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00:06

Good evening, everybody. The time is now 1726. And this meeting is the fate of is restarting, please could remember the case you can confirm that clearly, under the live stream and recording have restarted. Yeah, I can confirm you can be here clearly on the large stream has now started. Thank you. So we're now continuing with Item six on the agenda, which is climate change. It's the final item for today. Thank you all for bearing with us up to now. And let's see how we get on with this. So again, we'll follow the order in the agenda. And there will be some points here that we take in writing. And but we do want to work through a number of them orally. So let's start with cumulative effects. And so as shown on the agenda, Tameside Metropolitan Borough Council and hyperlink and Borough Council, have raised concerns in their deadline six submissions about consideration given to local policies and budgets. But I think just just to make the point, again, that we, as the XA are minded to consider local policies as important and relevant in accordance with the act. And and obviously, local policies need to be balanced against national policies and the national policy statement. So and whether it conflicts we'll consider those carefully. But we will be giving consideration to local port sis. So just to state that. Does the applicant want to make any comment on that position?

02:00

Picky fellow on behalf of the applicant? No. So I think that's that's fair. And your your comments about obviously balancing with the with the MPs is right. And the only other comments I would make is that table that is 14.3. In chapter 14 of the environmental statement, that's some red one, dash zero 19 does include a list of all the legislation regulatory and policy framework. And that does include the local policies. And obviously I'm I'm also aware of high picks local impact reports where they make reference to one of their concerns being the council's aim of net zero by 2030, etc. So, yeah, I mean, effectively, you are to have regard to the local impact reports, I haven't I haven't seen a list of policies from from time side. And I suppose the other thing I would add as well is just in terms of effectively, the climate change policies are as are as relevant as other policies. So for example, the local plan policies that have the scheme as a policy goal, for example.

03:12

So custom item b to teen site versus same site able to help us help the applicants with the local policies in terms of carbon budgets or related matters at all.

03:30

I can say look to see what we have. We tend to rely mainly on the GM, the overall GM ones, which we feed into individually as attend district authorities. So they may be the GM document, but all the districts have contributed to it in development, if you stop playing.

03:59

So yeah, if possible for for defining it, it would just be helpful to clarify. And timezone policies. Oh, no, I think that that could well be helpful. Any other comments from Tim site on?

04:17

No, we have no further concerns.

04:20

Thank you. And then high heat for the council, please.

04:28

Yeah, man. So I think we've said the advocates say they are going to consider IP to climate change emergency as referenced in our annual impact report. So we certainly welcome that and consideration given to it as part of your recommendations the sacristy as well. Okay,

04:42

thank you. That's helpful. So item C. So that this was a question actually raised at the very early stages of the examination. So essentially visiting that so There's an original question about whether cumulative effects on climate change the proposed development with other projects within a geographical area should be considered against the threshold that sets for a similar geographical area. So, this gets back to the thrust of the assessment, which compares the proposed development with the local other projects. So the cumulative of the proposed other local projects withdrawal included within the traffic modelling, etc, and comparison of those with the national targets. So that that seems to be the approach within the assessment. So, this this is revisiting the question, is it appropriate to consider local changes arising from local development to local scale local geographic area against thresholds for a national area? So, this seems to be an outstanding issue. And I wonder if the applicant might like to comment on that or would also be content because applicants ticket and writing

06:10

thank you for on behalf of the applicant and I think we stand by our previous position on this so it maybe it's appropriate for writing, but I think anything would make us of course, we do not have the IMA greenhouse gas emission assessment guidance and an our take on that is that that very much supports our our stance and either greenhouse gases are not geographically limited, they do not affect any specific local receptor to which a level of significance can be assigned. You know, rather the only receptor is global atmosphere. And for that reason, the assessment differs from that or other EIA topics. So what the greenhouse sorry, the IMA greenhouse gas emission assessment guidance gives the following example, so it says air pollution emissions are dispersed and diluted are for emission and only the cumulative contributions of other relatively nearby sources contribute materially to the pollutant concentration, and hence the effects of a particular sensitive receptor in the study area. Due to the persistence of CH G's in the atmosphere, the same dispersion effects contributes to the global atmospheric GHG emissions balance, there is no greater local climate change effects from a localised impact of GHG emission sources or vice versa.

