

# TEXT\_M28J28\_CAH1\_Session1\_01032021

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00:01

Good afternoon, it is now two o'clock. And this compulsory acquisition hearing in relation to the application made by highways England for the proposed mt five junction 28 improvement scheme is now open.

00:14

I will ask now Can everybody hear me?

00:18

Yes. Yes, you can. Yes. And Mrs. Hanlon, please, Could you confirm that live streaming event has now commenced? Yes.

00:27

Thank you very much. For those persons watching the live stream, can I advise you that should we need to break at any point, these proceedings this afternoon, we will have to stop the live stream in order to give us clear recording files. And as a result at the point in which we re commence the meeting, and restart the live stream, you will have to refresh your browser page in order to continue and I'll remind you of that, should we need to do so.

00:56

My name is Richard Allen. I'm a chartered town planner and I'm an examining inspector and I've been appointed by the Secretary of State to be the lead member of the panel to examine this application, please can ask my colleague to introduce himself, please.

01:12

Thank you, Mr. Allen. Good afternoon, everybody. My name is rod McArthur. I'm a charter doc protect and I've been appointed by the Secretary of State to be a member of the panel of inspectors to examine this application.

01:24

Thank you, and together we constitute the examining authority for this application. Now in the arrangement conference, which preceded the start of the hearing, you will have already spoken to Paige Hanlon, who is the case manager for this project and she is supported today by Ed Maudsley and James Bunton from the case team.

01:44

Before we consider the items on the agenda today, we will need to do a few housekeeping matters, and general observations. And I'm afraid these are going to get quite repetitive over the coming hearings that we have, but I do have to do them.

02:00

The in respect of the general data protection regulations, you'll note that from the agenda for this hearing published last week on Monday, the 22nd of February, that this event is being recorded as well as live streamed to interested parties who requested this, the digital recordings are retained and published. And they form a public record that can contain your personal information to which the general data protection regulations apply.

02:28

Playing Inspectorate practices to retain and publish recordings for a period of five years from the Secretary of State's decision on this application. Consequently, if you participate in today's meeting, or any other meeting, it is important that you understand that you will be recorded, and therefore, you need to you consent to the retention of the publication of the digital recording. We will only ever ask for information to be placed on the public record that is important and relevant to the planning decision. It will only be in the rarest of circumstances, we may ask you to provide personal information.

03:05

Therefore, to avoid the need to edit the digital recordings, what we ask of you is that you try your best not to add information to the public record that you would wish to be kept private or confidential.

03:21

Please bear in mind that this is the only official recording of the proceedings. today to be placed on the inspectorates website, tweets, blogs and similar communications arising out of today's meeting will not be accepted as evidence in this application.

03:38

And for the purposes of identification and ease of reference, please when you speak if you could just identify yourself and who you represent.

03:49

The purpose of the compulsory acquisition is being held today to discharge the act the examining authorities duty to affected persons request to be heard. A number of affected persons have specifically requested an opportunity to make their case as a component on compulsory acquisition matters orally at the hearing.

04:11

And we are conducting this meeting in accordance with sections 92 and 94. The Planning Act and the infrastructure planning examination procedure rules 2010. Specifically rule 14.

04:22

Now section 94 of the Act allows the examining authority to refuse representations to be made at a hearing. If the examining authority considers them to be irrelevant, vexatious or frivolous, related to the merits of policy set out in the national policy statement. Repeat other representations already made and relate to the compensation for compulsory acquisition of land or any interest in or rights over lands.

04:49

Now, the examination procedure rules also require that the at the start of the examining the hearing the examining authority shall identify the matters to be considered at the hearing.

05:00

I've now turned to the agenda. And if you do not have a copy to hand, you can find this on the examination library under reference, ie the 008. As previously stated, the agenda for these hearings was placed on the inspectors website on Monday, the 22nd of February,

05:18

we consider that the main items for discussion today are the case of a compulsory acquisition. And here we will be asking the applicant to outline its case, as set out in the set in section five of the statement of reasons for the benefit of everybody present today.

05:36

We will then need to discuss plots for two to 411. In the applicants response to written question on that matter.

05:45

If the gardens of peace are now here, I would like to move on to plot one eight and the change request

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that came in and for the views from the gardens of peace.

05:57

The and I'm going to go through introductions in just a moment. So I would like to talk a little bit about the plots concerning the Gleeson state, including maylands golf course, but purely from a compulsory acquisition matter. We will deal with issues concerning the design of hole two at the issue specific hearing. And I would like to just have a discussion on the options for Grove farm, which I'll come to at that point in the agenda. Now this agenda is for guidance only when we may add other issues as we progress. But these I want to say that these are the matters, the examining authority felt warranted an oral discussion does not mean that other matters raised by affected persons are not important, nor does it imply that examining authority has made up its mind on those other issues. Nevertheless, you'll see on the agenda that we do have any other businesses item seven. And I propose for in response to Mr. Rheinberg's email from procedure deadline before travel for London, that I will allow him to raise his other issues in that section of the agenda.

07:12

I do want to talk about the changes to the land plans at that point, and particularly plots 1 11 1 11 a one sorry, one, one A to D. And I think that'll probably fit quite nicely for that discussion to take place at that point.

07:31

So we will seek to allow sufficient time

07:35

for to have a proper consideration of all the issues. And should we need to We'll take a short comfort break at a convenient points. However, if matters are to take longer than anticipated, it may be that we need to prioritise or defer to written questions. So does anybody have any comments on the agenda or procedure as we, as I've just set out?

08:01

There's no hands up. So I'm assuming that's all okay. So, I would now like to know who's here and who is speaking, I do have a list in front of me. So I'm just going to confirm a few matters if I may. Now, I can see that there are four persons from hearing who head on by paving in respect of Grove farm I've got two persons Roger Benson and Paul McLachlan who are registered to speak. Who is it someone that I specifically would address my questions to?

08:36

Good afternoon, Mr. Allen, Roger Benson here. There's two issues really, one is the impact of the scheme on Grove farm itself as a residential dwelling, which I will talk about but the other issue is to do with access to the site which call McLachlan we'll talk about so that to two separate things really. Is that

09:01

yes, I think it's probably you mister bed. Well, it's specifically compulsory acquisition I want to talk about today. Oh farm, and it has a relationship to the living conditions of the occupiers of that property as I'll come to. And we're going and you can see that from the agenda on for the issue specific hearing on Wednesday and Thursday that we are going to talk about that in quite a lot more detail. But it's a specifically a question on compulsory acquisition on I want to be asking, I'll put it to you and if you feel it needs pushing somewhere else you can you can tell me Yeah, okay. Thank you.

