1:10:38  
test your quest,

1:10:41  
biodiversity points.

1:10:44  
That's just going to

1:10:48  
say that every day in addition to save time, but then there are multiple duty raster programs. So, on occasion would be would be disproportionate specific provision in relation to that aspect.

1:11:04  
Nothing specific to say in relation to sufficiency, Mr. Barton joining us set to

1:11:13  
set the normal timetable as nations

1:11:21  
say

1:11:25

specific procedural content those times people so nothing specific to respond to

1:11:33

that, and I think that is

1:11:38

that was specific Randy's seem

1:11:45

to respond. Okay. I understand that the point I mentioned with regard to

1:11:54

flinches comment, and to a degree this would also be potentially applicable to Chester Cheshire West and Chester Council's comment was that you'll see at deadline eight, and this is a comment the applicant has also picked up on which we were going to discuss shortly but I'm gonna raise it now. There was an opportunity to provide an updated local impact report at deadline eight, which the applicant has not asked us to move forward to Deadline seven, that the reason we put it so far back in the agenda was we weren't sure what the implications were going to be for the delegated authority for the council's in terms of being able to get a local impact report in at deadline one. Would it assist if a draft is submitted at deadline one with the

1:12:47

the actual confirmed

1:12:51

local impact reports being submitted at on either the 25th or 26th of April or even dropping them back to deadline to would that assist.

1:13:05

Hannah Parrish has got her hand up, please. clincher County Council.

1:13:11

Thank you. So Hanna parish, ditch county council, this seems sensible in terms of a draft being produced for the local impact reports.

1:13:20

Therefore then we wouldn't if we do stumble with problems in the ally art the draft ally are being approved by cabinet this will give us sufficient time to resolve any issues.

1:13:32

Objection, I just submitted a draft. I would. That's absolutely I will support that. Thank you. Okay, thank you very much understood

1:13:43

if you could put your hand down. Michelle sparks of for Chester West and or Cheshire West and Chester Council. Sir Thank you shall spark for Cheshire West and Chester council. So that's that's fine by us in relation to getting you the full local impact report that deadline to and a draft it they'll

1:14:05

say I'm just putting out there at the moment. We won't confirm it yet. But it will either be the 25th or 26th of April likely to be or potentially if we can accommodate to drop the back to deadline to but it really depends. I've got to check a few things out and make sure that we can accommodate other things that we need to fit into our timetable to to accommodate the local impact reports at that point in time. But most certainly, it will either be

1:14:32

the delayed data in April or dropped back to deadline to Yeah, so that's fine. Thank you. Understood Thank you very much. Does the applicant wish to say anything in regard to those suggestions?

1:14:48

It sounds student will notice sound sensitive so

1:14:54

it might just be helpful to understand from this parish. What the procedure is about something

1:15:00

Scaggs covenant

1:15:02

becomes public in any event is Tsipras going to

1:15:07

be, do work with days as well as additional drafts and practice?

1:15:14

Meetings? Just be helpful to know that.

1:15:17

Okay, Miss Parrish, can you help with that? Query?

1:15:23

I'm very sorry. I can't really hear room 10 very clearly. So please. So would you mind repeating the points? The applicant has made? Thank you.

1:15:35

Mr. Boswell? I must say your mic is very

1:15:38

drops in and out. I mean, I'm, I can hear you. But I'm having to concentrate very hard on what you're saying to get the full gist. Is there a possibility that you've got another way of communicating through a different mic or something?

1:15:56

By speak closer to the mic and slightly more slowly? Is that better or not? That's perfect. That is absolutely perfect. I'm sorry, if it makes you uncomfortable. At all. No, I'm getting I'm, I have one of these clients. It's very limited the table in front of me so right. Okay. It looks slightly odd that I'm staring at the table while speaking. No, I'd rather you look, stare at the table and have a clearer mind than that. Otherwise, you can always switch your camera off if you prefer.

1:16:22

No, no, I can cope with that. And this is not an audio recording. If you could repeat your request for Miss Mrs. Parrish, or miss Parrish

1:16:31

was just it was just wanting to just be helpful generally to know if cabinet documents that go to cabinet meetings

1:16:41

at Fincher have that type of public in advance a few days in advance as they would be for an equivalent Planning Committee meeting. Is that is that? Is that your practice?

1:16:56

And a parish or clinch county council? Yes, they would be made public.

1:17:01

As as I assume any submissions on behalf on behalf of Flintshire and any other interested party for the examination. All the all the submissions are made public on the inspectorates website. Oh, no. So I'm making a slightly different point.

1:17:16

When you're going through your process within the council and your draft, you're drafting your local impact report and a bunch of documents obviously goes to the cabinet in advance of them to have time to read them. Do they become public at the point that they are submitted to the cabinet? Or only after the cabinet is considered them? Or at the time the cabinet is considering them?

1:17:37

Oh, I see. As I understand it, it is at the point.

