

TRANSCRIPT_ISH2_DAY2_SESSION3_A57L INKROADS_10022022

00:05

Good afternoon, everybody again, the time is now 1455. And this hearing is restarting, please could a member of the case team confirm? Talking to her clearly and that the live streaming and recording restarted?

00:19

Yeah, I can confirm you can be her. Clearly I'm the live stream and recording have started. Thank you.

00:25

Thank you. Please, can I remind again, all parties to keep your microphone muted and camera off until we invite you to speak? These terms that we voted speak, please give your name and on whose behalf you're speaking. Thank you. And we're now still within issue specific hearing to we've just completed item seven, which was a quality and we're moving into item eight, which is specific issues. And Mr. Dyer is going to take us through those. Thank you.

00:57

Good afternoon. So we'll commence with item eight. And the first topic on that is around conditions, material assets. And once we're awaiting comments from Tim Sykes Metropolitan Borough Council on the environment statement, chapter 10. Could be counsel advise when these comments will be available for publication please?

01:35

Sir, my read TMBC. Those matters have just been reviewed internally and we hope to publish them as soon as possible. And hopefully by deadline for not deadline by

01:52

going. To the water environment drainage flood risk assessment and the Water Framework Directive. And the applicant submitted a hydrogeological risk assessment deadline three. Could the Environment Agency local authorities and interested parties who wish to provide comments on this document for deadline for please do so? Could you each of you in turn confirm that that is feasible and we can expect comments with that line. So in line with that deadline Can I hear from the Environment Agency first?

02:51

Good afternoon, sir lead beverage technical specialist groundwater contaminated line team for the Environment Agency. I can confirm that we do have the hydro geological risk assessment. It has been reviewed internally. Unfortunately, it is unlikely to be reviewed by Wednesday the 16th of February 2022. We are looking to complete the review by the end of the month. February 2022.

03:21

Great thank you. Can I hear from the local authorities each eternal start with Tim's so Metropolitan Borough Council.

03:34

Thank you, sir. might read to MPC this can confirm the document is being reviewed. It's likely that the comment will be available for deadline five of the deadline for

03:48

the kid to take 30 or counsel

03:58

Mike James Hyperic out so we would defer to feedback from the EA and the lead local photo authority on such matters.

04:07

Okay. Darby county council.

04:14

Steve Radosh county council sir I think I'd echo the concerns raised by the Environment Agency. This is a document I would have to take consultation and advice from the local authority authority on Wednesday the 16th of February seems very ambitious to me. I can't proceed or be in a position to respond before then to be honest.

04:33

We seem to be in a position where people are aiming for deadlines side Is that realistic deadline for you?

04:49

So it sounds more realistic. Thank you.

04:58

Anybody else wish to comment on that deadline. In the absence of any hands going up, I'll take that as no one else. Moving on to flood risk and drainage Environment Agency notes flood risk assessment needs to be updated to reflect latest climate change allowances published in July 2021. Would the applicant confirm whether or not this carried out within the flood risk assessment? are taken take answers to that in writing if you're happy with that.

05:44

Vicki fell on behalf of the applicant. Yes, that's fine sir.

05:48

Thank you. Moving on to the Water Framework Directive on water environment. The environment agency and its response are EP 20522 Question on 39. recommended alternative arrangements assault for the disposal of pumping test orders due to elevated concentrations of specific substances within an environmental quality statement being present in the groundwater. We would the applicant comment on whether they are considering alternatives and if so. What's been identified as options and happy and do they consider that there are practical alternatives?

06:50

Picky fellow on behalf of the applicant, sir, I think the reference in the environmental agencies document is to pumping testing that was undertaken earlier in the year. I understand that further pumping tests may be required in that water from construction dewatering mainly may need to be discharged, which obviously could have the same impact. I mean, effectively any discharge will be risk assessed at that time via the permit applications. I have. I do have Joe Thorpe attending today who do deals with the Water Framework Directive matters. So if Joe would like to add anything to that and she's Sakura, ask her to turn on a camera.

07:37

Thanks, Vicki Joe Thorpe, a grandma specialist on behalf of the applicant. Yes. So, there was pumping test carried out in summer 2021, which I think this comment refers to. But it was also also brought up in the written representations which we are preparing a response to the during the pumping test alternatives were considered and the water wasn't discharged to surface water in order to minimise risks to surface water courses. Any further pumping tests carried out or discharge of waters at Woodfill would include for risk assessment of risks from discharge to surface water causes, as part of the permitting as Vicki said.