09:40

Now

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so

09:46

Representative luddington Golf not here. I understand.

09:50

That's correct.

09:52

Mr. Rheinberg from Transport for London. Your I can see you're here to speak and

10:01

Did your toys don't say anything now or

10:04

I could just say it's my colleague Charles Clarke, Principal lawyer and our internal legal team who will be speaking about compulsory acquisition matters today for London. Thank you very much indeed.

10:21

And we've got so Mr. Bodley, you're Matthew Bodley we speaking on behalf of Glebelands Estate.

10:29

Yes, right. Correct. Yep. I'm here

10:32

for Glebelands. Cute.

10:36

And who is

10:40

returned to the gardens of peace that would be you is that you Mr. Pittman, Emmanuel Pittman.

10:46

Hi, good afternoon. Yes, that's me. But my client but also potentially like to speak as well, because there's certain elements of the detail that he may be better place to discuss, depending on what your questions are, etc.

11:02

But is that Mr. izmail? good Afternoon to you Mashallah.

11:11

Well, again, Mr. Pittman, I'll put my questions to you. And if you want to bring your clients in at that point on you can do so. Yeah. Thank you. Okay. And

11:23

and from the applicant? Who is it? Mr. Chalice? Are you speaking for the applicant today? It just so yes, good afternoon.

11:32

There are though a number of us here, highways England, representing highways England, as you will have seen, I don't know. So whether you'd like them to introduce themselves, or how you'd like to deal with that.

11:44

I will probably leave it with just you for the moment if that's all right, Mr. chalice. And if you want to bring people in at that point, perhaps you can introduce them. And then they can answer the question. We'll do that. So thank you, I hope you won't mind that a number of us have removed our jackets, because we're sitting in a in a warm room.

12:02

We are mainly jacket less. But

12:06

that's, that's fine. Thank you. No problem.

12:09

That's all I have down as persons wishing to speak. I haven't missed anybody.

12:17

No. Okay. And finally, then, if just to deal with

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requests for a person making all representation directly under Section 94 of the Act,

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in asking you whether there are any requests to quote to make, to cross question, I should remind you that section 94, seven of the Act specifically says for the examining authority to make to ask questions unless it is it cross questioning is required for adequate testing of the case, or for that person to have a fair chance to put their case? Does anybody here wish to cross question?

12:58

No. Good. Thank you.

13:04

So now, if we could move on to item two of the agenda, please the sections 122123 tests of the Planning Act.

13:12

Now, I'm not necessarily saying that I've any issue particularly here or the issue of the case. But I do think it's worthy of the applicant to set to set the scene and of why compulsory acquisition, quiet and why it meets the tests in the act. So Mr. Charlie's, I don't want to spend too long on this, if you could, but if you could just perhaps briefly set the scene if you like as to why you say that the request for

compulsory acquisition meets the test in the act. So yes, of course, I've interpreted briefly as being about 10 minutes. If that's acceptable.

13:51

Yes, that would be fine. Thank you. Thank you. So, so section 122 of the Planning Act 2008 provides that a development consent order may authorise the compulsory acquisition of land only if the Secretary of State is satisfied that the land is required for the development to which the DCR relates or is or is required to facilitate or is incidental to that development, or his replacement land to be given in exchange for special category land open space or common land.

14:20

Also, under Section 122, three, there is of course, the test the compulsory acquisition, there must be a compelling case in the public interest for the powers to be given under Section 123. The other section mentioned in your question, a development consent or domain clued compulsory absolute acquisition powers provided the one of the conditions in subsection 123 subsections, two to four is met. In this case, subsection two is made because the application includes a request for compulsory acquisition powers, and therefore our application was accompanied by various documents in support of that rule.

15:00

West. So highways England's case that there is a compelling case in the public interest for compulsory acquisition powers to be given and that the powers sought are necessary proportionate and justified in order to deliver this nationally significant infrastructure project in the public interest. The Case for the scheme and the compulsory acquisition and use powers needed is set out in the case for the scheme and schedule of accordance with national policy statement. That's our document, a PP o nine five. And also in our statement of reasons, which is document a PP o one nine, as regards the funding available to deliver the scheme, including so that highways England can meet its compensation liabilities, that is explained in the funding statement, which is document a PP o two

15:51

junction 28 of the M 25. its junction with the A 12 is a heavily used junction used by up to seven and a half 1000 vehicles a day at peak times, it is already operating at capacity, traffic levels are expected to increase by around 22% by 2037. And at that time, we forecast that 9000 vehicles an hour, we'll be using the junction add peak times substantially increasing delays for motorists using the junction and also increasing the number of incidents at the junction, each incident itself likely to cause delay and additional congestion.

16:30

This scheme therefore is needed in order to deal with these issues. And it's six key objectives are set out in the case of the scheme at section 3.5.

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These objectives I should say were developed

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with agreement with the Department for Transport the local authorities, and also a Transport for London. And I thought it might be helpful to list them because they're only short. The first objective to increase capacity and reduce congestion and delays by providing an improved link from the M 25 to the A 12. second objective to reduce the incident rate resulting disruption by increasing the capacity of the roundabout. Thirdly, to improve safety on the roundabout by reducing traffic levels and redesigning the existing layout. Fourthly, to cater for future traffic demands to enable development and economic growth. Fifth, to minimise the impact on local air quality and noise by smoothing traffic flows. And six by protecting access for non motorised users in this case, but primarily pedestrians and cyclists and improving conditions for them wherever possible.

17:43

Just a word about the option earring process which has led us to this application various options were considered by highways England in arriving at a scheme to best meet the objectives which are just listed. That option earring process is quite a long story in itself, but in short, in 2015, a range of high level strategic options was identified in order to arrive at the best way of dealing with the issues at the junction. And the preferred option arising from that exercise was to make junction capacity improvements to cater for the high demands movements from the M 25. anti-clockwise to the A 12 eastbound. And just to give an example of the strategic or to explain further the strategic exercise that was carried out. Other things considered work, for example, whether the objectives could be made by enhancing public transport alternatives, and also by looking at demand management strategies such as, for example denying access to the junction from Brook Street, but the strategic option chosen was to make a junction capacity improvement. And this scheme, that strategic exercise led on to options for junction capacity improvements, eight options being considered by highways England, and four of those options made it to the next stage. And one of the four, which is a single cloverleaf option, in short, to the form of loop that is now proposed had itself six sub options. from that list three options all being variants of the cloverleaf option were taken forward, and were the subject of traffic, economic and environmental assessments. These three options were the subject of a public consultation exercise that began in November 2016 and ran until January 2017. And the scheme the subject of this exercise, which was then known as option five F is the scheme which is the subject of the application before

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this examining authority today.