1:17:43

I'd have to come back. Sorry. I'll have to come back on that point. I'm trying to think

1:17:51

I was just wondering if that was a helpful extra limb in this discussion. But if you don't have that information, definitively, I suspect that won't assist the examining authority. So that was all like wanting to, to raise a case that was thoughtful. Okay, so if I may interject, they are made. They are the agenda items are available, I think a week before cabinets. They're on. They're on flinches website. So that would be at deadline one in any events.

1:18:20

Thank you.

1:18:22

Okay. Understood. Thank you very much. Mr. Boswell? Do you have anything else you'd like to say

1:18:28

in relation to those items?

1:18:32

Other than coming on to the request that we're making now. Okay, so in that case, turning to your request for the proposed revisions in the timetable, I would invite you to outline the purpose of your requests and the Ripper, the proposed revisions you would like to make to the draft examination timetable, please.

1:18:55

Applicant.

1:18:59

We're making four requests. Procedurally in relation to the proposed timetable, Annex D.

1:19:08

Most substantial one relates to the hearings in the week, commencing fifth of June,

1:19:15

as we've explained in our Cedral letter,

1:19:20

because some of the same team are involved in another development consent order, which is an examination at the same time, dragged by fire energy department capture and DCO.

1:19:34

If you were to look, as I mentioned, you have the timetable that is confirmed on there like that. It has hearings for exactly the same week that we have hearings. And that means that for

1:19:49

certainly to about specialists, the specialists who are being on that project as well, that would complicate their availability such as to make it

1:20:00

Far, much better from our point of view, if it were possible to move away from that week. I also had something for project to have

1:20:10

the seventh, eighth and ninth that week. So coming before I come on to what the alternative could be,

1:20:21

I should just say what if you are not able to accommodate this request, what our fallback request wouldn't be if that week stands, essentially that

1:20:31

as the best available workaround, from our perspective, and assuming that you wanted to have issue specific hearings, including a DCO hearing, and the compulsory

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acquisition hearing, open floor hearing and accompanied site visit, in other words, the full suite of things that one can

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often does happen a full week of,

1:20:56

of these examinations, our specific request, our most important request would be that the issue specific hearings on the Monday and the Tuesday, and that after that,

1:21:10

we don't feel strongly but our suggestion is that

1:21:15

you issue specific hearing on the DCO on the Wednesday

1:21:19

for half a day, compulsory acquisition hearing the other half a day. And then on the Thursday, an open floor hearing.

1:21:29

Because what we're about to say about the company site inspection, there will be a part inspection on that day, full day on Friday.

1:21:39

So sorry, forgive me that wasn't set out in our letter, but in the various discussions that you can imagine that we've been having with others, in relation to this just felt limits for you to be aware of what our fallback request,

1:21:55

whilst whilst you're on fallback requests on this specific point, because I know you've got three other points you still need to mention.

1:22:04

Have you thought about, for example?

1:22:10

I mean, you've clearly thought about holding hearings on the Monday and Tuesday.

1:22:15

And you specifically want those to be the compulsory acquisition and the DTO hearings potentially? Tuesday. Oh, sorry. That's what we're suggesting the DCM acquisition is on the Wednesday on the Wednesday, right. Okay. Okay, so my my thought process, because I've given this some thought as well.

1:22:38

I was thinking that perhaps we could hold some hearings, although we would need to look at what the Drax agendas are going to be.

1:22:50

And obviously, we won't know those necessarily until they're published.

1:22:55

But we need to look at the directions. But we I was thinking that potentially, if we couldn't do the 22nd of May, we could still hold the fifth and sixth open for

1:23:09

hearings, open floor issues specific or issues, or compulsory acquisition.

1:23:17

And we could determine those who they didn't conflict with whatever Drax was proposing,

1:23:24

then we could do potentially use the Wednesday for travel time to to the location. Because obviously, we want desperately disparate parts of the country.

1:23:36

And then perhaps Thursday and Friday, because initially, your letter suggested that you might need two days for the accompanied site inspection as opposed to just the one. So I was thinking that perhaps we

could hold those on Thursday and Friday. And then I was thinking about because obviously you're you're not available on the Wednesday, Thursday and Friday or Friday as the lead advocate.

1:23:57

And then I was thinking that, was there any availability for the following week for the first few days of the following week?

1:24:06

We haven't looked at that. But I'm in difficulty on the first few days of the following.

1:24:13

Our being on the headline focus is to move the theme altogether.

1:24:21

Our secondary focus was on how, you know, in a suboptimal world we could make we're getting the work. Yeah.

1:24:31

Right. Okay. And that's obviously clearly what we need to send out. So can you remind me on the Monday and Tuesday, you mentioned specific hearings on those days because you said you're you've got two specialists that are particularly tied up with the drags hearings? What are their specialisms?

1:24:48

Noise, quality and noise and noise?