07:28

Thank you, um, I think the wording of the question is, is actually quite well developed. And it it does relate from a previous case. Stemming from that has been various on various projects, the related questions have been raised in various other projects about comparing on a local scale and regional scale on a national scale. Which is a slightly different point to question see. So question C is looking at the appropriateness of comparing a local scale of emission against a national scale of threshold. So, it's a slightly different question to, I think, one that we've actively addressed during the recent parts of the examination. So I think I'd invite the applicant to, to look closely at that, at that wording, please. Thank you. Let's leave that at that point. So point D. So this is the isolation sources and isolation questions. So let me let me read through it. So can the applicant provide a concise and reverse position regarding whether achieving net zero by 2050 requires reductions to be made to carbon emissions from sources in isolation, themselves, negligible or de minimis? So there have been various judgments. And I won't try and quote one, but there is the de minimis argument that has been used and not withstanding Notwithstanding that, so even if the emissions of the proposed development, even if the emissions of the whole risk programme are considered de minimis. So if we were to take that as a starting point for the purposes of this question, does that mean that does it follow from that that reductions don't need to be made So risk you're achieving net zero by 2050. In very simple terms, if I fight drive a polluting car by itself, I think we probably consider that de minimis. But if I don't put a lot of cars together, then actually, there is a good argument for those each of those cars to require a reduction to be made as part of achieving net zero. Government policy in some areas does require relatively small emitters to be to address to have requirements to reduce the emission. So it's within that general area. So even if it is sort of de minimis. If it is consistent with de minimis, does that necessarily result in no reductions being required? So I don't I don't see up to respond on that now or again, take that in writing.

11:10

I'm happy to have it I'm happy to respond. Now. Maybe maybe we need to expand in writing as well specifically about file on behalf of the applicant so so yes, so we do agree that I think importantly, to achieve net zero by 2050 does require reductions from all sources. So regardless of them being net dribble or de minimis, and in particular, I think we make reference to the dmr le 100 114, which is clear. That project should seek to minimise CHG emissions in all cases, to contribute to the UK is target for net reduction in carbon emissions. And so effectively that the dmr requires all projects including this one to apply carbon reduction hierarchy in terms of the avoid, prevent, reduce and remediate. And and that approach is outlined in chapter 14, section 14.8 of the IES so again, the climate change, and we explain some measures include reuse of materials to minimise resource consumption, recycling, end of life materials, whole life cycle, life cycle design, circular economy considerations, use of prefabricated elements with mentioned, an innovative and best design, energy efficient LED lighting and measures to support active travel. Also national highways netzero highways plan does apply to all projects and again, including this one. And affects it says how it supports net zero by 2053 commitment. It's backed by immediate and sustained action. So that's achieving net zero for its own operations. This is national highway zone operations, delivering Net Zero road maintenance and construction and supporting net zero carbon travel on our roads by 2050. And the factory said we do have the carbon management plan, which will obviously be developed during the detailed design stage and the look most low carbon solution will be selected and emerging or improved practices considered. So certainly, in terms of the whole carbon piece. The applicants very much having regard to how reductions can be made from all sources.

13:29

Thank you. That's helpful. And I think it's helpful to get the clarity on the de minimis arguments being separate from the need to reduce to meet net zero by 2050. So that that's that's helpful. Very clear statements. significant effects then moving on. So there have been a series of questions actually in responses around emissions from electrifying the national national fleet. So yes, so evidence requested by Deputy county council the applicant like to like to comment on that one please. So this is Christian. He

14:24

is a picky fellow on behalf of the applicants. So yes, the applicant has prepared a response to Derbyshire County Council's Request for Evidence and that will be submitted at deadline eight.

14:35

Okay, happy to take that in writing a deadline. Look, thank you. Thank you. And if w Council Council please comment on that for deadline nine W cantica. Counsel, would you be able to do that please?

14:52

Yes, thanks very much this debuff Radosh kind of counselling guests like for we we will undertake that. Thank you.

14:58

Thank you very much. Alright, let's move on to Iceman. So the preamble to that. So the national policy statement, paragraph 518 states that any increase in carbon emissions is not a reason to refuse development concerned, unless the increase in carbon emissions resulting from the scheme. So significant tables have a material impact on the ability of government to meet its carbon targets. So, so this, again, there have been a series of questions around the methodology used by the applicant. So National Policy Statement raises a threshold for refusal. And the dmr methodology that the applicant is used appears to use a significant threshold as being. So, the significant threshold used in the assessment is for a material impact on the ability of command to meet its carbon reduction targets. So what what time, it's what we're exploring here is the consistency of the approach. So, and the consistency of the dmr methodology with the MPs. So, the NPS, as I said, in the question now refers to the missions has been so significant just to have a material impact. So I'm wondering whether a reasonable interpretation of that is it's not necessarily relating significance to a material impact, it seems to be sent so significant. So I'm wondering if we should be interpreting that as, actually it's a higher higher level. And there's more effect than a significant effect. It's so significant, but that's just something we're struggling with at the moment. Could the applicant come into that place? Was that clear in expressing the

17:19

thank you fellow on behalf of the applicant? So? So yes, so so we would agree that the so significant, relates to such a large change, to materially affect the cart, the cart carbon budgets, it's more than significant, as you say. And I think as we've said before, obviously, there's sections dealing with whether consent should be should be refused. I think the point I would make is that in general

environmental terms, the fact that a project has a likely significant effect is not necessarily a reason for refusal. Obviously, the purpose of the environmental assessment is to show that the decision maker understands the environmental effects. So the carbon emissions have been considered against the National Carbon budgets to determine whether there would be a material or significant effect on the achievement of those carbon targets, rather than a so significant. And relative to those budgets, we come to the conclusion that they're de minimis and scale and do not represent a material effect.