08:34

Does the Environment Agency have any comment on those previous responses at the stage?

08:45

Daniel Brooke Environment Agency water quality not at this stage will come out in the permitting process.

08:53

Thank you. Are the these buttons fully covered by the permitting process? They should be? Thank you.

09:00

Thank you. Moving on to Question F with regards water habitat. And I'm minded to take response responses to that in writing. Would the applicant be happy to respond in arguments of that?

09:25

Vicki Fowler on behalf of the applicant? Yes. So we're happy to respond in writing.

09:46

Looking at land use social and economic human health with regard to local social and economic impacts. Concerns have been raised regarding the fact of increased traffic volumes and sidebars affecting lens ability on the road, which would lead to disruption of the business and National Trust and its tenants as National Trust on here today on monitor take the response to that in writing from National Trust, high peak, National Park Authority and dog shakeout Council. Could the could those three parties indicate whether or not they're happy with that? A bring to your attention. Sorry, not typing. Peak District National Park Authority. My apologies. And I would also bring to your attention that in the published agenda, the data deadline for was incorrectly identified as being 23rd. February. It is in fact 16th. But within National Trust, Peak District National Park Authority in Daksha, county council submit comments in writing by deadline for can the authority confirm that they can comply with that?

11:27

Thank you, sir. Tim Nicholson, Peter Schiff National Park Authority. Yes, um, I'm certain that we be able to comply with that deadline.

11:33

Thank you. Thank you, and that was stricken Council.

11:41

Steep reduction county council. So yes, I think that should be possible. Thank you. Thank you,

11:46

my peak. To do

11:49

that. Mr. Jones. I'm happy to hear from us.

11:58

We're not on your list. But if it's possible, we would like to make comments on economic impacts in relation to class of itself, rather than that the snake pass in particular, if that's possible, please.

12:10

Yes, we're happy to receive the representation in regard to that.

12:13

Thank you.

12:25

Thank you. In the response or repeat to zero 45 Derbyshire county council have identified potential added benefits the Supreme Court deliver travel routes for schools through industrial estates in paragraph 15.15.

13:02

My apologies for seem to have lost the Environment Agency to comment on that I don't think that would be necessary. But with the local authorities actually ignore question for adoption county council please provide further details of the location of these ketotic routes and how these would be secured and delivered.

13:30

As I think ignore Christian Hga ignore question 80 complete the questionnaire taboos that appears to be the Gremlin in the works. So question I

13:39

question i Dasha county council, would you be able to provide any additional details of where these routes run

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superfruit Africana council? So yes. You said something we've been considering with our colleagues at Piper accounts for I think Mr. James just wants to sort of make a point in this context as well.

14:07

And Mr. James,

14:12

thank you, Mark. James, happy broke out. So yeah, is the question sorry that we provide a response to deadline for would you like me to discuss that now.

14:23

And I'm happy to, to discuss it now. If you feel able to. I don't know. Or there doesn't seem to be any indication of where these fruits would run. And it will be useful if the plan could be provided. But I would be interested to hear your views on how you can secure these routes. Deliver them.

14:53

Yeah, Bobby to give a quick verbal update now and I'm following up in writing

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a deal and

14:59

so The Borough Council commissioned day a master plan and the grace gateway Master Plan, which was developed back in 2020, up to a point that seeks to set out what we call the green arc, which extends along the 87 corridor from Grace at Town Centre, up to Ali bridge, and then back up in towards Hatfield by the industrial states. And one of the aspirations there is to improve walking cycling connectivity. It's conceptual at this stage, and the work was put on, on hold until further details known about the scheme we're here to discuss today, really given the implications for it all. So that that were picked up again, hopefully this year when things become clearer in that sense, and at least, for colleagues, but I think we'd be able to share details of the Draft Master Plan as it currently is. And this

addition to that there's also work underway from a community group in the grasp area, who have similar aspirations to what we have in the master plan, really, in terms of active travel connectivity, from Goffstown sensor through up to the community school and also into into Hollingworth. So there are there are some parallels there. Were those two pieces of work.