1:24:52

I should say I've been assuming throughout the hearings were face to face or as I think the implication of what you were saying just now so

1:25:00

Also,

1:25:01

the issues of Senate hearings would be virtual only is that right? Well, not necessarily. That was one of my next questions was about the nature of the hearings. I mean, clearly, we've heard from some parties that would prefer them to be blended. But, you know, if the push comes to shove.

1:25:22

And obviously, the default position, the starting position is that all hearings will be virtual.

1:25:29

You know,

1:25:32

if the push comes to shove, would would the parties object to the weeks that the hearings on the week commencing the fifth of June being completely virtual? If if the if the applicant can't provide

1:25:47

the specialist required at the time? Would it make it easier if it's completely virtual?

1:25:56

To impossible for the applicant, I think

1:25:59

our understanding of that sort of default position at the moment of cross examination is generally is that they're defaulting to being blended rather than virtual locally.

1:26:09

And so

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it's my

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we haven't had a specific debate within the team on this point, if I'm honest, but speaking from my, my experience of hearings is that they are more effective if they are face to face with the applicant team together in in the room at the minimum accepting. I mean, I think hearings are more effective generally, if everyone is in the room, like second world has definitely, you know, moved in that respect. So I think our preference is for blended hearings, that gives us an opportunity, an opportunity and form for our team to be

1:26:52

to allow the hearings to operate in the most effective, most effective way. I think you'll find that most people prefer the blended events. Because because it gives you that interaction with your own team. But as I say, I just wanted to put it out there that if if push comes to shove, and they can't be in person with a blended element, Would would you be adverse to virtual?

1:27:19

And I think from what you're saying you would prefer blended full stop.

1:27:24

That is our default position within the end. So we we acknowledge that in the end, you have to make decisions on these matters. And virtual hearings certainly took place for a significant period of time, during COVID, including ones that I was personally involved in. So it's not that they can't work. I'm not sure we've agreed about about that.

1:27:49

I guess it's because of the complications of this that that our when the when the rule six letter landed,

1:27:56

our strong preference was to try and find another week. And initially we focused on the week before, but it helped fine. Move on to that topic. Yes.

1:28:08

So initially, we focused on on the week before, but that runs into I think it's mountable issues to do with after.

1:28:17

We did obviously focus on week after but that has some availability issues at our end, as well. And I think it also starts to stretch the timetable in other ways. But the the obviously we noticed that there was quite a substantial gap between

1:28:39

that period of time before the week commencing the fifth and we obviously we don't know exactly what was in your mind when you were fixing it in a way that you were. And therefore we we looked at. There are also some venue issues with the fifth Fifth of July. I should I should explain, come back to that if that's helpful. And so there seems to be or there is on the face of it a significant gap between

1:29:07

the deadline three and

1:29:11

the fifth of June. And we'd had discussions with both Fincher and Cheshire West in relation to the dates they were both. Neither of them to be clear, have an issue with the with the week commencing as of June as we understand it, they can speak for themselves at the moment. But obviously, we were expecting that we did have an issue. And if it isn't possible to move to accommodate that. Where could it move to that quickly produced the conclusion that the week before unfortunately wasn't viable because of our term issues. And therefore we focused on weed before that, which

1:29:53

I think it's just I want to be fair to the conversations we're having the Cheshire West could

1:30:00

could could live with that. Second speak for themselves at the moment. Fincher had some some concerns in relation to how close it was to Deadline three, which we thought that our response to that is, firstly to acknowledge that But secondly, to say that the deadline three we think it's fair to say is a relatively light deadline, the two big deadlines are deadlines. Deadlines one and 2.3 is mostly in the way of a sort of mock up deadline.

1:30:29

And therefore, the documentation that would come in and deadlines for you would be relatively limited. And therefore the proximity between deadline three and having the hearings in the 20. week commencing 22nd. Was was was was manageable in circumstances. Right. Okay. Understood.

1:30:50

Right. Okay. So I've got your your preferred option.

1:30:56

I know your preferred option is

1:30:59

blended

1:31:01

events. In terms of the week of the fifth of June, can you remind me of the ones you mentioned on the Monday and Tuesday holding hearings, which ones you were proposing?

1:31:17

The on the Monday, obviously,

1:31:21

I tend to think of DCO hearings as being in a category of their own. So whilst I strictly they are issue specific theories, yeah, that

1:31:31

is, is one that I won't be leading. So colleague, Paula McGinty will be leading that. So that's why we were sort of targeting that for Wednesday or later.

1:31:42

The so so in terms of the Monday and the Tuesday, obviously, in the end, that's a matter for you, sir, as to as to what topics you are choosing to cover, as far as I thought you said specific issues, because your some of your specialists weren't available on those specific days. I mean, clearly no, normally,

1:32:06

we're not we haven't got down to that level of granularity. I think that we think those specialists are having a pattern keep that week available, because

1:32:15

and then as you were indicating belt Bentley, you know, I think the tracks subject, I don't know whether you're hinting about having dialogue behind the scenes with the drugs panel or not, but you know, the the RX and our working assumption was that we will address sort of detail will land and then we will do our best to work around that in terms of tapping, you know,

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I wasn't, I wasn't intimating about having conversations behind the scenes with another panel, that wouldn't be appropriate.