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The preferred scheme prevailed for a number of reasons, but in particular, it was the best in meeting the key objective of improving journey times. Second, it could be constructed without significant disruption to motorists using the M 25

20:00

motorway, and three having two lanes on the new loop road will provide greater resilience and cause less disruption. When maintenance is being carried out. All of the shortlisted options had broadly similar implications for the environment and biodiversity but the successful one would have the least impact as regards noise. It also had the most support to the public consultation exercise.



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As regards policy support for the scheme document, a PP o nine five that's the case for the scheme document explains that the scheme enjoys policy support at national, regional, that's London in this case and local level. Again, this is a substantial subject in itself. And the case in this case for the scheme explains in detail why the scheme is compliant with the national networks national policy statement, as well as the London plan, and also local policy.

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at national level, as well as being in deformity with the National Policy Statement, the scheme is one of 15 committed in the government roads investment strategy, so called risk to from 2020 to 2025, under which the government has committed 27 point 4 billion pounds in funding to improve the quality and capacity of the strategic road network. The scheme is definitely

21:22

I'm sorry to interrupt you. But I can you I'm hoping you'll bring this conversation back down to compulsory acquisition.

21:31

I've had all the options and as interesting as that is, but I would like to bring it back down to just the justification for the tests. And so yes, I've just tried to set the scene a bit as you can appreciate, but I'm just coming to a heading called um compulsory acquisition. So your intervention is well timed. highways England does not own or control much of the land needed to construct operate and maintain the scheme and thereby realise its benefits, which include not only transport benefits, but also environmental and economic benefits. Accordingly, compulsory acquisition and newspapers are likely to be needed, if it is to be delivered.

22:08

The land subject to compulsory acquisition or use powers in the draft order is as shown on the land plans and amounts to 81 hectares of that 60 hectares is required permanently, that's the pink land on the land plans. Nine is land over which highways England seeks permanent brides for the reasons specified in the order at shedule six. So, that is primarily to maintain the road network in the long term or for long term rights for utilities and 12 hectares is required for temporary possession. So not acquired, but simply to be used primarily for construction purposes.

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in formulating this application highways England has sought to acquire or use the minimum of land it needs to build operate and maintain the scheme consistent with the preliminary scheme design, that is the subject of the application.

23:02

That does imply that there is some limited room for manoeuvre available to highways England in designing the scheme in detail, and if there is some land not needed by highways England at that stage, then highways England would simply not use the past to acquire it.

23:18

In addition to seeking the minimum amount of land that highways England considers it requires at this stage, highways England has sought in all cases to acquire powers at the minimum level required. That is to say if temporary possession will suffice. highways England does not sought to take permanent rights will seek outright acquisition. And if the acquisition of rights will suffice, then we're not proposing to take the land on a permanent basis. So in respect of every plot, highways England and its professional team has considered the extent of land required, and also the appropriate category of acquisition or use consistent with the preliminary steam design. Now before you

23:59

I should mention human rights and the statement of reasons explains always position as regards human rights, and that this application is accordance with the Human Rights Act and the European Convention of Human Rights.

24:12

I think recognises that the scheme will have an impact on individuals human rights, and that people will be deprived of land they own or the use of land they own. However, an interference with the rights of individuals is lawful if there is compelling case in the public interest for the compulsory equal acquisition of land and if the interference with human rights is proportionate, and the appropriate procedures are followed.

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So, the proper processes have been and are being followed and this examination being part of the process, under which representations can be made about the compulsory acquisition power sought and of course, it gives those subject to them a chance to be heard. compensation is also payable for land or rights required or for loss arising from the temporary use of land. The compelling case in the public interest therefore

25:00

arises from the need for highways England to own or occupy the land needed to deliver the scheme and realise its benefits in the public interest at the scheme, as I've explained being the most appropriate way of meeting the objectives to be met at this junction.

25:16

So just to conclude a quick word about section 132 of the Planning Act, an open space, there is a modest amount of special category, category land involved in this case, namely the prospective open space forming plot one eight, part of the gardens of peace land, in due course, to form part of that burial ground and thereby be at least open to the public at times, highways England has taken the view that once the grounds are open to the public, they might conceivably be considered as open space for the purposes of the Act. And so were open spaces subject to proposals for compulsory acquisition, when in the case of that land, the acquisition of rights, then if special parliamentary procedures to be avoided, the land, that's the special category land when burdened with the rights we seek must be no less advantageous to the owner of the land, those enjoying the relevant special category land rights, which is nobody at the moment, because it's not open space at the moment, are indeed the public. It is

highways, England's view that these tests are comfortably met, because there is already a cadent gas pipeline running through the land and the rights we seek are in order to divert that pipeline, the effect of that of the diverted pipeline will not be substantially different to the current one, the pipeline will not affect the use of the burial ground once installed. And although it will be it will need to be maintained from time to time that's true of the existing one. And the pipeline will be largely beneath the proposed internal service road without affecting the burial plots that we understand the trustees wish to have there. So that is my

27:02

hopefully reasonably brief, broad explanation of our case, why compulsory acquisition powers are justified in this case.

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Thank you. We'll no doubt come back to the gardens a piece.

27:17

In a moment. Indeed, you talked about the minimum necessary plus wriggle room. I think that's obviously what we're going to come on talk about the remainder of the agenda. Just a couple of follow up points from me on this.

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The course that the old dclg guidance on compulsory acquisition talks about

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compulsory acquisition being delivered as a very last resort, and that discussions and securing land by agreement should be followed. And I'm just wondering if you can please update me if not individually, but as a general rule, how those discussions are coming along, given that the statement of reasons does spend quite a lot of time saying discussions ongoing.

28:03

And I would like to know, are you likely at the end of this examination to have majority if not all of the plots sought for compulsory acquisition done through voluntary agreements?

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Well, so of course, it's difficult to say because it means that both sides need to agree. And we are trying to acquire as much land as we can

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during the course of this examination, but it's difficult for us to be confident that that will happen. And there are various reasons for that.

