

TRANSCRIPT_VIKING_PRELIM_SESSION1_ 26032024

00:04

One and welcome. It is 10 o'clock by the clock in front of me here. So I'm officially opening this preliminary meeting. Now would be a good time to switch off mobile phones or switched into silent and mute any other noise alarms that you have on your devices. This meeting is in relation to an application made by Christo production UK Limited for an order granting development consent for the Viking carbon capture and storage pipeline. We will refer to them as the applicant and the proposed development from here on every member of the examining authority will introduce themselves in a moment, but please bear with me whilst I just undergo some housekeeping items. First of all, can everyone hear me clearly? But start? Excellent. Thank you. Could you confirm that the live stream and the meeting recordings have started? Yep. Excellent. Thank you very much. Have there been any requests for reasonable adjustment adjustments or arrangements at all? No. Okay. Thank you very much. For those of you who need them, the toilets are over on this side of the room and the emergency exits are on that side of the room. There are no sheduled fire drills today. But if the alarm does go off, please exit the building and congregate in the carpark where the staff will look after us. So on to introductions, my name is David Wallace. And I've been appointed by the Secretary of State for levelling up housing and communities to be the lead panel member of this panel of the examining authority to examine the application. I'll now hand over to other members of the authority to introduce themselves.

01:50

Morning everyone, my name is John ghost, and I've also been appointed by Secretary of State to be a member of this panel. Thank you.

02:00

Good morning everyone. My name is Alex Jack. And I've been appointed by the Secretary of State to be a member of the panel of inspectors to examine this application.

02:08

I can confirm that all members of the panel have made a declaration of interests responding to the planning inspectorates conflict of interest policy, and I can confirm that none of us have any declarable interests in relation to our appointments. Also present here today are members of the case team. The case manager is Caroline Hopewell, and she is supported by Jessica Weatherby at the back of the room, here at the venue. And then online we have Joe Shanks man in the chat on there. If you have any other questions or concerns about today's event, please contact a member of that case 10. The audio and visual service is provided by production 78. And the team knows led by Nathan Williams. So that's the team on our end. And now we'll come to all the introductions for attendees in this room. First, I want to acknowledge all those who are watching the live stream today. Thank you very much and

welcome. We have a number of people attending both physically and virtually. Here Today we have a number of registered to speak. I would now like to start with introductions from those who registered. What I will do is I'll just read out the name of the organisation or the individual and if they could step forward to a microphone and introduce themselves one by one. So may ask who is here on behalf of the applicant, please?

03:28

Marissa My name is Craig Welton. I'm a partner at Burgess sama solicitors and we are instructed by the applicants on this application. There's members of the project team here with us today, but they won't be participating this morning. If it would assist. I would ask those To my immediate right introduce themselves to school down the go down the line. Thank you.

03:51

Hey, good morning, Patrick Monroe. I'm a Senior Associate Bridget salmon representing the applicant. The morning waivers and the onshore development manager for the applicants. Good morning Nigel Pilkington,

04:04

I'm the DCO lead for a con

04:10

I'm Adam Wilson representing applicants apt in screenshare sharing and it documents the sharing screen.

04:18

Thank you very much. And there were a number of your colleagues are online as well and participate in so yeah. Welcome to all of you. So now May I ask who is here on behalf of Lincolnshire county council please.

04:33

Good morning sir. My name is Justine proudlock. I'm the infrastructure manager at Lincolnshire County Council.

04:39

Thank you very much. And who's here half of Northeast Lincolnshire Council.

04:46

Good morning is Martin Dixon Head of Development Services

04:56

very much. And from North Lincolnshire Council

04:59

Good morning, sir. Yes, Andrew law development management specialists. Nothing gets you, counsel.