1:32:50

What I'm trying to do is to fix in my head, if we have to stick with the fifth of June, for whatever reason, how we would arrange it. And and I've got, I've got your comments with regard to the Wednesday am and pm session. And I've got your comments with regard to the open floor hearing on either Thursday or Friday, if one is required, clearly, it would depend on the responses. And it will also depend on sort of the level of interest and whether or not I think it's appropriate to hold one in any event, regardless of no responses.

1:33:23

And, and then what other hearings we're looking at, which we will touch on briefly in in a later agenda item, which I think is number six. So

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but I've heard what you've had to say with regard to

1:33:39

that hit those hearing dates, and bringing them forward will clearly have a discussion with it as the examining authority for this application amongst ourselves. But it wouldn't be appropriate for me for me to involve another examining authority on another application to to discuss timetabling on this application or indeed their own application, which is already set.

1:34:03

So I'd like to

1:34:06

say specifically on this

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union boss on the applicant.

1:34:12

Colleagues just pointed out I think I've got it the wrong way around when I was attributing comments to Flintshire, Cheshire West that I think the issue with the comments I was making about proximity of deadline three week commencing 22nd. They were actually from Cheshire West clincher. So I apologize.

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The only other thing that has just occurred to me that we haven't discussed at all is that it may be that

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given the company's site visit, kind of have their own existence as it were, and only require normally a limited number of people to attend. One other tool in your toolbox potentially being to move your company and site visits sort of separate from from from this week of hearings altogether.

1:35:00

Let's travel time cost to that, depending on where, where, where others may be coming from. But I just mentioned that as another tool in your toolbox, but I don't I'm not particularly steering given a specific direction in that regard. Okay, I understand that. All right, thank you very much for, for highlighting that. The other items that you wanted to speak on, there was three in total, sorry, four, in total, we've covered one, what were the other items that you would like to raise.

1:35:30

So all in the original bento,

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the

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first one was on the length of the company site inspection, in essence, that, as you've seen, so to try to kick off the discussion, we could put in a first pumps proposal. But we would emphasize that we think that's a very full day already done that to do justice to some of the locations shouldn't go, no parking, and walking, reasonable distance, and so on and so forth.

1:36:05

We wanted to sort of flag that that we can see and this is that this is my experience on other projects as well. But it's not uncommon, as the company site inspections that that need more than one day. So we wanted to flag that for your for your consideration. We've noted that there are a couple of requests from flexure and Mr. Altron, which would add to the list. Ready. Now, if you are going with the scheme as we do, on Justin, already done a couple of site visits soon contact us as well. Yep, we would sort of wanted to gently, fairly firm notice that we think, keep trying to do this in a day, quite challenging.

1:36:52

So that was the second point. And then third point was simply point around deadline six, that

1:37:04

given that deadline six is sort of one of what we would see as the Big Four deadlines. To have that as a week is very, very tight, particularly if there was any delay in posting of posting of items from from a previous deadline and sort of stopping after that deadline is moved from the 11th of July to the 17th of July, and so as to provide

1:37:32

a system to get particularly between the main deadlines as we see it. That's the third item. And then the fourth item is going back to the point that you've alluded to a little earlier certain the nation's boeckmann plant reports were

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recognizing that they have special status and

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terms of the obligations under Section 105

1:38:02

be appropriate for us to have a fine opportunity to comment on on them.

1:38:08

And therefore that would require bringing that deadline forward to would suggest when you suggested so that there's then a final opportunity at the final deadline to to comment on that. Those were all of the changes that we wanted to to request something this agenda item.

1:38:33

That's when they were all noted and understood.

1:38:37

And we will come to a decision on all of them in the rollout letter, which we will draft and hopefully we haven't issued within the week

1:38:47

or within within seven days of today's meeting, I should say.

1:38:52

Okay, fine. Does any other party want to comment on the applicants request that they've outlined?

1:39:05

So I've got Chester West, Cheshire West and Chester Council hands up first base.

1:39:13

Yes, sir. Michelle sparks on behalf of Cheshire West and Chester Council. I think the instructions are both myself and the officers are available on the 22nd of May. And if the examining authority can conclude that that's the best dates to hold the hearings. Were also available on the week commencing the fifth of June. And so we were just making the point that you're having it so close between deadline three appreciate they're not volumous information. We're quite a small team. So you know deadline three submissions probably wouldn't be available till the Thursday Friday. And with hearings commencing the following week just put us under more pressure. But in terms of availability if it helps the examiner and authority on the applicant, we can make the 22nd

1:40:00

end of May. And the week commencing the fifth of June to be clear, so Understood. Thank you.

1:40:07

Hanna parish for Flintshire, county council, please.