18:20

Okay, thank you. Let's move on to the next one. So, which is related. The applicant has said that the call centre is not set up the criteria for to be considered significant. So in a deadline for that was the supposition that could then later appeared to refer to be to refer to a significant effect being one where it would materially impact the visibility to meet. So is there a contradiction essentially between what the applicant has stated deadline for and then a deadline six? Thank you,

19:11

Vicki fell on behalf of the of the applicant. So Sue? So I wonder if I might actually invite Liz young to address this particular point, unconsciously. I think it is helpful if you can hear from the particular experts, but so I can ask some of these young to introduce herself. Thank you.

19:33

Hello, yes. This Young on behalf of the applicant. Yeah, so, as I say so, Section Five point 17 of the MPs states that it's very likely. So it's very unlikely that the impact of a road project will in isolation affect the ability of the government to meet its carbon reduction plan targets and to test that at five points 18 of the MPs, it's that any increase in carbon emissions is not a reason to refuse development consent unless the increase in carbon emission resulting from the proposed scheme are so significant that would have a material impact on the ability of government to meet its carbon reduction targets. And so, material impacts on legislated carbon carbon budgets are considered in chapter 14 of the IES is considered that there are no material impacts on the achievement of carbon budgets from this scheme, including in line with the aim of guidance when the bedded and committed mitigation for the greenhouse gas emissions has been considered. And so Li 114 is consistent with MPs and and the EIA regulations, in terms of the former 3.18 of La 114 requires assessment of a project's greenhouse gas emissions from construction and operational phases of the project against the UK carbon budgets. This directly corresponds with five point 17 of the MPs while three point 20 of in LA warmer for that states that the assessment of projects on climate shall only report significant effects, where increases in greenhouse gas emissions will have a material impact on the ability of government to meet its carbon reduction targets. So this corresponds directly to five point 18. And in fact, the dmrbl 114 was written very much with with the MPs in mind. And so it's also worth noting that the IEMA guidance also states in bold. The crux of significance, therefore is not whether a project emits greenhouse gas emissions, not even the magnitude of greenhouse gas emissions alone. But whether it contributes to reducing greenhouse gas emissions relative to a comparable baseline consistent with a traductor trajectory towards net zero by 2050. So while the aim of guidance isn't clear on what constitutes this baseline, it does acknowledge that the 2050 target and entering budgets are, according to the the CCC that compatible with the required magnitude and rate of greenhouse gas emission reductions required in the

UK to meet the goals of the Paris Agreement. So this will give some assurance that dmr le 114 approach of comparison with National Carbon budgets is sound.

23:11

Thank you. That's helpful. Thank you. I think that's still it doesn't feel to me and this. This needs to be considered, again more carefully. I'm not quite sure that we've fully addressed the fact that the MPs refer to these matters as being grants refusal, and whether I can fully follow the logic of the DMR be using very similar criteria as a threshold for significant effects. I'm not feeling that a light bulb was switched on in my head around that. So yeah, I do seem to be they do seem to be saying different things. So to say that the dmr is equivalent to the MPs? I don't feel convinced of that as yet.

24:16

They are they are consistent with each other. But I think that that currently there's no formal mechanism for assigning significance. Although I think it's worth noting that currently no road schemes have been have reported greenhouse gas emissions that are so significant, that they would have a material impact on the ability of the UK Government to meet the carbon reduction targets.

24:44

Yeah, and yeah, sorry.

24:48

But just to say that our scheme our assessment is it's proportionate at to, to the dmr le 114 assessments undertaken by, by other schemes, as well, but then rush to.

25:05

Yeah, it's I guess, I guess I'm struggling with the consistency of the dmr approach with the MPs. That's, that's what I'm still struggling with, I think, because, as I said, 111 that one of those is dealing with grants or refuse or one of them's identifying similar things for significant effect, which seem to me to be very different things. Okay, so it's, I think I've still feeling comfortable with DMR. B. In those terms being equivalent to the MPs. It's the light bulb moment hasn't gone on. So I'm just sharing that when these I suppose. So, let's move on. I imagine there'll be clarification, Tim Cook would like to provide in the written response on that. The, and that that relates to I think, COVID, item G. Effectively there. So the next question, actually, I'd like to suggest that we take in writing that this this, again, is the issue that we've just been through the IAmA approach, which says the recent changes to that guidance, do give a rather different approach to a consideration of significant effects. The applicant is, I'd like to expand on the question, but take the response in writing still, if that's okay. So a conclusion of minor adverse residual effect, and has been suggested by the applicant. As I say, the OMA guidance just assumed to be very interesting, and does relate to whether a project is its comparison with other projects, if you like. So, the applicant has suggested that there be a minor adverse residual activity, it'd be helpful. I think, given some of the questions that we have around the consideration of significance in the dmr. In those things that we've just been through, I think I think it might be helpful just to expand on the response around the IAmA guidance, if possible. And just to give some more reasoning, behind the minor adverse residual effect assessment that the applicant has suggested, and I think comments were made earlier about needing to consider what has been secured. So what, what mitigation has

been secured, to result in that so not again, this is back to a point, I'm sure will come up later, it's not stated intention, or we are already doing this, if you like, I'm paraphrasing very badly, I think but in terms of doing this assessment against what is actually secured firmly. So if Atkins is able to, I think it would be helpful to understand the basis of that assessment a bit more. And I guess there's an error of a nice around comments that have been made about the proposed development, as has been assessed employing conventional methods and materials. So it's, and there's an intention to address that later. Is that intention secured? Is the use of conventional methods and materials, would that lead to a minor adverse residual effect? Or actually, is that assessment assuming that there would be lower carbon material,