05:04

Thank you very much, and welcome to all. I then have other registered speakers. Mr. Antony Dale. Already Unsworth. Now. Okay, not here at the moment. And Mr. David Spillman. Okay, not here at the moment, either, if either of those parties do attend, we'll get them to do the necessary introductions at that time. I understand we're joined by a number of other interested parties and affected persons in the room who have not registered to speak. But during the course of the proceedings, should you feel compelled that you wish to say something, then by all means, bring it to our attention, even Microsoft Teams using the raise your hand function, or in the room, simply raising your hand and give us a moment we will come to and we'll invite you at that time to make any introductions. Just on cue, there is a hand raised. Sorry, sir, could you could you come forward to microphone, please?

06:01

Oh, okay.

06:04

The carbon pipeline is yes. And my name is Peter Strawson. We have some land which is crashing. And that's fine. But the only thing I'm here for is to find out why you didn't draw a straight line for a start, and then put the deviations around it. Okay, because you seem to have some rather peculiar deviations for no good reason. And I did ask if it would be good enough to advisors when or why you decided to make such diversions because it's not in the interest of the national economy or anybody to go further than you need it because of the path. And that's because quite a bit of both.

06:44

If I could just stop you there, sir. For a moment. We as the examining authority or part of the planning inspectorate, we are examining the application for this development consent. And the purpose of today's meeting is majors to see how we're going to proceed over the next six months and how we're going to examine that application properly. So there are opportunities to make such representations and to ask such questions that will come later in the process. And by all means, speak to the case team at the back there, to see how you can get involved and ask those questions of the applicant. But for the moment, we're just working out how the next six months are going to unfold and how everyone can participate. But thank you feel for your case, sir. Would

07:29

it be good enough? Excuse me, because that was the only thing I was here for.

07:34

But by no means speak to the case statement about that out they will help you out? Okay, thank you. Could I just request that everyone who does that speaking, if they could just start with their name organisation just introduce themselves when they go on. Before I hand over to my colleagues who set out a proposed approach to running this examination, I'd just like to make a few notes about today's preliminary meeting and the course ahead of us. As I've just said, in fact, our main purpose here today is to discuss how the application will be examined and the process and procedure only. We won't talk about the substance of the proposed development today. The preliminary meeting is your opportunity to

influence the process that we intend to follow. So discussions of representations about the merits or the disadvantages or whatnot of the case will begin after the close of the preliminary meeting. For those attending virtually please be reassured that you have our full attention at all times even if we're not looking directly at you on the camera. To avoid visual when any noise distractions. Please keep your cameras and microphones off until you wish to speak. That's also for your own privacy as well. If you do decide to leave the virtual meeting, please use the link that was circulated by the case team to reconnect to the event. I must advise everyone however, your means of attending today. We do expect courteous behaviour, no no jumping in ahead of others, please be patient and wait for your turn to speak. If there are disruptions and interruptions, then we have the discretion to to give warnings. And if there are repeated disruptions done, we may ask for you to to leave. Hopefully it won't come to that. Finally, this event is being both live streamed and recorded. The digital recordings that we make are retained and published on our national infrastructure website. And they are done so in accordance with the general data protection regulations. Now the planning inspectorates practice is to keep recordings for a period of five years after the Secretary of State's decision. So consequently, if you do participate in today's meeting, your image and your voice will be recorded. And it's understood that you therefore consents, the retention and publication of For that recording, it is very unlikely that we'll ask you to disclose any personal information or put on record any of that sensitive personal information. And we'd encourage you not to do that. If for some reason, however, you do feel it necessary to refer to such information, we will encourage you to speak to the case team in the first instance and we will then explore with you with the information could be provided in a written format, which might be redacted before being published. And just a reminder that for everyone, the any oral representations carry equally equivalent weight to written material. This is predominantly written process, but we do supplement it with hearings. Does anyone have any questions about the points that I've just raised? Good. Excellent. Okay, Mr. Ghost over to you.