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You know, firstly, landowners might want to wait until

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the Secretary of State makes the order if indeed he does before wishing to deal with their land. Some landowners may be opposed to the scheme and will simply not want to negotiate with highways England this stage. And in some cases where for example,

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we would need to impose a restrictive covenant or game rights, the scheme because it's a preliminary scheme design might not be sufficiently developed for us to be able to know precisely what those rights

29:12

look like at this stage. But

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so we are trying to

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acquire land where we can and the valuation office is dealing with that matter for highways England. And I can say a little bit more about what we've done in that regard, if that would help in terms of writing to people and some of the discussions that we've had sublime in your hands as to how you would be helpful. Sorry, I interrupted you and I should be helpful is a document that sets out perhaps categorises where you are with these discussions. For example, if it's a case of signed and sealed, that that could form almost table one, and table two could be where perhaps the documents just need executing

30:00

other documents perhaps where you've agreed heads of terms with the with subject to you say the secretary of state may, the party may want the secretary state to approve the plan before,

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before they agree consent. But if all the matters are agreed in respect of

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acquiring the land by voluntary agreement, then it would be helpful to understand of which parties you are either have no agreement with, or who are absolutely refusing to sell the land to you. Because that is the land that I need to focus on in my reports, etc, state to determine whether

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compulsory acquisition of that land can be what is to be is to be taken against their will,

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in detail, and we've provided, as you'll be aware of shedule, setting out where we are, the last one was rep two Oh, 16. And I think you've asked for that to be updated as we go along. And we will of course, update that as we go along.

31:04

It's correct to say at the moment, we have not reached a final position with any of the landowners concerned, but certainly in my experience that some for the reasons I mentioned, not unusual. But the evaluation office

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is in contact with, certainly the mainland owners.

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And there are agents in order to continue the discussions that we've been having, and there have been constructive discussions, and they will continue to be constructive discussions. But we're not there

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at the moment, but are you confident that that schedule is quite explicit on which plots you have agreed or almost agreed to those that are a long way from agreement?

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Well, I suppose my response is, we can make it more explicit, if that would, if that would help you we are, you know, further nearer to some than others, as it were, and if one takes, for example, the discussions with the trustees of the gardens of peace centre, and I see that Mr. Pittman from several years is on the call. There have been some constructive discussions. Although, you know, we have yet to formalise that. And there are also ongoing discussions with the lessees of the golf course and the owner of the golf course. And they are, I think, so probably the main landowners affected as well as the

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owners of Grove farm, Mr. And Mrs.

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Jones. And, you know, there are a number of

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businesses within the grove farm area. And we have found it difficult, if not only at this stage to have discussions with them, because although we have served some land interest questionnaires, we didn't get any back. And it's still a little difficult for us to work out who is in there, and therefore whether they will be affected. But Mr. And Mrs. Jones have been very helpful about that and have said that they will

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almost act as an intermediary if I didn't put it like that in order for us to have meaningful conversations

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with all of the various businesses, of which there are quite a lot actually, that occupy Grove farm.

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Thank you, I think you would be helpful because I'm, I'm

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we're close record acquisition, of course, the examining authority acknowledges that discussions are ongoing and can often be complicated and do take time. But this examination will draw to a close at some points in it. And we need to have some idea as to as to which plots your club agreed or close to agreed and those that are not, because we may want to ask you some rounds of questions on that. So I would ask that you that you continue our efforts on that, but also to Yes, to provide a perhaps a more structured statement, which perhaps

34:12

makes it very clear those plots where you as I said, You're all signed and sealed or are signed and sealed and others that are not. Thank you. So we'll take that on board and for our next compulsory acquisition shedule will bear your words in mind. Okay, and make it clear in the way you suggested. That's very helpful. And thank you. Thank you. And finally, just on this, a number of affected persons in the representation, particularly the gods of peace,

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talks about the fact that they've had next to no discussions with you, but what how do you respond to that? Well, so

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my and our response to that is there have been a lot of constructive discussions with the gardens apiece to the point where

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As far as highways England is concerned, I hope we have reached or have almost reached a situation at which the way that the works will be carried out to divert the cake and gas pipeline is such that they will cause minimum disruption to the trustees, we have very much borne in mind

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that the trustees want to develop this site for a, a burial ground. And we have discussed

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the timing of works, for example, where vehicles will come in and out of the side, the length of time needed to do the works. And the position of the various parts of the work really entirely to accommodate the trustees. And indeed, the change request, which you and Mr. McCarthy have very recently accepted is a result of those discussions.

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And so, sir, our feeling is that we, our belief is that we have done a lot to accommodate the trustees and want to accommodate the trustees, and we want to cause them as little disturbance as we possibly can.

36:11

And I've described the constructive discussions, you talk about that since the application has been made? Yes, sir. It is. And

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I'm sure others, my colleagues here could probably give you a list of meeting dates, if that would help. But there have been discussions. And a lot of those discussions have been between cadent and the trustees, but highways England has also been involved. But in recent months, there have been

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as I don't have a list in front of me, although others can help. I think there has been at least half a dozen meetings in the last three or four months. And we feel that you know, how the works will be carried out has largely been settled.

36:56

It is fair to say that, you know, documentation that might follow from that has not been but the first thing to do is work out exactly how the works are going to be done to cause the trustees, the minimum disturbance practicable, which is what we want to achieve. Thank you. Can I ask Mr. Pittman? Do you Is there anything you want to add to what Mr. Charles has just said or contradict or support?

37:20

Good afternoon, Mark. And I'm afraid I have to say I don't recognise the words of comfort that mark is putting forward there. Just as a couple of examples. There has been zero

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engagement with us since we submitted the representation on the 29th of January, apart from two things one, a letter from the VOA, arguing about our fees. And secondly, a an email on Friday from Kayden setting out the proposed changes they wanted to make that haven't even been discussed. Well, they may have been discussed. But they're the proposed changes that they're envisaging sending to highways England for their approval. Now that.

38:14

So in my experience, we're DCA, we're three months behind where we should be we've desperately tried to engage. And the meetings, although they are constructive, as Mark has said they're predominantly with,

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we've Caden who don't have the power to confirm any of the matters that have been agreed. Now at this stage, we would hope that we were in a position where we could put together heads of terms, but we've only just now started to confirm the elements of the scheme that will enable that will avoid the long term damage, ie the permanent

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landscape aspects and the elements of the scheme will have a permanent impact on

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on the client's organisation. And we have yet to delve into the detail at all. Now one example of where that's important is where we've been told exactly where they think the gas main will go. And it's only now that we're working out that with the

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the line of deviation. And it can be up to still even though we thought we had managed to avoid through the discussions

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or the loss of burial plots, which in all honesty I was expecting to get to later so i i'm not sure whether I should go into it now. And now I just need to focus on that. I just want to talk about the level of consultation that you Yeah.