1:40:13

Thank you, sir Hanna parish Lynch county council. So with regards to the suggestion of move, Valley Africa applicant move to move the hearings to the 22nd of May, the only concern I do have is that I have not circulated that suggestion amongst all my console T's. So, obviously,

1:40:34

the applicants, submissions to procedural deadline, they are available on the website but have not yet

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requested comments on those changes. Except I do know that our ecologist may not be available during that time, but I'm sure

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should should the examining authority, move the hearings to that week, and there are no availability and specific areas, I would be able to attend and then address any questions subsequently. So, you know, I'm available. Certainly, my colleague, Charlie Pope's available, and we're also available the fifth of June. So we'll be able to be flexible to accommodate any requests made, and should specialists not be available. When you do set your timetable that we'll be able to work in it, we'll be able to address any questions that come up if

1:41:32

that's understood. clarification.

1:41:37

Does anybody else wish to say anything in relation to the applicants points?

1:41:46

And does the applicant wants to come back on any of the points that have been commented after the event after your comments were made? Thank you,

1:41:55

dude, and most of the applicant? No specific comment, just grateful for the different submissions and constructive submissions that have just been made. Okay, understood. Thank you, I will consider all of the above matters. All of these matters prior to finalizing the examination timetable, along with my colleague, Matthew Shrigley.

1:42:17

As we form the examining authority, I have no further requests to speak on this agenda item. As such, I will come to deal with the nature and number of hearings and the accompanied site visits shortly.

1:42:31

But before I go to item, move on to item six, does anybody else have any other general points they would may wish to make on the structure of the draft examination timetable.

1:42:46

I'm getting no indications and so I'm going to move on. So moving on to item six number and nature of hearings and the accompanied site inspection. Whilst this preliminary meeting is being held virtually subsequent hearings are being proposed to be held in person as blended events. However, in the unlikely event of this needing to change due to any unforeseen circumstances, we will give as much warning as possible of any decisions that are made on this matter. So please keep your eye on the project page of the national infrastructure website. For any announcements, deadlines for request for an open for hearing and or compulsory acquisition hearing

1:43:29

is currently deadline one, which is the 17th of April 2023. Currently, should other hearings be deemed necessary. My current draft timetable is currently reserving these for the week commencing the fifth of June 2023. But we have had significant discussions on this matter. So clearly that might change in the finalized timetable. Second round of hearings has been sheduled for weekends in the seventh of August. However, these weeks are reserved only if it's necessary

1:44:02

for hearings, and clearly if they aren't necessary, then that week will not be required.

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I have received representations on this matter from the applicant primarily regarding the week, currently set aside for the first set of hearings, which we've just discussed at length. I've also received a response regarding this matter from Flintshire county council, although that representation concerns existing commitments of its lead officers but advises cover will be provided. To the best of my knowledge. I have no other interested parties making any responses that deadline one specifically relates to the nature and type of hearings and or making any requests for an issue specific hearing to be held in regard to a specific subject. I am intending to hold as a minimum of compulsory acquisition hearing and issue specific hearings in regard to environmental matters and the draft DCO in any event, but I would give this opportunity for any interested parties or

1:45:00

Will the applicant to comment on the nature of any issue specific hearings they consider may be necessary. Firstly, could I come to Flintshire county council if they would like to add anything to their representation on this matters something to the procedural deadline a

1:45:15

parish county council now I've not got anything further to add. Okay. Thank you very much. Would any other party like to speak in relation to this, the nature and type of hearings that we are proposing to hold?

1:45:35

I've got a hands up somewhere, but I can't see where at the moment.

1:45:42

Now, it's not hands up because it's somebody in the lobby, can the case team have a look at who's waiting in the lobby please and admit or not as the case may be?

1:45:56

So I've got nobody indicating hands up in relation to this matter. So

1:46:02

in that case, with the applicant like to make any comments in relation to the nature and type of any hearings, please.

1:46:12

Nothing, nothing that I haven't already said about potential preference for blended hearings over virtual opening hearings serving in your hands. Okay, that that was noted. Thank you very much. In that case, I'm going to move on to the site inspections. As I've already indicated, we have already undertaken to unaccompanied site inspections, which were carried out from public land or public footpaths, where we have observed the majority of the proposed sites and the locations of the above ground installations and blocking valve stations. Notes of our company site inspections were published on the 19th of January 2023, and can be reviewed on the project page and the National Infrastructure website. As such, I don't propose to read these notes. Now. We will point out that it is possible that we will undertake further and accompanied site inspections, or indeed access only required site inspections during the examination process. Access only is where you, a party will be there to let us into the site but won't be involved in the site inspection at all. Following the first two unaccompanied site inspections, we have gained a good understanding of the proposed development, the proposed routes and the alignment, the proposed above ground installations and the blocking of our stations and their surroundings. But there were parts of the site that we could not view particularly well from public vantage points and therefore an accompanied site inspection is likely to be required. The purpose of an accompany Titan specialty is familiarization and no discussion on the merits of the proposed development would be entertained. I have also noticed the applicant has not specifically commented on the unaccompanied site inspections but has provided suggested locations for accompanied site inspections, which is the procedural deadline a document 002. So that's our reference PDA 002 And that sets out their response to the procedural deadline a on the ninth of March 2023. The draft examination timetable included Thursday the ninth of March 2023 as a deadline for the submissions of the proposed locations for the accompany site inspections by the interested parties. Parties making representations in regard to this matter, were asked to take into account the notes of the unaccompanied site inspection first of all, putting forward suggestions in writing to the examining authority and explanation as to why the accompanying site inspections from a specific from a specific location suggested were also requested. In addition, the applicants in addition to the applicants response concerning the locations for the accompany site inspections responses in regard to this matter were also received from the canal and river trust who indicated that they were satisfied with what had been said and shown in terms of the unaccompanied site inspections, and that no further a