10:52

Thank you, Mr. Wallace. And hello, everyone. Again, I will now provide a summary of the examination process set out in Annex B to our rules six letter, which is dated the 15th of February 2024. Hopefully, everyone will have read this carefully. But if you haven't done so yet, then then I would encourage you to do so. Before we get into the examination process, I want to say a bit about what has happened so far in the pre examination period. Firstly, the examining authority has read the application documents to understand the proposed development and its effects. Secondly, in order to familiarise ourselves with elements of the application, we have come up to the area back in February, and undertook a company site inspection of the root and specific locations in the surrounding area. That was on the sixth of February, and a full outline a short note of the locations we visited, the time of day and the weather conditions is published on the planning committees on the planning spectris website. So please do look at that. We will later in the examination be taking out the undergoing undertaking at a company site inspection. And if anyone particularly wants us to visit specific locations, then please contact the case team so that we can go and see those when we have our complete site inspection full details of which will appear on the website in due course. Thirdly, we read the relevant representations received so far, I think there are 121 of them. So a reasonable amount more than on the iminium green examination, which is currently also going and where pilots have expressed their views about the proposed development. And we've also received a few late submissions, which the examining authority used, accepted our discretion, and these are listed in additional submissions. Now with regard to the

legislative and policy framework, the applications for a nationally significant infrastructure project, which we abbreviate to N sip, which is made under the Planning Act 2008. The original 2011 versions of the national policy statement for energy, which is NPS en one and the national policy statement for gas which is MBS e n four are the relevant policy statements for this project. The recently designated en one and en four, which were dated November 2023, and came into force in January 2024. Whilst not policy for this application are also important and relevant. Besides the Planning Act 2008 The examination procedure rules govern some aspects of the process. You will hear us referring to the rule six letter or a rule 13 notification or a rule 17 request. These are all rules under the examination procedure rules. They can be found on legislation.gov.uk website and are on the planning Inspectorate website as well.

14:27

Mr. Walters has already mentioned that the examination process is primarily a written one. representations made in writing carry equal weight to any representations made orally. There may also be hearings, but these should be understood as building on the foundation of the written submissions. So interested parties should seek to engage fully through throughout the written process, rather than think that they can wait for a particular hearing for their opportunity to influence the proceedings. The examination will take an inquisitorial approach as opposed to an adversarial one, the examining authority will take the lead in establishing what's important and relevant to the decision, which the Secretary of State needs to take. So we should be looking for evidence as to what is important and relevant, testing the evidence put forward to see how robust it is. At the conclusion of this examination, we will provide a recommendation report to the Secretary of State for energy security and net zero, we are obliged to do that within three months of the close of the examination. And if you're eagerly eyes, you may notice that we have to do this by December the 26th, or Boxing Day. So we're looking forward to a fairly exciting Christmas period. It will go to the Secretary of State who will review our recommendation. And he or she will, is supposed to make a final decision within a further three months. And we'll see whether or not that happens. Wait and see. The recommendation report will have at its core our recommendation as to whether or not the draft development consent order, either in its current form or as amended during the examination should be approved. And we will be talking tomorrow about the draft development consent order. It will also contain recommendations as to what land should be subject to compulsory acquisition if the Secretary of State approves the DCO. Even if we do not recommend that consent should be given, we are required to still put forward what we consider will be the most appropriate DCEO. If the secretary of state goes against the initial recommendation from the examining authority. The important point is that all matters relating to the draft DCO are integral parts of the examination. Does anyone need clarification on these general matters around the examination process that will not be covered by later agenda items? No hands up in the room. And I don't think there's any hands up virtually either. The final point to make is about you participating in the examination.

17:39

Yes, so this has been explained in some detail on the rule six letter and in the planning and spectrums document entitled What is my status in the examination? However, I want to acknowledge the status of some specific participants here. Most people I've because they hold interest in land that is within the proposed order limits or because they have submitted a relevant representation or because

they are a statutory body or because they are statutory Undertaker, are considered interested parties. Most people present here today are here because they fall within any one of those categories. Now as part of procedural deadline, a submissions received on the Eighth of March 2024. We have received some requests to speak on this current agenda item. However, I'd like to invite any comments first from other parties first and then from the applicant finally on this. So the two I've got down here should they wish to speak I've got Lincolnshire county council, would you like to say anything on this agenda item?