39:56

You say if you could just limit it to that for the moment. Yeah.

40:00

Okay, so I'm going on, we looked through our emails, we cannot find one email from the VOA that doesn't talk about our fees. So again, we would have expected by now to talk and I don't want to refer to our fees, that's a separate matter, we would have expected by now for the VOA to present us with

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documentations to suggest exactly how they're going to enable us to mitigate the impact of the scheme. But we've had nothing zero emails whatsoever.

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And before I bring this challenge back to sort of respond to that. Can I ask, Is there any other?

40:40

Any other party wants to raise something here yet? Mr. Mr. izmail? You want to come in here? Yes, please them. Sheldon, thank you very much. I think the importance of it all, if you like us, the, the trustees have a fiduciary duty if you'd like to trust if you'd like, which has been set up to provide

41:03

burial space for Muslims, if you'd like in Greater London, where there's an acute shortage, and in fact, even the mayor's London plan, if you'd like, expansion expands, it expands on this, where outer boroughs have to provide for the inner boroughs. Now, having said that, if you'd like yes, they've been some very constructive discussions with cadent. But Up to now, if you like there's been absolutely nothing if you're lucky, as a measure of comfort or undertaking from highways England, or the VOA if you'd like to the trustees of gardens appears in terms of saying due process, because they're said he gave me another 70 years of life even like, would I come across another compulsory order thing? Possibly not. So not give us a break, you know, give us a chance to actually examine things in good time. And that hasn't been given? Where, where all the discussions were with cadent. And we'll be



making good progress, but we're not there yet. And so Mr. Chandler said, Oh, well, they have made a lot of accommodating accommodations, if you'd like to garden to peace, in fact, is the other way around. Mr. Allen, we have been more than accommodating. And we have cooperated in the true spirit of it. With occasions

42:21

I in all the discussions.

42:25

Yeah. Thank you, Mr. Rose. Now, I believe Mr. Bob Lee, you want to you've got your hand raised at this point?

42:33

Yes, thank you, sir. I mean, I wasn't intended to go into things in great detail. Now. It's just you asked the question as to anyone had any comments about that particular point? And I don't believe that adequate attempts have been made to acquire my clients land by agreement? Certainly not in terms of satisfying the last resort. I can expand upon that if you'd like me to, but I just would like to make that point.

43:02

Is it along the similar lines that you feel that the that there's been a reliance on compulsory acquisition as opposed to

43:11

acquire by agreement?

43:14

And well, I should add that I've been instructed since August of 2020. So I can't sort of speak with any personal experience of the discussions that may have taken place before then. But I've been contacted by Mr. Chester of the valuation office agency. And he also decided that he wanted to focus on my fees, but that's fine. Understand that. And, I mean, we have a slight issue, in that we believe that the powers can be or the land required can be looked at slightly differently. And so we don't have an absolutely sort of fixed boundary as to what will be taken yet. And that may or may not alter. And I feel that it's a very kind of formulaic and box ticking exercise that's been adopted by the valuation office agency of contacting me and asking me to undertake evaluation of my clients land, to which my response is, well, until we know exactly what's going to be taken and the sort of outstanding issues that we're concerned about have been addressed, then it puts me in a difficult position. And having said that, if you the valuation office agency would like to put forward an offer on behalf of highways England for my clients land, and of course, that's something we will consider.

44:36

And as somebody that often acts for acquiring authorities, and I believe that acquiring authorities do have to

44:45

put the effort in in terms of progressing and trying to run the negotiations. And I've, whenever I've discussed it with Mr. Chester, I've been told Well, that's not the way the valuation office agency does it. And that

45:00

They will not be undertaking evaluation of the land. And it's for the claimant to undertake the evaluation of the land. But I don't believe my client actually is a claimant yet and won't be a claimant until the point that powers are confirmed. And I've subsequently received an email or the most recent email I got from Mr. Chester, which related to my fees, and also included a comment that

45:25

basically, it as a condition of starting the negotiations, and claimant has to undertake the valuation. Now, as I say, I think if the acquiring authority who is England wishes to acquire this land, then the attempts to acquire the land by agreement should go beyond simply asking the landowner to undertake evaluation, they should be undertaking their valuation, and putting forward offers for the acquisition of the land.

45:54

Thank you, Mr. Pitt, has your hand back up again? Or have you just forgotten to lower it? It is my hand back up. And I would just like to add to what Matt Mr. Bodily has said there. And in the end, it feels to us as though the highways England and I can't say the VOA because as I say there's been zero engagement apart from our on our feeds with Mr. Chester in the VOA it's only been about our feeds in his emails. But it does feel as though the highways England have been dragging their heels, almost as if there's a calculated effort to push all discussions of detail until after the dceo is, is confirmed. So while still attempting to demonstrate that they are moving matters forward, which they are. And we will I will come to that. And when we talk about the specific plots, and the devil is in the detail, and that is an example I gave an example of that earlier, where now whilst we thought moving the permanent possession or the easement much close to the actual gas line would avoid or bury burial plots.

47:12

The lines of deviation mean that we now realise that there still could be 60 plots taken. So we're not now in a position to properly answer your questions because there hasn't been proper engagement or in detail engagement past the basic principles of how they're going to mitigate their

47:38

mitigate the impact on our scheme. So whilst it may not be a calculated approach, it may just be chaotic organisation of the various teams one way or another, the result seems to be that the detail of the impacts is going to be pushed much further down the line. So that's our concern.

48:01

Thank you.