company site inspection in relation to their interests would be required. Future county council commented in relation to

1:49:05

the crossing point of the river D and suggested locations along a couple of footpaths and bridleways where they would like the examining authority to look at the site from Steven scan on behalf of S and C Ultram. Which was procedural decision reference document PDA 006 and peel N R E. Pa doc document our reference PDA dash 009 Both also made representations in this regard. These will all be given consideration by the examining authority prior to the locations of the company site inspection has been confirmed however, I would invite the interested party to speak if they would like to on this item and I'd like to start with Flintshire county council first please with regard to the crossing point of the river day and the footpaths that are proposed to be be accessed please

1:50:02

Hannah Parrish, Ventura County Council. I don't have anything further to add other than the representation made and procedural deadline. Can I Can I just ask you whilst you're on the on the line there? Clearly both

1:50:16

both of the locations you're asking us to have a look at the site from our both public footpaths or public bridleway?

1:50:26

Do you believe that they are required as an accompany tight inspection? Or do you believe they could be done on accompanied? Totally on accompanied? As you point out there they are accessible public. Okay. My affinity to the feedback I had from the rights of way officer was that's that's understood. It's just that I wanted to give you the opportunity if you felt that it needed to be accompanied to explain why.

1:50:49

No, I don't think there's any reason for it to be accompanied.

1:50:53

In terms of the the applicant, I will provide your response at the end if that's preferable as opposed to coming in on each each person's request is are you happy with that?

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African Yes, sir.

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Thank you very much.

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totallys

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on behalf of Peel NRA attorneys present

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don't believe had them registered. They initially indicated they were going to attend but have subsequently revised they're not attending. So I'm going to move on.

1:51:31

Stevenson Scowen on behalf of s&c Ultra, and please if they are in attendance, but didn't have the mark, they indicated that they were going to attend but they haven't registered this morning.

1:51:46

In that case, I'm going to move on.

1:51:51

Would any other party like to speak in relation to the locations of companies site inspections, please?

1:52:03

Mr. Edwards,

1:52:05

thanks so much the same, Steven Edwards SP energy networks

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just to make the same point that if we can progress with the applicant,

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details of the Indicative line alignment and our assets, and that

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will enable us to identify

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there might be significant impact on any of our assets that we would wish to be avoided. Okay. And that subsequently may feed into a suggestion for fight site visit.

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Understood, I understand that.

1:52:44

like very much, Mr. Edwards. Thank you.

1:52:48

Is there anybody else that would like to comment?

1:52:52

And the applicant? Would you like to respond to anything you've heard in relation to suggested

1:52:59

accompanied site inspections, or anything submitted in the procedural deadlines, please?

1:53:08

So, anything anything substantive to say just just feel it should give you a heads up on one point that is not an issue that I respond to explain if I may, suddenly, when we come onto the timeline to propose material change request response, you mentioned that two of those requests relate to locals movements of the

1:53:37

station and find

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those afford in about

1:53:43

scientist.

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Straightforward, etc, what the current location is and what the location is one of those changes just in case that occurred to you and

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the changes are

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sick.

1:54:07

Okay, that's understood. In terms of your change request. I believe we're going to cover that under any other business shortly if that's okay. No, that's exactly what I just I was just worried that you might hear me referencing relocating things and thinking, how does that relate to the site visit

1:54:25

I just want to reassure you that we have already allowed the terms of that post

1:54:31

sheduled Okay. All right. Thank you very much.

1:54:39

All right. So there's nobody else indicating to speak on this item. So I'm going to proceed.

1:54:46

You will have heard the discussions in the proceeding agenda items concerning the dates of any accompany site inspections and the matters raised will be considered by the examining authority. However, the draft examination timetable potentially programs the accompanied site inspections if

1:55:00

required for the week commencing the fifth of June 2023. With firstly the eighth of June 2023, specifically mentioned in our all six letter clearly, we will consider the alternatives already suggested. But regardless of whichever date is actually set for the examination timetable if interested parties wish to attend the accompanied site inspection they should put such a request in writing by deadline one, which is currently set for Monday the 17th of April 2023. However, please note that if an accompanied site inspection takes place on private land access onto that land for any interested party is the discretion of the landowner. And the examining authority is not able to guarantee entry or rites of entry onto those to those interested parties. Does anyone have any questions or comments in relation to site inspections before we move on to the next agenda item please.