18:47

Thank you. So no, Lincolnshire county council No comments. Sorry, just being proud at the Lincolnshire County Council.

18:53

Thank you very much. And then also northeast Lincolnshire Council. Were there any comments?

18:58

Martin Dixon, Head of Development Services, no comments. Thank you.

19:01

Thank you very much. Does anyone else have any comments to make and what we've just heard? Okay, I'll come over to the applicants team.

19:11

Thank you so pretty well, for the applicant we've got nothing to add at this stage. Okay.

19:15

Okay. Thank you very much. which case I'll hand over to Mr. Jack for agenda item three.

19:22

Thank you. So turning to Agenda Item three, it'd be useful to have Annex C of our rule six letter on screen for this item please. So if the case is the case team could share that please thank you.

19:50

Your technology doesn't allow you to see the list on screen clearly. You can find it as Annex C to our rules six letter dated the 15th of February 2024. In section 88, subsection one of the Planning Act 2008 As amended requires the examining authority to make an initial assessment of the principal issues arising on the application. For those of you who have a copy of the rule six letter, please now turn to Annex C which sets out our initial assessment of principal issues. Since the list of principal issues is visible on screen for those attending this meeting in person and MX C, of the examining authorities will six letter I do not propose to read through the items identified as principal issues at this stage. You may however, wish to note the following. Firstly, the principle issues have been compiled largely alphabetically and not in any order of importance. Secondly, this annex is neither a comprehensive nor an exclusive list of all the issues that are important and relevant to this examination. Instead, it identifies what we consider to be issues attracting the most concern, and upon which our recommendation is likely to be made. It will inevitably inevitably be the case that other relevant issues will arise during the

course of the examination. Those issues will be considered and examined thoroughly. When that happens, equally, issues on the list may turn out not to be as important as they appear to be now. We have two requests to speak on this agenda item. We will hear those in turn shortly. The same may have questions and I will give the applicant a chance to speak at the end of the agenda item. By inviting you to speak please remember that we are not here today to discuss the merits of the application. There will be opportunities for all parties to make those types of submissions as part of the detailed examination of the application which commences after this preliminary meeting. At this stage, we are seeking submissions from interested parties who have any additional issues which they think might or should affect the structure of the examination. With that in mind, allow invite submissions with a further reminder to all parties to introduce yourself before you begin your submission indicating whether you're representing an organisation and if so what its remit is so the first one I have is Lincolnshire County Council.

22:14

Thank you. So just being proud of for Lincolnshire County Council. The only comment on this agenda item that Lincolnshire would like to make is that we would like to see the lists that are kept under review. At this stage, pending the submission of the local impact reports from the from the relevant authorities. There may be topics that come forward through those local impact reports that may warrant a particular topic to be raised on on to the important issues list.

22:44

Okay, thank you.

22:47

So next I have northeast Lincolnshire Council.

22:53

Thank you, Sir Martin Dixon, northeast Lincolnshire Council. No further comment. Thank you, sir.

22:57

Great, thank you. Thank you. Does anyone else wish to make any comments in relation to the examining authorities initial assessment of principle issues. Okay, so coming on to the applicant? Would you like to make any comment on the matters raised at this stage?

23:19

Thank you, sorry, Craig Welton, for the applicant. And also the the applicants for content was the list of principal issues and agree with what's been identified and equally, picking up the part of the point from the county. We don't see difficulty with that. It's obviously not a closed list in any event, so of other matters come up, of course they should they should be addressed. Okay.

23:37

Thank you. So thank you all for your participation today. It's not the excise intention to take any procedural decisions today. But we will have listened to and we will consider the comments that have been made by all parties on our hand over to Mr. Wallace to continue with item four or agenda.