29:07

lower carbon construction methods, etc. So sorry, I've talked around this a little bit loosely, but

29:17

it's it's understanding the basis of that assessment against the AMA guidance, and understanding that that takes account of what is actually secured. Is that clarification helpful, and could the applicant provide a response to that?

29:41

Thank you fell on behalf of the contact. Yes. So we'll we'll do that.

29:44

Thank you. Thank you. And, and actually, this just seem to relate to benchmarking again, this, this seems to be something that relates to the IMF IAmA approach. So Yes, the applicant has said that benchmark is not a requirement for tweaks and embedded carbon emissions dogshit county council have, I think several times now have expressed the views that benchmarking would be helpful. And it has made reference to the dmr previously. And so, I'd like to take this in writing, again, the benchmarking questions in writing, so J, K and L. So the applicants responses to the Dutchess County Council's about benchmarking if the applicant can provide further information, and what benchmark is being considered as been considered the construction, phase emissions, so then body carbon and materials, etc, etc. So as that as they've been benchmarking of that, and if so, that'd be provided. And then, if there could be clarification of whether the use of past 20 at the intended use of customer and duty would include a process of benchmarking. I think the questions are quite clear. Is the applicants happy to respond to those in writing, please.

31:15

Vicky fell on behalf the applicant? Yes, we are content to respond in writing. Thank you.

31:19

Thank you. And I think I think it's during the round of helping us to look at the significant significance of effect issue relating that to appropriate mitigation. So it's trying to find a sensible way forward through all of that. And, you know, the benchmarking might be a very useful approach, and to help underpin that. So thank you for taking that in writing. So let's let's move on to mitigation for the construction phase, curtness, so Tameside, etc, it'll be valuable to have periodic reports and with mitigations be

delivered, and that that information should be agreed to make public and shared regularly to permission stakeholders who have said that for mitigation should and should be identified at this stage as well as provisional targets. And we'll be happy to broad review measures. So this is against the background or for use of PAs at past 2018 colleges. And the degree to which the outcomes of that are made available to the parties through view, whether they're just held within the applicant and its contractors and others. So as it says in the question, the applicant has said that further measures, it would prefer not to identify further measures at this stage, because of the restriction that would cause it said that reduction targets would be set in accordance with its latest plans as an organisation. And it's said that review carried out internally so. So from the applicants response there. And sorry, independent independent verification would have to be part of the other wider construction verification. So this is I think the combination of those things is kind of leading us towards a position where nothing is firmly specified. There are no firm targets. We will have targets but we don't feel that this necessarily be shared. There will be review internally, but we were not sure that having other parties involved in that would be helpful, independent verification. So seem to be left in a position of uncertainty or an inability to verify what measures actually would be carried out how they would be reviewed, how would be demonstrated that that mitigation had been provided or not whether the whole process had been run properly. So it says I think this is unfortunate statement but I might be exaggerating a little bit too much it it kind of disappears into a black hole for the future. So it's it's left behind closed doors. And I guess that leaves some residual concerns about whether it would really happen forgive me for speaking very bluntly. So so that that creates some ease some of these about what is really secured as mitigation. How can we be sure it's really happened? There has provided as Some very useful examples of where measures could be incorporated across a wide range of areas, you know, you might know that the environmental agency have done a lot of work on low carbon concrete, for example. And that's perhaps quite a good example. So, I hope I've flipped out again, some of the areas that were nice, they do seem to be some realistic opportunities. But again, it's we're back to the firmness and the being convinced, if you like, that the mitigation would be provided, get some verification of that, then it would be appropriate consultation, etc, etc. Because, obviously, as well, there are with the pressures that the applicant has around timescales for delivery around costs and the public person, all those matters. So there are competing interests, if you like that, that may have a tendency to push carbon related mitigation down the priority list somewhat.

36:09

And it's it's whether those carbon mitigation measures would be given the right prioritisation down the line after our recommendations have been made. And that they've been given that appropriate, prioritisation in light of zero carbon, etc. And zero emissions, etc. So I'm hoping that explanation of the things we're wrestling with helpful, would good. So against that background and questioning. So could the applicant explain whether and or how the use of some of the materials, it's it's suggested some of the low carbon construction methods that have been suggested? Can you give examples of where where some of those would, would would or would not cause it difficulty?