1:55:53

Okay, I've got no indication. So moving on to agenda item seven, which is remaining questions or submissions regarding procedural matters.

1:56:02

And then deadline eight, which is any other business these are both being covered by my fellow Sam examining inspector Matthew Shrigley? Mr. Stricker, would you like to take it forward, please?

1:56:14

Yes, thank you. Item seven.

1:56:18

Like to open this up to parties. Are there any remaining questions or submissions regarding procedural matters not already set out in the agenda that had been submitted to the planning Inspectorate in writing in advance of this meeting? Is there anything else anybody else wants to raise?

1:56:43

So dude, it wasn't only the material change request, but I'm assuming that's

1:56:49

it? Yes, I do note that, we'll come on to that in item eight.

1:56:58

Is there anybody else who wishes to raise anything else?

1:57:05

I'll take that as a no. Finally, we want to take the opportunity to highlight the importance of ensuring that information is submitted in accordance with set deadlines. Whilst the ESA does have the ability to accept late submissions into the examination. This is always at our discretion and should only be an exceptional circumstances, as late submissions restrict the ability of other parties involved in the examination to respond to information and therefore can jeopardize the overall examination timetable, it is important for you to note that if you do not submit something late, or you do rather, submit something late, there is always the possibility that it may not be accepted into the examination.

1:57:55

I'm aware that no party wants to raise anything else. So on that note, we would like to thank you for your comments so far. As you will be aware, we will not be agreeing to anything today. But we will be considering your requests and suggestions when we finalize the timetable and our rule eight laughter. And that brings me to Agenda Item eight. And I obviously I'm aware that the applicant is proposing a change request, I'd like to invite them to detail the nature of what that would entail, please

1:58:34

do the impossible for me.

1:58:39

Obviously, this is a procedural instinct, and therefore,

1:58:44

opposed to just very briefly outlined the the nature of the changes, and obviously detail, those will come in with the formal request. Purpose of mentioning this was simply as the advice note recommends that issue example authority of notice as soon as extensible and the fact that change requests.

1:59:08

And so, we have done that in the previous submission.

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central purpose here by Marx is simply to cycle by what I've said there already.

1:59:25

It is

1:59:27

going to be a composite press W words there are a number of different changes, different types.

1:59:36

Two of them involve locations that I've mentioned for wherever your power station

1:59:43

installation. These are changes coming about because of ongoing

1:59:49

discussion discussions in the context of those discussions.

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And the changes that emerge in terms of tendencies to

2:00:00

So to improve aspects

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and 123 acquisition

2:00:08

changes, we're mindful of the guidance on what is or isn't a material change, because some of the changes definitely are material change, change, because we think that it makes sense for everything.

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As a policy, rather than start up separating

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to

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voluntary change, sidestep that debate.

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And

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seemed like I can go into a bit more detail about the nature of the changes, but I think it's probably better for you to see that when in

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terms of the process, we are suggesting.

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That

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proposal, which is unlikely to change this, the moment is that we would make the change requests sent

2:01:02

on the 27th of March. Sorry, Mr. Boswell? Can I ask you to speak clearer to the mic, please, because you keep dropping out, I go just about hear you. But

2:01:12

it's not as clear as it was earlier on. Okay.

2:01:16

So

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I was just coming on to the procedural aspects, specific procedural aspects, which come from the written submission that we've already made.

2:01:29

That the change request that we made, we're intending to make on the 27th. Block, as we know, so we have 28 days to decide whether to accept that.

2:01:44

By the 20/24 of April, we're very much hoping that as understandable authorities have been able to

2:01:52

make that decision to that. So that might allow us to accelerate what I'm about to set down.

2:02:02

Thereafter, assuming the request is accepted, you would then carry out six week consultation between 24th of April of 90 produce and it's important that I've just made and this is making plans for publication dates, which we will solve for time or the button to that consultation with Ron until ninth of June, as I just said, would be typically different offices and several different strands moving with the foster Acquisition Regulations, we would then prepare the presentation report and submit on the 26th of June 23 times 45. We're asking incentive for deadlines

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all the time.

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And then that would give opportunity or opportunity

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issues raised by the changes to be dressed in appearance program for the week.

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And for any further questions

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to be put into the XA, if it's exactly that question through

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15th of August. So in summary,

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the sea water plan as you can see, we think

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and fit comfortably within the overarching program that they sent out.

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The and this is sitting being

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sent.

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Okay, those points are noted and understood. You were incredibly faint, whilst talking through it through quite a long stint, but I could detect what you were discussing.