48:03

Mr. Chairman, I will give you the final word on this before I move on to the next item on the agenda. I'd like you to respond to what you've just heard. But what it does seem to suggest it's slightly worrying. I have to say that we are what we're two months into the examination now. And these concerns being raised. Did you want to respond to what you've just heard? Yes, please, sir. Firstly, if I can deal with the trustees of the gardens of peace. First, our approach is neither chaotic, nor calculated in order to push discussions down the line. And I returned to the point I made at the start that there have been a lot of negotiations about how the gas pipeline will be diverted. In fact, I believe there's been five meetings between September and January. And before the solution can be documented, the solution in technical terms needs to be found. And it's it is the case that there have been meetings with cadent, although highways England has been involved, but there again is Caden's pipeline, which is being diverted. And they have various standards and requirements as to how that gas pipeline is diverted. So it's not a question of, you know, trying not to engage at this stage. To the contrary, I was England, I would say has done a lot to try and meet the concerns of the trustees to the point of making a change request that has now been accepted as well as endeavouring to settle the detail of how those works will be carried out in order to cause the minimum amount of disturbance to the trustees which is

49:54

what we would like

49:57

to do and as regards matters

50:00

Not being documented. I think the latest

50:04

submission by Mr. Pittman makes this point but I think it's fair to say and agreement detailing all of these matters has not been asked for. But nonetheless, we are happy to carry on discussing because we want to find a solution that works for both the trustees and, and cadent and causes the minimum amount of disturbance. As regards, Mr. Bradley's comments about

50:34

how we've dealt with the settlement of fees and

50:38

arriving at a valuation, it is usual practice, as I understand it, to ask the

50:45

agent landowner to produce a valuation. And I believe that we have agreed fees so that, you know, it is done at the highways, England's expense and not theirs. And, again, there has been a lot of constructive discussions and continue to be about the effect upon the golf course. And no doubt we'll come to that later in the week. I minded to suggest surf, it helps and Mr. Chester is here from the valuation office, would you like him to comment?

51:16

Well, I don't need to know the detailed discussions of what's been said and what hasn't been said what I'm what I'm interested in, is just the overall level of discussion and that I would like to see or be in a position where the land has in the majority of the land salt has been agreed by, by voluntary agreements, as opposed to the need to rely purely on CA, which of course is the guidance discourages? So I don't necessarily unless you think led to the discussion, I don't need to know who said what I just what I'm, what I urge you to do, Mr. Chow's your clients do is to certainly accelerate these discussions, and to try and make some progress with some voluntary agreements on these on the land needed. Thank you. So we're, that is our objective. And we're Of course Happy, happy to do that. But as I say, Mr. Chester, and also, Sarah Wallace from Atkins can answer any more detailed questions you may you may have, and we'll be happy to do so.

52:20

Thank you, Mr. McLaughlin. You

52:24

know, right, okay, I'm joined.

52:28

Okay. Well, if there's no other matters on that, I'd like to move on to item three on the agenda, please. If I may.

52:39

Yes. Okay.

52:42

So,

52:44

if we can move on to the plots 2247 411 I apologise plus two to 411.

52:54

Next item on the agenda.

52:56

Now recall, Mr. Chalice that the examining authority asked a written question on this C. ca. 112, which you've answered. And we've taken note of that answer. Thank you very much. Um,

53:11

I have to say, I'm not overly convinced by the response that's been given.

53:16

If I could ask you just to confirm, please, that that you've set out in your answer to the need for these plots, is for ancilla, we were in sillery works relating to gantries and signage? Is there right.

53:31

So, yes, that is correct.

53:34

Just there's no mention of that. In the statement of reasons, though, is there? in Appendix C, it talks about

53:44

it talks about the land being needed for other purposes, doesn't it? So rights inconsistent with the scheme and to rationalise the applicant's ownership? That's very different, isn't it? Yes. So, would it help if I just explain I entirely understand why you put the question to us. And perhaps this will help.

54:05

As you will know, sir, but others on the call might not appreciate all of these plots are part of the M 25. South of the junction they're all owned by highways England.

54:15

And indeed, some of these plots do include provision for a no we accept a minor works, which is about signage and gantries to be carried out pursuant to the order.

54:28

So, we also accept that the primary reason for acquiring this stretch divided into these plots is so that highways England can kind of rationalise its title and to clear away

54:44

unknown interests, which is, you know, not an uncommon thing for promoters and highways, England to do but,

54:55

you know, we accept that the provision of the signage is

55:00

is really a secondary reason for doing it. But um, so in order that highways England can

55:09

clean to use a compulsory purchase expression, its title.

55:15

You know, we would suggest that it could be seen as being incidental to the development. It's within the area of the development that I, you know, we may, we're not trying to disguise the fact if I can put it like that, that the reason for the primary reason for including these plots is to clear title issues away. Is the Secretary of State thinks that's acceptable. Yes, well, it this is where you'll have to help me out here, Mr. Charles, because

55:46

I'm not convinced that cleansing the land is allowed by the Act. The Act allows compulsory acquisition for the development or as you say, incidental, and I'll come to the incidental point in just a moment. But in but cleansing, tidying up land interests, is that is that permissible by the act? Are you allowed to do that?

56:09

Well, so the relevant provision will be section 122, and the ability to acquire land incidental to the project. But as we, as I said, Sir, I mean, it is the fact that it is land within the geographical extent of the scheme. And therefore, we asked the Secretary of State to see it as incidental

56:33

to the works that we're carrying out. But obviously, if the Secretary of State thinks that isn't acceptable, then

56:40

you know, those blocks would have to be removed.

56:44

That's gonna be my final question. So you've sort of answered that. It was it was if,

56:49

if I if the examining authority were unconvinced that plots 422 and set four to 211 were justified, and recommended they'd be routed to the Secretary of State agreed with that conclusion, they could be removed without prejudicing the scheme.

57:07

Yes, so I mean, just returning to your question, I see you answered that, but to give you a more direct answer, we could deliver the scheme without those plots, but we would prefer to deal with those titles. So nothing appears that we don't know about on the title that may cause issues on the relevant stretch of the 25 to which this scheme relates. Yeah, so I hope that clarifies. So? Yes, it certainly does. And in respect of the incidental issue,

57:38

I'm, again a little bit confused as to as to why

57:42

signage and gantry works would fall under incidental works. Given that you said in your answer that, of course, you can do these works under existing powers.

57:54

So again, why are they incidental when you got the power to do them anyway? Well, so because they are part of the scheme and the signage will be changed for motorists approaching the junction. And therefore,

58:08

you know, we think it's prudent to include provision to do that in the order, in fact, would be rather more concerned about not doing that than doing that, because we are asking for powers to do that. And then that is related to this nationally significant infrastructure project, in which case, we think it's entirely right that that is included within the DCO.

58:29

Now, that is a different point, we accept to the acquisition of the plots. But if the Secretary of State is unhappy with us, including the plots in the way we have, we would still want to keep the powers within the order in order to replace the signage for motorists approaching the change junction.

58:52

Now, these plots have a number of other category one parties involved what where, where are you? Are you up to in your negotiations with them? And where is the examining authority going to see any agreement from them? That they're happy for their for ca of the of this land?

59:13

So we've written to all of the statutory undertakers affected.

59:20

Notes. I'm not sure that's right. I'm not sure we have written to all of the statutory undertakers affected, but I believe we have.