23:56

Thank you very much. So Agenda Item four is to talk about the draft examination, timetable, and key dates and events that happen within that, you will need to have Annex D, E and F of our rule six letter in front of you for this item. In the interest of brevity, I did not propose to read out everything within these annexes, but I will highlight some of the key points. Annex D is the draft timetable that will be appearing on screen shortly if I could have that place. In light of any representations made here soon, further consideration by the examiner authority will be given to them. And we may make changes before issuing the final examination timetable, in what is called a rule eight letter that will be issued as soon as we can after the close of this preliminary meeting. Just like to take the opportunity to highlight the importance of ensuring that information is submitted in accordance with the set deadlines. Whilst the examining authority does have the ability to exercise discretion to accept late submissions into the examination. This should not be relied upon, that would be exceptional only. So please do make sure your submissions are on time. And for each deadline that's before midnight, so it's 2359 on the each day of the deadline, it is important for you to know that if you do submit something late, there is always the possibility it may not be accepted. Now I'll first take you through the opportunities in the timetable when you can make written submissions. These can be made in a number of different formats throughout the examination. Firstly, relevant representations that was open hand has closed those during the pre examination period. Thank you for everyone, both here and online watching the live stream anyone involved who submitted one of those. The next opportunity is at written representations, which should include each party's detail case, and set out the reasons why they support or oppose the application with evidence as far as possible. Written representations are requested from parties at deadline one, which is the 26th of April principals. Notice a line for a sphere of representations was in our rule sets letter. The examining authority will issue two rounds of written questions, we will only issue the first written questions with our rule eight letter, which will be with the finalised timetable. We can also if we consider it necessary at any point during the examination issue what's called a rule 17 letter. This will be a specific request for information directed to a certain party. And we will make that known as and when we do that. For both written questions and rule 17 requests, the way you participate is by even responding to the questions directly directed at you. All by all means you can comment on other questions that are being responded to by others. If you have something to contribute, we welcome any contributions we receive. There's also the opportunity to make written comments in what's called statements of common ground. And x f of our rule six letter sets out the examining authorities requests with respect to statements of common ground and the named parties and the range of topics that we'd like to see them submitted on and regarding final statements of common ground are expected at deadline six in September. The law six letter and annex F also gave notice and provided a deadline for local impact reports, which are submitted by the local authorities representing the broader views of the community and should be presented in terms of their positive neutral and negative effects based on the information available. Local impact reports are expected from host and neighbouring authorities lower and upper tier local authorities at deadline 1/26 of April 24. In addition to the written material, there were also the ability to hold hearings that we will conduct and indeed some are due tomorrow, which I'll discuss in a moment. There are three different sorts of hearings that can take place during this examination. They are set out in sections 9192 93 or 94 of the Planning Act 2008. And they are open floor hearings, compulsory acquisition hearings and issue specific hearings. Tomorrow we've got some introductory hearings examining aspects of the applicants overarching position on the development