37:10

Vicki Fowler on behalf of the applicant, and so before I move on to a materials, I think it is just a general comment, I think on this section is that we have got the outline carbon management plan, I think I'm preparing for this session, we have noted that that is missing from the list of plans for the second

iteration environmental management plan. So the intention is that will be added. So in terms of the Yep, so in terms of the stakeholder consultation, etc, that goes with that plan, that that will be added. And I think I think in the main, with all of these questions, we feel that the right approach is to set up carbon reduction targets and apply carbon reduction techniques within that detailed carbon management plan, working with the local authorities, and also when we're working through detailed design. And the reason why we say that just turning to your materials option, mean effectively, materials options are highly complex, obviously, central to every construction scheme, you know, regardless of carbon reduction. So, it may be actually the sort of standard techniques are are better, because actually, they can be locally sourced. So so there is always a balance and those competing interests that you've made reference to. So, I think, yeah, the view is, it is very difficult to finally prescribe use of specific low carbon materials, you know, without taking the engineering and supply options into consideration. So, I think for the materials listed, you know, the sort of following context applies, so use of recycled sub base and warm asphalt primarily limited by local council technical standards. But obviously, that allows for those then, again, it depends on the availability and engineering suitability of those lower carbon concrete. Again, it's highly dependent on availability of raw materials and engineering suitability, and again, low carbon steel again, dependent on availability with a current being very few low local carbon options available, but certainly I mean, the detailed design is being progressed and you know, these considerations are being incorporated and, and thought about as that as that's progress, but hopefully with the detailed carbon management plan, being part of the second iteration, EMP that can give some comfort that that it is secured.

39:52

Like I think where we are at the moment in terms of The best practice on highways projects, I can understand, I think, a difficulty in being able to give specific reductions in relation to specific materials. For the reasons that cantor set out. I'm not giving a firm view of that. But I can, I can, I think start to understand the applicants arguments around that. It's then being convinced that the process for exploring those later has some firmness to it. I think very much welcomed the opening up of that process, to consultation with other parties, and review by other parties. So that seems to me to help, you know, all of these things not happening behind closed doors so that there's some transparency of how the process will be adopted. So I think I think I think probably some of the key issues for us as soon as we get to the reporting stage will be the firmness of the process for actually resulting in the mitigation being delivered against the background of some of the competing factors, which the applicant has just referred to in terms of construction practicalities, and there will be other issues, such as budgets and timescales, obviously. So I think it's probably the feeling at the moment, is this some concern about whether that firmness is there, and whether low low carbon methods and materials would survive the challenge against other interests? If I can put it as bluntly as that? Because we're not setting specific targets, we're not setting specific targets, then how can we be have confidence that that mitigation will survive? That was that reasonably

42:43

fair case? So thank you.

42:44

Yep. Thank you. So again, for except that the responses to those in writing again, so.

42:59

So against that background and wanting to see some firmness, we are considering whether a requirement should be added to the DCO. To introduce some of that firmness. I think as we stand today, I think we're likely to add something of that nature, I think the devil will be in the detail of the wording. So actually, question now is probably an unfair question, because the applicant would want to see the wording first. So happy to pass over. Oh, unless the applicant wanted to comment on that. I imagine that the applicant is to assist with that wording if the applicant was able to maybe review what's in the the carbon management plan, etc. And how far it feels able to go to in terms of adding firmness to that. So we can perhaps take those words as the basis for requirement in the DCO field that's required. So leave it to the applicant to determine whether the applicant wanted to suggest some wording for the DCO that will be welcomed. If the applicant wanted to refer to wording in the cover management plan, for example, then we can use that as a base to the applicant want to want to comment on that at

44:42

all. Vicki fell on behalf of the applicant? Yes, sir. We would certainly Our preference would be to for the carbon management plan. I think for the reasons I've outlined regarding difficulties with materials for example, I mean, I mean one of the routes to a low carbon solution for example might just be the design of a particular components. So making underpasses thinner, for example, and actually taking less material in the first place. And again, I mean, I would refer to the climate change chapter where we explain the in terms of coming to the design in the embedded design. So for example, reusing the soil etc, where we have had regard to carbon and the whole life cycle and minimising carbon for the project.

45:31

Thank you. Thank you. That's let's see where we get, I think, yes, part of it's written responses if if, if the advocate was able to review the measures in the cover the maximum time, for example, and gets the background that we've just been through that would be helpful to the local. So that so when Peter, the local authorities want to comment on anything, additionally at this point. So this is this is around mitigation secured for the construction phase in relation to the use of low carbon materials, low carbon construction methods, anything for the local authorities to council, anything to add at the moment.

46:20

Thank you. So state property damage mechanicals, north and we very much welcome and support the proposals, you're you're putting forward to secure these measures through the develop consent order through with a specific requirements. So yes, happy to happy to support that proposal.

46:34

And to see some some firmness around that.

46:38

Yes, sir. And send it to be engaged in the in some sort of consultation on its security requirement, I think that will give us you know, that security that we'll be able to sort of comment on all the measures that have been put forward by the applicant on on these matters.