16:18

Is this information that was before the applicant, previously, as this master plan being discussed with the applicant previously,

16:27

the applicant is where the master plan, yes. Okay, thank you.

16:41

Moving on, does the applicant have any comments on these proposals? And I would expect that you would have further comments when you see any plants involved.

16:56

Vicki Fowler on behalf of the applicant, yes, exactly, sir. So yes, I mean, we these these matters have been been discussed. But yes, we will respond once we've got the further detail. Thank you.

17:09

Thank you. Since I'd Metropolitan Borough Council identified that the impact on the loss of agricultural land does not appear to have been included in the environmental statement. And I'm happy to await a response to that question in writing. Could the applicant provide comments now? Or in? Or would they prefer to do so in writing as a way to date? So I

17:57

think Vicki fell on behalf of the applicant and set the short response and very quick response actually, is to refer you to the applicants comments on the written question responses. So that's Library Reference, our EP three dash O 21. And that response is, effectively that response is covered in 9.39. So it says the response to 9.39, where we cross refer to all of the references in the environmental statement where it is dealt with,

18:28

would you would you be making any further comment? Or are you relying on that?

18:33

We're relying on that. So we'll capture that also in the summary of representations. Thank you. Thank you.

18:43

And finally, moving on to other environmental topics. The applicant being already p3 Zero 29 annexes b one to B seven, has submitted a number of outline, management plans with the local authorities and Environment Agency be able to provide comments on each of these for deadline five on Wednesday,

the 23rd February 2022. So can I hear from each of you into an if that is a realistic programme first from high peak or council

19:34

Yep. Mark James snapper counsel will certainly comment on those plans that are of direct relevance to our functions as a as a Borough Council. Don't have dermaclara Still on the on the call if he could perhaps comment on how realistic it is to feedback on the the noise and vibration management plan, for instance, within that deadline, yeah, I

19:55

would say that that will be reasonable. Yeah. And thank you Keep things and anything else to add from? They'll show us can't counsel

20:12

Steve Murphy Dodge County Council Cerner, same position as the Borough Council, I think there are probably four plans there which probably fall within our area responsibility. So we will endeavour to comment by the 23rd. Okay.

20:24

Thank you. Tim side metrical Borough Council

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and mightily CNBC and nothing nothing further to add from title

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to get really the job to respond by the deadline on the Wednesday I don't know if the Park Authority would have any comments, but will they will be looking amongst documents.

20:58

Thank you, sir. Tim Nixon Peak District National Park Authority, we'll take a look and see if there is any 38 Fair relevant for us to comment on. Thank you.

21:07

Thank you. And finally the foreign agency.

21:21

So Lee beverage from the Environment Agency, we will have a look at some of the reports and plans that are listed and provide comments, hopefully by the 23rd of this month. Thank you. Thank you.

21:39

Thank you for your cooperation. Does anyone else in the hearing have any comment that then pushed my with regard to the items covered at item eight items? In the absence of any hands been raised.