consent order, and on the strategic case for compulsory acquisition. The rule 13 notification of these hearings was sent with the rule six late letter, which was Annex II. The deadline to receive confirmation of attendance at these was procedural deadline a and thank you again for those who have responded. Other hearings are forecast to be held in the weeks commencing the 24th of June and the 15th for July 2024. In the first week, these are to be open floor and compulsory acquisition hearings together with an accompanied site inspection. Deadline one is the appropriate time if you wish to speak either at the open floor or the compulsory acquisition hearing for you to register your interest and to state that you wish to speak. The week commencing 15th of July 2024 would likely comprise of issues specific hearings. They are in relation to specific issues that require further examination felt better to achieve orally rather than in written context, and maybe on specific topics identified in our initial assessment that principle issues. It is anticipated that the hearings on the week commencing the 24th of June will be so called blended events that will be in person here. Again attended by people online as necessary. The second week of hearings if required, or likely to be held virtually, the examining authority will provide at least 21 days notice before confirming the dates and the topics of any hearings, you would have heard me mentioned that that there was an accompanied site inspection scheduled to be in the week commencing the 24th of June. You should be aware that that we have already undertaken an unaccompanied site inspection. We did that in February, earlier this year, and that was carried out from public land only, including various public rights of way public roads, where we observe key locations for the proposed development. And the notes of that are uploaded on our national infrastructure website. The accompanied site inspection is generally to a location that is not publicly accessible. And you'll note that nominations for site visit locations were due at a procedural deadline A and we thank you for those who made that such nominations and thank you for the applicant to providing the initial draft itinerary. We will have a review of what is before us and we will be making a decision in due course about which sites we wish to view. Such an inspect, only be necessary to view land where there is no public access or no clear view from public viewpoints. I should stress the examining authority will not hear any evidence or any other submissions during any accompanied site inspection. Two final things here. First of all, the examining authority will need to prepare a report on the implications for European sites. This is because the applicant has provided a habitats regulation assessment report with the application. Now this document shortened for Rhys, for ease of brevity, it's a factual document of information and evidence provided to the examining authority about the habitats regulation assessment matters, both at the start of the examination and towards the end. The race is for the purposes of enabling the Secretary of State as the competent authority to undertake his or her own habitats regulation assessment. It is not the examining authorities opinion on these matters. If the race is required, the examiner authority proposed to publish this on the 12th of August 2024. With comments invited on its content at deadline five, the second of September 2024. Any information of course will be taken into account by both us and the Secretary of State.

32:34

Finally, in relation to change requests, the applicant may seek to amend their application during the course of the examination. By submitting a change request, notification should be given for any intended change and an application will be made to the examining authority and request of it. It is ultimately for the examining authority to decide whether or not the change request should be accepted into the examination or not. We're making a change request the applicant should indicate whether the changes are considered to be material or non material. Though once again, it is ultimately the

examining authorities decision as to whether the extent of the changes would significantly alter the scope or nature of the project, whether there would be potential for any new or significantly different environmental impacts to occur, or whatever additional interested parties are affected persons will be implicated. Now the applicant has submitted a change request during the pre examination phase that was submitted last week. And the documents can be found in our examination library with references a s 038 to a s 05. For now the applicants admits that the changes are not material. And at this time, I would just like to invite the applicant simply to set out the matters contained within the change request and set out as appropriate. Any potential effects on the examination timetable,

33:59

please.

34:03

Thank you. So the details of the change request are I'm sorry, Craig Welton, for the for the applicant. Sorry. Thank you. So the details of the change request, or the notification without a set out the con letter of 26 February and set out in more detail they are in essence, to summarise the need to the change request. The application as originally submitted had two options for the pipeline to run through at the mem end. One of those options was to run through the oil terminal itself, which was looked at because it was the shorter most direct route. A review of that was done by the applicant in conjunction with the coil terminal operator Phillips 66. And it was decided that that route wasn't feasible, largely because of the engineering challenges. They're trying to route the pipeline through what is already quite a busy area posed. And therefore the decision was taken to remove that option from from the draft order and and retain option one. In terms of the the potential effects of that or impacts of that, as you say, so the applicants position is that it doesn't give rise to any additional effects, because what we're doing is we're reducing the scale of the proposal, and it's within the identified red wine boundary. And it has been done with the knowledge and engagement of Phillips 66. So the applicants position is that doesn't give rise to any new impacts. I don't know if you want us to touch now on the timetabling of that, and our suggestions for that if that would assist.

36:07

I would say only if there's implications for the examination timetable that we're looking at in the annexes. If there's changes to things there, then yes, please do.