59:26

And clearly, we're statutory undertakers have rights and the relevant stretch of the motorway, we wouldn't be thinking in terms of

59:34

removing those rights. You would or wouldn't. That wouldn't happen. We're quite happy for the statutory undertakers that have

59:45

equipment in that stretch of the motorway, obviously, that should stay so the purpose of it will be to clear off unknown rights that we don't know about and which you know, might be inconsistent with its role as part of the strategic road network. But how it helps

1:00:00

How do I differentiate that? Because you were you answered in respect of network rails land plot for to where you, you explained that it wasn't to acquire the railway line itself. And that's fine. And you also referred Nags Head lane plot for the road itself. But there's no other indication in the book of reference

or elsewhere is there that says, Well, we don't to compulsory acquire the land, that means clearing everybody's rights off all. But in the case of the statutory Undertaker, we're not going to clear your rights off it.

1:00:37

Where would I where would I be assured that that's not going to happen?

1:00:43

In the document as well. So there are two ways of doing that. Firstly, and I do accept that there isn't a provision made for that in the book of reference, and maybe there should be one is to potentially exclude them from the book of reference. And the other route is to deal with it through protective provisions. And we are in contact with a number of the

1:01:04

utilities about protective provisions but there's no wish on highways England's park to disturb the rights of utilities which need to be

1:01:16

beneath that stretch of the motorway, where they are now.

1:01:26

And I know the number I did notice, referencing a few references to a Mr. Alternate Timpson from KPMG where there's the statement of reasons has no discussion with them at all. You have to update me on that, please.

1:01:45

So I'm not I'm afraid and I don't know if anybody else can assist me.

1:01:53

If you will just bear with me.

1:01:56

Of course.

1:02:04

Sorry. So if you're just bear with me, I have an answer for you in a moment, and like to catch up on other questions I've got.

1:02:29

Thank you. So I understand that KPMG are liquidators for a telecoms company. I don't know how to give you the name of that company.

1:02:38

No, but if you could



1:02:40

provide me with written report also will clarify that for you. a viable Thank you. Thank you.

1:02:50

And it's just also to clarify that, again, talking about incidental works.

1:02:57

There is only four gantries on this section of road, isn't there?

1:03:01

Five, sorry. I believe it's five. Yes, indeed. Yes. Yes.

1:03:08

So if our celebrity used to say that there's an awful lot of land to be acquiring for five gantries? How would you game you respond to that? Well, so that the, you know that the gantry is just mark really the last gantry, which I think is in blocked? For nine, I think, you know, that just really marks the

1:03:32

limit of the scheme geographically on that part of the M 25. And it's the red line is drawn a bit beyond the gantry, because that largely that represents the point at which motorists, you know, would see the signs and act upon what they say in order to get in the, to the relevant lane. So, obviously, sir, we accept that the amount of land taken by the gantries

1:03:58

upon which the signs will go is a lot less than the land in our plots.

1:04:07

Okay, well, I think I hear what you're saying that you're asking the Secretary of State, I have to say,

1:04:13

I'm not at all convinced this is justified, but I will give it some further thoughts over the over the coming weeks and months left of this scheme. And I'll take all your answers into consideration. Thank you.

1:04:29

Could I now turn to

1:04:33

the issue regarding 4546 and four seven. So assuming that let's take this fade further and assume that the Secretary state is contained that this this land is needed as you set out.

1:04:48

I'm slightly confused as to crown land position in this application because of course you have set out that there is crown interest. The Forestry Commission at their response deadline to says that there isn't

1:05:00

Are you able to update me as to I think you said that the next deadline you were seeking to try and clarify this request, are you able to do so today? Yes, I am. The interest we're talking about can be found

1:05:15

in the transfer that we found dated March 2002, between Essex County Council and the Ministry of agriculture, fisheries and food and of course, they're now comes under Defra. So, we have been in contact with the Forestry Commission,

1:05:32

which if anybody were the inheritor of those rights, would be them. And we had an email from them on the 25th of February,

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which confirms on behalf of both the Forestry Commission and Defra, and I quote, they do not consider that they had any rights over

1:05:53

well, it says plots 4446 and four, seven, in favour of Defra and the Forestry Commission now, so as you will appreciate it. I think they've meant for five and not for the road, isn't it? It is Yeah.

1:06:10

So we think they've just mentioned the plots in responding to us. And we've asked them to clarify, but I think where we get to, sir, and obviously I appreciate it relates to the previous discussion we've had as to whether this is relevant at the end of the day. Anyway.

1:06:27

The Forestry Commission in Defra has made it clear that they don't regard themselves as having any rights over this sum over these particular plots. And so I think that I think that deals with the issue providing that the Forestry Commission confirmed that they did indeed mean plot four, five and not plot for four.

1:06:48

Sorry, could you just explain that to me? Again, I may have missed a word or two in the in the technology. Are you saying that there is crown or there isn't crown interest? now there isn't the crown,

1:07:00

the crown, in this case represented by the Forestry Commission, and Defra say, they have looked into it and have confirmed to us that they do not consider they have any rights over this piece of land. And as I've said, so I think they've got the wrong plot number, unfortunately, in the response, but which is demanding that's a typo. And I suggest service acceptable to you, we will just submit something that is just, you know, clear on its face that confirms that, but and what do you think removing them from the

book of reference as well, then then they will be removed from the book of reference? That's correct. Yes, please, if you could confirm that, that would be very helpful. Happy to do that. So thank you. Thank you.

1:07:49

There's a few other questions. Mr. Chinese, in respect of the Network Rail, land for two, if they're just a

1:08:01

technical question, I suppose if it's your intention not to take their land, that they're their infrastructure, why are they in the book of reference, then?

1:08:11

Surely you only see the land underneath it.

1:08:16

So I believe the answer to that is and if you'll just bear with me,

1:08:20

I may just take an instruction, but I think they are in a way they are not in the book of reference, because the book of reference explains that the their interest is excluded from the right to the we are seeking to acquire. So they're only mentioned in the book of reference to explain that we're not acquiring their interest. I okay. I thought they were listed in as a category one. Are they are they are they not now? Because they definitely were.

1:08:47

If you're saying that they've been taken out, then that's fine. But

1:08:52

so bear with me, it's a point of detail that may one of my colleagues on the pool may be able to answer. Okay.

1:09:08

No, indeed, some may ask my colleague, Mr. Hack to deal with it.