46:52

Thank you. Thank you. That's helpful. So Tim side before I come to you, so Tim side if I take if we take questionnaire at the same time, so Tim says happy to comment that adopting plus 2018 on its own may not be enough. And so can we take can we take comments from Tim side in terms of securing firmer measures for the construction phase? And can we take response to questioner as well from 10 sides at the same time, please?

47:26

I think we will we agree with your particular views of having something in the dcl to say what's required over network highways and have wide consultation. Thank you. In terms of question, our I don't think we probably do need any further other mitigation measures in the construction phase, because I think what you're suggesting and thirdness. Wider consultation with the districts. I think that probably covers what we're thinking in there. Because it's important to have this in the construction phase, and then monitor it properly. So I don't think we need to add anything further to the

48:37

Okay, that's helpful. Thank you very much. Let's move on to mitigation for the operational phase. So Dutch county council actually at several points during the examination have expressed concerns most recently deadline six about the mitigation security, the operational phase, the applicant summarise its proposals again, deadline six. There seems to be still some difference between the applicant and Deputy county council on this. I'm just wondering if those parties have been able to get to get together to discuss this and maybe move these things forward through direct discussion rather than submissions to the examination. Forgive me if you've had those discussions, but I'm just wondering whether this happened or not or this merit in war, those discussions So could the applicant comment first?

49:44

Vicki fell on behalf since just so yes, those discussions have taken place and at least as part of the statement of common ground and stem to Common Ground will will confirm which matters have been agreed or not agreed. Think of the CO and position is that so I think we have confirmed that most of the mitigation measures can be secured. I think the only exception is some Evie charging points, which is not a lot of matter for the applicant. But but as I say the statement of common ground can can confirm that and that that meeting took place on the 29th of March.

50:18

Thank you. That's helpful. Anything to add some touch? On that, please.

50:23

Steve Radosh kind of counsellor? No, I think that's an accurate reflection of where we are the discussions have taken place last week as part of a wider round of discussions. And I think as, as the applicant said, we will be setting out those areas of agreement in the same common ground, we did discuss the electric vehicle charging infrastructure points, and I think we accept the the applicants sort of position on that, that obviously, ultimately, that will deliver How will be delivered by the private sector through through I don't know, sort of charging facilities, that sort of service areas, sort of counting new

carriages, you know, sort of retail departments that emerge. So we're, again, not something that can be covered by the applicant or incorporating the schemes, I think we would accept that proposition. So

51:06

thank you. And thank you for working together to move that forwards and for the work you're going to do. And having that clarification, the statement of common ground will be helpful. I would point out, in addition to that, we will be looking to see, again, the firmness with which that mitigation is actually secured. So whether agreement is reached or not, we will need to be satisfied that, as I say, the mitigation is firmly secured. So just just to highlight that. Okay, that's the final question. From the agenda on climate change related issues, I am going to open the floor in principle. So if any parties would like to make a oral submission on this matter if they could raise their hands, please don't just leave a moment or two for artists to raise their hands.

52:14

All right. So I think we have three parties wanting to make a submission. So let's go ahead and just relist them, a fourth party, thank you anymore. So I'm going to draw the line in the moment at for parties. So please, if we could think we will put the timer on the game. So let's say for 20 minutes overall survival, just per party if we could. Again, if you're not able to cover everything within the five minutes, please do summarise in writing. So I'm going to go with the order that the hands went up. So first of all, Dr. Boswell six.

53:03

So I asked Edwin if he very kindly put up. Rep. 526 again, and on page seven. Yes, paragraph two to eight.

53:18

Could we just zoom in a little bit a bit more this?

53:22

Yeah, actually, yes. I've actually got this on another just one slide. So having zoomed in, I wonder whether we could now switch to my slider phosphor. He's probably even bigger, actually. Because I did blow it up on that.

53:38

And this is from a submission that's been made previously.

53:42

No, it's literally just made for this afternoon.

53:47

That's not sure that these

53:49

Okay. Read it out, then. I'm

53:53

sorry. So sorry, doctor. But so that's that hasn't been submitted to the examiner?

53:59

Or if I didn't do that by the rules, then can we just get the other one back then I'm really sorry about the confusion. Whilst that's coming up, just to say that this is the key paragraph of this document. two to eight at the bottom there about out whether a cumulative carbon assessment has been made. And you you'll you'll see in that, that the the applicants or just above that they're saying that because they've included the four elements, which are just above that, that they've got everything in the traffic model, and therefore the traffic model is inherently cumulative. Now the question I had on that, which was on the other slot slide was that I'll read it slowly. If the traffic model contains all known road and land developments in the study area, which we're saying it does, then it follows that any combination of data or any differentiated version of that data, in other words, the d_s minus d_m step, extracted from the traffic model must also be in cumulatively, Herot. Inherently cumulative. Now, that is really the crux of the whole matter about cumulative carbon emissions, what I've just read out is a sentence, which is what is basically what the applicant is positing. So I believe they would always answer that question, as Yes. I answer that question No, and others do too. Now, the ramifications of that are that what's being taken forward into the assessment for quantities being taken forward? are under estimates of the carbon emissions, and also, they're not cumulative, they're not compliant with the AI regulations. So we get back to that again. And what I'd want to say about that, is that that's the question ultimately, the Secretary of State is going to have to decide upon in in the decision, and you know, we can sum it up in that one sentence, which I put on on the screen and and then read out

56:41

the theory that sorry, Dr. Bose. Oh, can I read it again?