36:17

I think so the only the only thing I'd add on that is that we had suggested a timescale to allow parties to comment in our change request letter, but hadn't appreciated how quickly the examining authority would deal with the change request. And we're very grateful for that. It seems to us that there's two options, or two potential options for our own parties to comment on the change request. The first would be to give people until deadline one. So the 26th of April to comment that is four weeks from from now. As I've referenced, the party principle affected by the change request is already aware of it. So I don't think that will give them a particular difficulty. But I'm also we're also mindful that there's quite a lot of material due from parties on deadline one. And if the examining authority felt it more appropriate, we would we would suggest deadline to as an alternative for that. And that will then allow the applicant to respond to any comments on the change and deadline three, of course. Excellent. Thank you.

37:33

Thank you very much for that. Thank you. For the benefit of everyone. The examining authority has not yet made a procedural decision on whether to accept the change request or not. We do have 28 days from the receipt of the request in order to do so. But we won't keep you waiting as it were we'll we'll keep the pace of things moving. And you will be informed primarily through the project page of the national infrastructure website. There will be some further questions about the substance of the change request in tomorrow's hearings. But that will be for tomorrow. Thank you. You'll be grateful to know that I will stop talking soon. But before I invite comments on the floor, and this particular agenda item, I've just one further point of clarification I require from the applicant, the applicant has provided a draft initial draft itinerary for an accompanied site inspection and two locations there are the iminium facility and the Federal fork gas terminal. At this stage, can the applicant just confirm whether it be actually able to enter onto the private land itself in both of those instances is that's what's envisaged for the ASR plate.

38:46

Or Davis for Crystal production limited. We we probably can get access to both sites. And I will I will confirm that in writing to you.

38:58

Okay, thank you very much, certainly, in the case of the federal fork gas terminal, which is a bit more difficult to see from public land because of its expanse. If if negotiations could be made with the landowner and whatnot to get access onto that, that'd be much appreciated.

39:16

By the society, that's probably easier to get access to.

39:21

Excellent, thank you very much. Okay, I will now invite comments on this agenda item. Again, we won't be making any procedural decisions today. But we will be considering any requests and suggestions before we finalise our timetable in the in the rule eight letter. So starting first, there's a request to speak from Lincolnshire County Council.

39:44

Thank you. So just being proud of the Lincolnshire County Council. The Council aren't happy with the timetable that set out in Annex D of the rule six letter as it's currently drafted, thank you.

39:56

Okay. And then for Northeast Lincolnshire Council.

40:00

Alton Dixon northeast linkage Council. And, yes, we're happy with the timetable to thank you.

40:07

Thank you very much. Is there anyone else other than the applicant? Who wants to make any comments? Okay, it's good, and no one online either. So we'll come to the the applicant. Now, obviously, you did write a letter to us a procedural deadline a, there's two points that I just like to pick out. And they requested that the hearings in July not be fully virtual, but the blended? Would you just like on that point? First of all, just to elaborate,

40:36

thank you. So critical to the applicant, yes, are set out in our letter, the applicants preference would be for these to be binded hearings, as today as and as the other hearing sheduled would be the applicants view on that is that our experience is that where you've got technical or complex evidence, it can be better for people to be in person to exchange their evidence, and where possible, and also, it there will be somewhat limited presence of the of this process in the area. And it will just be an opportunity for for a party to want to participate in person or observe in person to be able to do so rather than virtually that. So that's that's the base of the applicants request.

41:20

Okay. At this fair, thank you very much for that. And I know also from that submission, not so much about the examination, timetable structure, but it's more about the deadlines within that and the submission of a comparative DCO. Would you just like to elaborate on that point, please?