1:09:18

Hello, Raul heck VDP payments, this is with the applicant. The interest of Network Rail in plot for two is based on the railway. They don't actually need to be as a cat one there. Because if you read the description of plot four, two, it expressly excludes the railway. They included there just for completion sake, which is what we do. It's a standard land referencing approach, but the interest is excluded as, as the railway is excluded.

1:09:47

Right. Okay.

1:09:49

And that in your eyes, and I'm looking at you as lawyers rather than myself, but that that is sufficient in the book of reference that that is that is sufficient and lawful.

1:10:00

To uphold is it Mr. Act to say that to put them in the book of reference, but then to have wording to say, actually, it's not your land we need?

1:10:09

Yes, sir. Yes. So that is a common approach taken in books of reference, we could add an extra layer of clarity, we can put a bracket underneath their name as well, just to make it extra clear if that would help. Okay, either my question was just that they weren't they were listed there, even though you've put a paragraph to say actually, that we don't need their land. So I was a bit confused why they're listed as a category one, when their land actually isn't being quite like that was my that was my question. But no, that's, that's answered that I think Thank you very much.

1:10:47

And if I go back to Mr. Chalice, again on, plot for, we talked about next headline again, I was again a little bemused about the answer you gave.

1:11:01

Because I'm now confused as to who's actually owns this land. I think you said that Essex County Council isn't the owner of it. So who were you seeing it from? Oh, no, you're not because you're leaving the road. But whose responsibility is it?

1:11:17

So again, I may ask Mr. Hack to deal with it. But my understanding is that that the Essex County Council interest is excluded from the acquisition of that particular bridge, but

1:11:34

it's just they just like with network router we've just talked about, they're out of the

1:11:41

trailer in

1:11:43

Sorry, I missed what you said at the end. Apologies. And it seems to me we've got the same issue with plot two and flop plot for where we've got a bridge over the motorway. Yes, where you're not seeking powers over the bridges. But yet, in the book of reference, you see you're saying that Essex County Council is excluded from the book of reference, but network round are included. So that's why I'm getting a little bit confused the approach I don't I think the position is but I will ask Mr. ag to correct me if I'm wrong that they should both be excluded and I think that's simply a way in the book of reference of describing the land interest that we are after IE excluding the interests of network routers regards plot for two and Essex County councillors regards plot four so it's the same situation but with the different

bridge owner Thank you. And is that same go for plot nut four nine which is Waverly road or Wally road, my apologies Wally road, which is in hearings is that is that the same situation so they are expressly I believe excluded as a way of describing what highways England is looking for in the book of reference.

1:12:55

Okay.

1:13:00

Thank you

1:13:06

and

1:13:11

I could just come to four six coming up to the last question I think that four six is the bridge of footbridge isn't it which is highways in tone but I believe Mr. Mrs. Lane have category two rights over that.

1:13:27

So if you were to compulsorily acquire the bridge that you're seeking what is what bearing would it have on them?

1:13:38

Again, would you bear with me for a moment and I will try and give you clarity that that that bridges is different to the other three as

1:13:46

as you will appreciate because we're not we tried to find who owns it and put a notice up to ask the owners to come forward and nobody did but if

1:13:58

you're talking about for the for six foot bridge because your dad's the owner of that highways England the dam as the owner of it, talking about Boyle is called bridge which is blocked for six isn't it? So would you just bear with me for a moment then? clear answer, I hope. Yes.

1:14:35

So thank you for bearing with me. My understanding the position is that Mr. And Mrs. lanes interest doesn't relate to the bridge but relates to the road.

1:14:46

That's why they're in the in the book of the N 25. You're talking about are you

1:14:53

okay.

1:14:58

Okay.

1:15:00

Thank you. Thank you.

1:15:06

And the final question, I'm sorry, I said that was the final question. It's not I've got one more. And it and it refers again, it goes back to the same sort of question for plots 422 411 in respect of plot three, five and plot 131. And again, this is this is compulsory acquisition powers over the southbound carriageway of the 25, when all the works are going on the northbound, and, again, I would just

1:15:36

is the cleansing issue you talked about the same it is that you've answered that the cleansing issue is the same for that side of the road as well. You want to cleanse the powers? It is your I presume your answer is going to be the same is that you're going you're asking like with 422 411. You're asking the secretary state to give you compulsory acquisition powers over the southbound carriageway up to the roundabout believe so. So could you repeat for me which plots you mentioned? I'm sorry, I didn't quite catch one for slash 31. Now that that is the end 25, north of the roundabout. observatory broke up on you. Why would you go for the plot number so I can follow you.

1:16:18

On 131? Yes, I see. And three, five, it's three slash five. It's the same. It's all the 25 north of the roundabout. It just goes one's on Steam one and one's on sheet, three of the land plans.

1:16:34

Thank you. Now let me just tell you, you are seeking compulsory acquisition powers over the whole of the 25. Yes. The works plans in the works. You're doing only concerned the northbound carriageway.

1:16:49

There's no there's no works planned for the southbound carriageway. So again, it's the same sort of question as before two to 411. If you could just perhaps Tell me why. Well, you've said again, so I think the I think that my answer is yes. Before if you like yes. But it's as I was asking, Is it the same? It is indeed the same answer. Yeah.

1:17:18

Thank you. Thank you.

1:17:23

Mr. McArthur, I think you've indicated that you you've got a

1:17:30

Do you want to I believe you want to ask if you've got a question you wanted to ask. Miss MacArthur.

1:17:39

Thank you, Mr. Chairman. I would be happy to deal with this at the end in terms of actions.

1:17:45

To clarify, my, my understanding seems to be that we have we have a situation where Network Rail are described in one fashion,

1:17:57

whereas Essex County Council are described in an in a slightly different fashion wear, essentially the same condition is necessary or helpful for them to be describing a slightly different way cat, can that be tidied up? Is there a reason why they would be described differently?

1:18:17

Mr. McArthur, I agree with you, I think it will be better if they were dealt with consistently.

1:18:22

And therefore when we put in a refreshed version of the book of reference, we will we will pick that point up. And so that is that is clear. I mean, I, I agree with what you say. Thank you.

1:18:35

Okay. And that's all the questions I had on plots. 422 411 does any, any party who wants to sponsor raise anything on those plots?

1:18:51

No. Okay, um,

1:18:54

we are going to move on to the guns a piece land. But I think we've been going for an hour and 20 minutes. No, no doubt you've been going for a lot longer where you've been in the arrangements conference. So perhaps we'll take a short

1:19:07

a short break at this point, if that would be welcomed. Can we should we take 15 minutes and resume at 1535? Thank you so nice. Thank you.