56:45

Yes. Very happy to Yeah. So if the traffic model contains all known road and land developments in the study area, then it follows that any combination of data and differentiation of that data, in other words, the d_s minus d_m step, extracted from the traffic model must also be inherently cumulative. What I'm putting before you is that the applicant says yes, for that. And they've continually said yes, to that through all their submissions. And I and others are saying no. And that's the key thing, which we have to resolve on the cumulative carbon emissions. And I will, of course, submit further information on this. You know, to draw out the argument, but that's the basics, the basic thing in one in a nutshell, in one sentence,

57:42

thank you. I'm certainly interested in seeing that submission Doctor possible. Thank you.

57:48

I'll make sure I do that. The The other thing on day two to eight in front of you there is the word influence twice and second sentence. And the question I have on that is, what is the difference between influence and the cumulative assessment of an environmental impact? In other words, in this case,

greenhouse gas emissions and the applicant? I would suggest my understanding of what they're saying is the influence in that second sentence equivalents equivalents in their thinking equivalences in their thinking, to cumulative assessment, and again, so on the Yes, no spectrum. They're saying it does. And I would say that influence is not a cumulative assessment of the greenhouse gas emissions.

58:50

And you're set out your reasoning that again, I

58:53

will set that out in writing. Now, I have some

58:57

who could make it to start to wrap up, please.

59:00

Okay, what I'll say is, I understand I've got five minutes tomorrow. I had a number of other questions for 15 an hour. And I'll try to sort of put some of those in the five minutes tomorrow and let others speak now. Thank you. Thank you very much.

59:15

And as I said, Please do about in writing, and I will do. Yeah, thank you. Mr. Bookchin, please.

59:27

Thank you. So I'll, I'll try and be brief and and make a few points related to the hearing today, before doing so much is my understanding that NH have done model run which takes account of the transport, decarbonisation plan that has had some data extracted from it in relation to carbon. But I've seen I've requested and I'm hoping to see very shortly, further details of that particular model run. Thanks. importance might become apparent in a moment or two, when I relate two important points. One is I think that you have quite rightly identified a very great difficulty here and a bit of a conundrum in relation to the de minimis. It is true that most individual schemes and certainly most individual actions are de minimis, one has to look for really, very, very large scale events, indeed, you know, possibly geological to to, to disrupt the government programme as a whole. And yet, if each one is, is considered inconsequential and irrelevant to the assessment, then of course, nothing would happen. So it is a very interesting conundrum. And it has been brought to the forefront really, because of, we are now in a position where we are moving away, if I can describe it from aspirations to sustainable policy, to actual specific schemes, we now have a situation not in which people can say, Well, I would like everything to be sustainable, that's fine, but we're just going to carry on as normal using everything, our normal procedures, that is no longer the case, we have competing schemes, and we have competition between modes in those schemes represented in those schemes, that is clear and government policy. And that is why it is now relevant to consider how one scheme, which is does not have a sustainable, immediately sustainable content, in fact, has its content, which discourages sustainable travel behaviour, how that interacts with schemes planned elsewhere, as you will know, so I've gone about that a bit in our written submissions, I probably might mention it again, in my final written submission after today, but this is the crux of the matter, the interaction between those two and that is absolutely

crucial when it comes to carbon. And I was very struck by what Liz Jung said earlier today. And she said we are comparing the impact on a baseline, which is compatible with net zero. Now, let's be clear about this. Elements of the traffic forecast used for the central forecast for this scheme are not compatible with a pathway to net zero. I've given a table in fact, showing the inherent slowing of traffic growth that is absolutely critical to the climate change committee targets, there is a demand management element. Now, that element may not be on every part of the road network. And if this scheme was in the middle of nowhere, with just a small amount of strategic level traffic on it, that will be one thing. It isn't most of the trips are related to Greater Manchester, those are exactly the trips covered by both Manchester strategy, which Dr. Basel quite rightly points out. It's actually probably now outdated, recent developments, but certainly the the transport decarbonisation plan. So it's important that we that that we bear that in mind, so I'm going to I think probably wrap up on on that particular point, I too will try and give a perhaps a clearer picture tomorrow of what I think where I think we are with that, but I think it is important to say that we should be comparing a baseline with the scheme which does not meet the trajectory for carbon reduction with an alternative without the scheme which does and when you see the difference in carbon between those two, then that will be very very significant indeed. Thank you,

1:04:02

thank you so just just bear with me then please Okay, thank you. Mr. Wimberly, please.

1:04:38

All right. Can you hear me?

1:04:39

Yes, very clearly. Mr. Wimberly. Thank you. Okay.