41:39

Yes. And I'm slightly mindful now on this point, of course, impinging on people's Christmases. So I think what's being asked for, as I understand is that each stage and the timetable of what's called a composite of the draft order would be provided, which would show in different coloured text, the changes as the as the development consent order has gone through the examination process. And I do understand the reasons for asking for that, and the the benefit it could bring. And the difficulty is a practical one from from the applicants perspective, which is that as of yet there is no programme, there's no computer programme that does that for you. And that text has to be entered in manually to each version of the document. So unlike track changes, or a Delta view, if you're familiar with those programmes, which the computer does it for you, this is something that would have to be done manually. And we have some experience of this from from from other examinations. And it is proven extremely challenging, because it's a manual process, but also because the development centre to the the, the updating of the draft development, consent or dissolve, often the last thing to be done, because it reflects changes that have been made to other documents. So all of those changes have to be made, the changes have to be made to the development consent order. And the comparison is run and then and then a composite has to be done. And we saw our experience. And I think others have had some orders that that can be quite challenging to complete in the timescales. And what we've suggested is that a composite would be provided at certain key deadlines, so that you would have visibility at certain points through the examination process of that composite exercise, that we've suggested deadlines, one, three, and seven. But those are simply our suggestions on that. And as I said, it is driven by the practical impacts of trying to do that for each deadline.

43:52

Okay, now, that's, that's understood. Thank you for that. I'll come back over to this side of the room, if you like on both of those points from the applicant. Do you see any issues or do you have any comments if like on the blended hearing aspect or on the staggered dates for submission of a comparative DCO?

44:14

Thank you. So just staying proud of Lincolnshire county council. I would support the applicant in the request for a blended event for the hearings. We commenced in 15th of July. I think the council's experience, I think we've have had some experience of virtual issue Pacific hearings and yes, it can be quite difficult particularly when there is lots of technical material to be to be discussed. So we will we will be happy to to support that request. In terms of the submissions for the DCA draft DCO the dates that are suggested by the applicant to find for Lincolnshire. Thank you. Okay, thank you.

44:51

Thank you, Sir Martin Dixon, northeast Lincolnshire counsel, I would agree i spirits again would show that face to face is often better in terms of that. So we would agree with Thank you.

45:00

Thank you. Thank you. So Andrew law often often its counsel. Again, I would agree with regards to the blended hearings, from our experience, it is better than just just virtual and it does allow for maximum participation, those that can't necessarily gain access virtually. We have no comments or concerns with regards to the deadlines for the composite these Yeah. Okay. Thank you.

45:26

Thank you. Thank you very much. Does anyone else have any comments before we move on? Okay, thank you. Thank you very much. We'll take all those comments on board before finalising the timetable. That concludes discussion on this item. And I will hand it back over to Mr. Goss to run through procedural decisions.

45:49

Thank that carries mentioned tomorrow's hearing starts at 930 rather than 10 o'clock. So just to emphasise that we are keying off a bit earlier than is normally the case. Just just thought it's worth emphasising that again. Moving to procedural decisions, the rule six letter sets out a summary of various procedural decisions, which have been taken by the XA. These are set out in full in Annex F to that eta. We've already discussed a number of procedural decisions made in the context of the previous agenda item. The remaining procedural decisions relevant to the agenda item including the acceptance of documents in the examination, and also the change request that has been made. We've also made a procedural decision to accept some submissions that were submitted outside of any formal deadline. These are listed in part eight of annex F two our rules six letter. There have also been a number of documents from the applicant in response to our section 51 advice. There was issued at the same time as our notification of acceptance of the application. These documents are within the examination library references a s 001 to a s zero 35. I'm not sure if I if any of the council's want to speak on this agenda item. Just shake your head if if not. Okay. And I don't think we've got any virtual

requests either. Any observations at this stage from the applicant on this? On this basis? That concludes agenda item five. And I'll hand over to Mr. Jack. Thank you.

47:55

Thank you, Mr. Koh. So moving on to agenda item six. Firstly, does anyone have anything that I'd like to raise as any other matters? Nope. Okay. So that brings us to the end of this preliminary meeting. Many thanks to all of those that have taken part and those who have made written submissions at procedural deadline a. Once I close this meeting, the examination of the application and the testing of evidence will begin we will send out a ball eight letter which will include amongst other things, the examination timetable, we will also send the examination the examining authorities first written questions and requests for information. The time is now 1047. I shall close this preliminary meeting and I look forward to working with you during the examination.