22:07

Okay, let's move on. Thank you, everybody. So that completes item seven, sort of the agenda, I believe. So just a reminder, please to provide the submissions you've committed to and remind to the applicant, please to provide a written summary of the responses that it's made to this hearing yesterday. And today, the deadlines for on the Wednesday the 16th of February, please. transcript and video recording of this hearing will be published on our website. As soon as is practicable after the hearing, that'll be in several different files. Obviously, the the hearing will be recorded several different chunks. But that will all be available as soon as possible, both recording and the transcript. I believe that we've now covered all of the items on the agenda for this hearing. And I can therefore confirm that this hearing does not need to run into tomorrow, we had a reserve date of tomorrow. If that was if that was required. It isn't now required. And we will confirm that tomorrow is not required, actually either for a continuation of this hearing or for a continuation of any other hearings as soon as possible. So we will not be meeting tomorrow at all. Can I just could we share on the screen please the examination timetable, but just to just to remind everybody where we sit in the timetable and the next steps. And if you could just zoom in a little to that, please. So again, under item 10. We've had the hearings Tuesday, Wednesday and Thursday this week. Tomorrow, Friday is not required. We didn't have an open floor hearing and we didn't have an accompanied site inspection this week. We are going to review whether no company site inspection is required as I referred to earlier. We're not intending now to have an open floor hearing. Any further floor hearings, we had one at the beginning of the examination. The next deadline and we've referred to the next two deadlines several times. Those are going to be I think quite a number of represent written representations of those two deadlines. So you can see those on the shedule. Deadline five also includes for the applicant to update on the various tracking documents and the latest update to the draft development consent order amongst that progress in security or the consent progress around compulsory acquisition, etc. I won't go through the entire list So that that is another important deadline for us. Of course, those then having had this hearing, and then having received written submissions after this hearing, and some of those being commented on a deadline five, we'll review all of that material. And then we'll descend, decide under item 13. The need for future hearings, we will be holding future hearings, there will be another round of hearings. But the topics for those are yet to be decided. But I think, given the main areas and interest for ourselves, and actually for others this week, I think we can probably start to understand what the hearings will be held on. There is there will almost certainly be a hearing on the DCO they'll almost certainly be a CA hearing. And I strongly suspect that we'll be covering some of the main topics that we've been covering in the last couple of days. So there'll be another round of hearings that will confirm the hearings to be held by deadline 13. Having reviewed all of the written submissions that we receive at deadlines four and five. Also at deadline 13. We'll be issuing our second set of written questions. I think we are narrowing on the issues the main issues now. So the process is working. And we envisage that the second written questions will be the final set of written questions that we submit. So I think it is important that outstanding concerns are brought in front of us at deadlines four and five, please.

26:45

There is a little time left in the examination. But as we said in the preliminary meeting, we do really encourage parties to get any concerns to us as early as we can. And so that they can be dealt with most thoroughly. And so we can get responses from other parties to issues. So please bear that in mind as submissions for deadline for deadline five were put together. So not long after that our final questions that we envisaged. And if we could just scroll down a little bit. So deadline 30 will be notifying

the other set of hearings, deadline six is for response to the questions, there isn't a lot of time to respond. So there'll be less questions. We envisaged in the first written questions, but there will still be a number at deadline six. We've also asked for the applicants final version of its development consent order, that doesn't mean that there won't be continuing discussion about the development consent order. But it is the deadline where we're asking for the applicants final version. And then that will feed into we'll discuss that within the hearings. So deadline, I won't go through the whole of the rest of the timetable. But you can you can read the rest, I think from from the rule eight letter. And actually this also appears on the website where it's in a slightly different form, but hopefully easy to follow. So the hearings in April, under item 17 were firmly committed to holding those in person. Certainly, as we stand today, COVID restrictions seem to have lifted some of the risks of having physical events seem to be a lot easier. So our intention actually is to hold on to cold hybrid events will confirm all of this nearer to the date. So this isn't a firm undertaking at this time. Because we have to review the situation closer to that time. But as we sit today, the intention is for those hearings to be hybrid. So we will be meeting in person. But there will also be an ability for people to join remotely. So it's hybrid because we're using the two different means. So that's our intention at this stage. And that will maximise the opportunity for different parties to participate. We would very much like to participate in person so that that's, that's that's our thinking at this moment. We're requesting that the applicant start to look at potential venues for those events. And our casing will be in touch with the applicant to try to get an suggested shortlist from the applicant hopefully next week. And then we can finalise we will have the final choice but we can then finalise a suitable location the following week and time for us to notify for those hearings in April. So that's that's the basis that we're working on. Now. If we choose to have an accompany site inspection then that will be doing that week, commencing the fifth of April. But we haven't yet decided whether that should be a company that our own a competent and put aside that following the submissions that we've asked for around that. So that gives you a, hopefully a quicker view of the next steps and a sense of the urgency of fleshing out any final issues for us to work through. So, on that basis, thank you, again, it's been a very valuable productive three days, we've covered an awful lot of ground. We've closed off some things to our satisfaction, and actually, we've opened up one or two new things. And that's the nature of where we are at the moment. Thank you all for the time that everyone's taken, not only participating this week, that in the considerable work that a number of parties that put into producing written submissions, and we do values that very much. It is very helpful to us, so. So thank you. And thank you for what you're about to do for the next deadlines. We didn't appreciate that. So on that basis, all that remains then is for on behalf of Veen and I to say and the case team to say thank you for your assistance this week, to issues the very best until we meet again and as I said, very much hope that will be possible in person. This issue specific hearing to is now closed. Thank you