1:04:46

Cameras, no, just one point and then wimble is a nine step plan. The one point is that the founder or the applicant mentioned RFP 1019. And she said that the environmental statement lists all relevant policy. My question to you and the applicant is, has that been updated, because in the course of this examination, we have had changes in policy. Major changes. Now remember, his nine step plan is simply a schematic version of what Mr. Buckhannon just said, that is 1234 Very simple, reduced to single sentences. One step one, no scheme makes any difference, because they all get approval with respect to climate change on the basis of de minimis, you asked a question. Summarising that very, very prettily. Step to this conflict with the science, every time of emissions increases the damage. And we know that from the last IPCC report, not as fun yesterday, but the one before spelt out that it was proportional pretty well directly. The third step is we are already in crisis. And the fourth point is all carbon emissions are cumulative. In the in the scale of the future that we're concerned with. Step Five Planning Act takes precedence. It's built into the MPs Nn. And it takes precedence over it. And one of your duties is to assess the adverse impact and weigh it against the benefits of the scheme. The adverse impacts on a global basis include the emissions or rather, they result from emissions. Step seven, so we have to weigh up the emissions, not the impacts but the emissions in order to be in accordance with the planning and environmental dia regulations. 2017. That means assessing direct and indirect emissions of the scheme.

1:07:18

Mr. Wimberly apologies. Somebody apologies, sorry, I missed your point six, would you want 6.6,

1:07:23

I got a slightly model. I just said the adverse effect, the impacts have to be weighed against the benefits. The adverse impacts on a global basis are proportionate to the emissions, global emissions, which at national highways have said that is the receptors in global atmosphere, which is true. There are impacts here and elsewhere, which are adverse to do. So Step seven is we have to weigh up the emissions, not the impacts, but the emissions. And step eight is we do this. And there are four ways of doing it. We can do it against local budgets, as to people from Britain into this examination showed and they have done it in relation to the 10 side budget. We can do it against the regional budget, which transport for the North, which is a statutory sub regional body has done and they have compared scenarios in transport to quote a quantified decarbonisation trajectory. So they can do it so and national highways can do it. And it can be compared to the national transport budget, which we now have, as part of the national as a netzero strategy. And we can compare it lastly, with an alternative package of solutions, as Mr. Parkin just said, and the ninth step or point is that all these four ways of doing it. I think that gets us on to principles and it gets us onto a clear pathway instead of basic, instead of the alternative, which is to wrangle about whether dmr or MPs are top dog.

1:09:15

Thank you, Mr. Wimberly. Thank you, Angie, very neatly. work that into the time slot. So thank you for that. And Charlotte Farrell, please.

1:09:25

And thank you for the opportunity.

1:09:26

Thank you, Charlotte Farrell.

1:09:29

Basically, I just want the those proceedings may have already said more or less what I wanted to say. But this climate change assessment is flawed. If it's based on a we're looking at either a do nothing or a build a better road project and not it's not taking into account as Mr. Buchan said something like a public transport solution. So that's all I'd say now.

1:09:57

Thank you. Thanks for that question. tuition. Right, thank you. It's, it's 1835. It's been quite a long day, very grateful for everyone for bearing with us. We've had to enforce some pretty strict timescales. And very grateful to everyone for calling those I actually think it's worked quite well during the day. I hope you agree with that. I hope you're getting a good feeling for how we're assessing some of the issues by the nature of the questions. And some of the comments we've made during the discussions. I think we do feel we've made very useful progress today in terms of understanding the different positions, and some of which are being created and which are not being agreed. And there is further work to do

across nearly every area. So very grateful to be taken to continue that work. And to help us with further evidence. For our reports, we do have the sessions tomorrow. So it's not the end of issue specific hearings free. And but I did just want to thank you all for the contribution so far. I look forward to your contributions tomorrow. We are. So this is we're about to have a another German talk this hearing. So the hearing isn't close today. It's just adjourned until tomorrow but slightly longer German than the 10 minute or the lunchtime hearing. We're joining overnight. So this This hearing will continue. At 10 o'clock tomorrow, the arrangements conference will start at 930 tomorrow. And before we go our separate ways. Please us as requested earlier, do keep note of the submissions to be made. And the answers to questions and generally a deadline of there was some responses requested deadline nine. And so please keep track of those. This transcript and video recording of this hearing will be published on the website as soon as practicable after the hearing. And today's recordings and transcripts will go as soon as they can. Before I wrap up, is there anything anyone would like to raise today just as a final comment on the matters that we raised today and I'm not asking for long submissions. We do have other spots tomorrow that when two people refer to any final comments around the matters to do I'm not seeing any hands. So thank you again for all your valuable assistance today. We'll start at 10am Tomorrow, the arrangements conference will start at 9:30am tomorrow. And I think as we've just said there'll be a a slot for the contributions or contributions in the morning. So hope everyone has a good evening and look forward to you tomorrow. Thank you again. So this this time just just to finalise, we're now a journeying this hearing until 10am tomorrow. Thank you