2:04:05

So, in summary, there are a mixture of material and non material changes anticipated, you do anticipate some consultation,

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ramifications if you like as a result of those. But what you're broadly saying is that you are able to

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broadly keep in accordance with the timetable as what I picked up from what you were saying just now.

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Yes, we think that these this change in the updated if you are agreeable to what we have, what we are indicating, we will be formally requesting.

2:04:47

Understood and as I say those points are noted.

2:04:52

I've got no other questions to raise on this item. Does anybody else wish to raise anything else?

2:05:04

Does anybody wants to comment on the change request that I've been briefly outlined at all?

2:05:09

I think Hannah Parrish would like to say something if you'd like to come forward.

2:05:16

Thank you, sir. Yeah, it's just the the, it concerns me where that how material that the change request is, and where the the proposed changes? Are, is this information publicly available on available yet? No, no, it's not yet publicly available. This is discussion regarding what might be anticipated on the applicant side. So

2:05:41

it's a note to say that they are anticipating to, to submit a change request, the details of which aren't yet known publicly. And I've got no record of those either. Once they are, they would form part of the public record. Thank you. And just obviously, it'd be a matter for us to consider what the implications are of the the nature and the scale of the requests that may may well be coming forward. And whether or not we as an authority would need to consider those changes within our

2:06:15

local impact report, etc. And, and our ability to turn. Obviously, we don't know yet what the detail is, and the ability to turn round those comments that you will require, in a timely fashion, taking into account your, your timetable and your questions that you will raise. So I'm just flagging up now that there may not be capacity within the team, depending on the nature of that. And presumably, obviously, we do have regular discussions with the high net team and our our our monthly meeting so short, the next one. Hopefully, we'll have some information there. And then we'll be able to consider the the implications from our side. Thank you.

2:07:00

Thank you all understood.

2:07:03

I think another party wants to raise something. Believe it's Edward.

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I just don't have the surname AdWords. Sorry, Steven AdWords. Yeah. Even Edward says the energy networks. Thank you.

2:07:19

So it's not so much of a well,

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question for me. But if I can share it widely, perhaps to Inspectorate or to the applicant? But at what point in any event, or what are the options open to the inspector and at what point

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possibly as a decision made, the timetable does change that in the given timetable currently, so I follow.

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Dates mentioned.

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If you have access to the applicants response submitted a procedural deadline, A, which was PDA 001, which is our reference, it set out clearly on page four, what they're proposing in terms of the nature of the change request, the reason that they are potentially seeking it,

2:08:11

and the timings of such a request. Now, that request hasn't yet to be formally made, all the applicant has done is notify us of an intention to potentially make a change request. So these are sort of things that might might happen in the future are likely to happen. I would surmise, but I don't know for certain, but most certainly, all the timetabling is set out there of what the applicant would need to do and because

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there is impact in terms of what looks to be additional land take

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the compulsory acquisition regulations would be would be invoked effectively. And that means there's a further period of of advertising that the applicant would have to do. Ultimately, once the change request is made formally met EAD. The examining authority, which is myself and Mr. Shrigley have 28 days to decide whether to accept the change request or to reject it. We can also within that period of time once we've seen the we actually seen the information we can we haven't seen to date all we've seen is the notification. We can also ask further written questions within that period of time asking for clarification on certain matters such as compulsory acquisition impacts and the likelihood of those effects and how they comply with the regulations. Indeed, on the last project I worked on the applicant had to remove the land requests because otherwise that would have resulted in the rejection of the change request of the the other elements of the change request. So they there is a set procedure to follow and ultimately the examining authority can accept or reject in whole or in part

2:10:00

but we're not even at that stage yet. So we can't really give you any clear indication on that. And this matter really rests wholly with the applicant. And I would suggest to the applicant that they might like to speak to the interested parties, and with regards to the content of the change requests before warmed

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up.

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Thank you, Mr. Edwards. Mr. Strickland.

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Yes. So all those points are understood and well made.

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The applicant is going to consider those are well, we would encourage the applicant to consider those submissions by the interested parties.

2:10:45

There's nothing else I wish to raise on this particular agenda item. Does anybody else want to raise anything?

2:10:55

I'll take that as a note. And I'll hand back to Christopher Butler. Thank you.

2:11:02

Okay, so the next item on the agenda is to close the preliminary meeting. We have completed the business of the preliminary meeting and trust that you will all be satisfied with the agenda that has covered to being covered today. We believe it's given an opportunity to all of those who notified us of their desire to speak and that that opportunity to speak has been provided. And no to the meeting will end the digital recording will be added to the project page of the planning spreadsheets natural infrastructure website as soon as possible after this meeting. I'd like to thank you all for your contributions and your participants to participation throughout the meeting. And especially for adapting to the virtual format that we've used today. The examination will commence tomorrow for a period maximum period of six months and we look forward to receiving your deadlines sub deadline one submissions, the date of which will be confirmed within our rule six letter sorry, rule eight letter, which will be published in the near future. Thank you very much, everybody. This preliminary meeting is now closed.