

TRANSCRIPT_ISH2_SESSION2_A47A11THI CKTHORN_01032022

00:05

Okay, welcome back, the hearing is resumed. And just before we left, we were brought to the agenda item four, which is draft development consent order matters. What I would like to do is to have some focus discussion on the articles and requirements pertaining to the updated content of the DCO itself. And any recommended draft development consent order changes, which have been subject to the axes recommended changes, not now were publicised. I'm asking the that the applicant gives an overview of the main substantial changes to the articles and requirements applied to the DCO by them at deadlines six or thereafter since the last DTO hearing. If I could just invite Mr. Fry to advise me, which of his colleagues is going to be speaking on those elements?

01:23

So Michael fry for the applicant. So it went to escaped your attention that I'm not miss Ashworth who drafted the DCO. But she apologises. But of course, she can't be with us this morning. So I'm going to try and assist you as best I can, sir. But it may well be that there are issues of drafting that I need to take away and come back to you in writing. And in that vein, sir, it is worth noting, of course that we have your your written questions and your suggested drafting amendments, and we're responding to those this evening. So some of what I will say will preempt that. And some of what I would like to do with you in this session, sir, if possible, is just discuss some of the basis of some of the proposed amendments so that the applicant can respond to what it is that you're seeking. So in respect, yes, yes. It sounds sensible. Yeah. Wonderful. Well, so if I start at the beginning, then it's that there would be no changes, since those set out in the schedule of drafting changes submitted a deadline six, which is document our EP 6016. I don't propose to go through each of the the amendments that were made at deadline six, or unless it would assist you, as the bulk of them are simply drafting changes and little amendments to wording, which I don't think are controversial. And then so I think your proposed drafting changes pick up the the elements of the proposed draft changes at deadline six, which are slightly more controversial and merit further discussion. So unless you would like me to so I don't propose to go through the the 10 page document and bring out each of the drafting changes.

03:11

Yes, I'm happy with that. Mr. Fry. I'm happy for you just just to focus on the the article changes really

03:18

perfect. So in which case, then, what I'd propose to do then is probably move to your your schedule of changes. So as I think that probably picks up all of the issues, and what I'll go through is each of your comments, and I'll make some preliminary comments. And then as I say, I'm afraid a lot of it will have to revert to drafting into consultation to work out fully what our response is going to be. But that goes slightly beyond what is in the what is in within the bullet points of, of agenda item for so but I think it

makes sense if you agree that we briefly address each of your proposed amendments and yeah, I agree. That's the best way to go. Yeah. Okay. I'm very grateful for that. So, the the first proposed amendment then is in respect of Article Two, one and the meaning of commencement. And I suppose the, the the issue that I wanted canvass with you, sir, is, again, what we're intending to capture with the proposed additional wording is there is a risk as as I see the drafting, but some some operations, which do form part of the authorised development might escape might escape from being being caught by the authorised development and they wouldn't give rise to materially new or materially different environmental effects. It may just be because of where the text is because It is a big block of text that it just grammatically makes it difficult to understand what we are trying to prevent in that that definition of convention. So, I wonder if you don't mind. So I just ask you what it is that you wanted us to seek to avoid and that definition.

05:19

Um, it was a concern whether or not the environmental statement, operations and development within that which has been assessed, it was just a concern that if the opening definition is too wide ranging, it may bypass the environmental statement and the justifications for having an environmental statement in the first place. But if the applicant is concerned about those changes, I would stress that it's just my initial view, therefore, you know, the aim of today was to engage on these points. And if it comes to light, or if it's apparent, following further review that the change or the clause would present a particular Su, I would take that into consideration. But I picked up your points about how whether or not the additional tax is conducive to the first part. And if there are suggested changes, to make that a little bit more better fitting, I'd consider those but if the applicant is of the view that the basis of including the change isn't really necessary, if they could state that to me, I'll take that into account.

06:55

Of course, I will take it away. And we'll respond in writing but I suppose to preempt that, what I'd say is the wide scope of the works and everything in terms of preparation of site compounds, and so on and so forth, that that is all captured in the air. So it is all assessed, and it's still subject to requirements. And obviously, the applicant can't do anything that that could be a work outside of the the authorised works, which would have environmental effects without committing an offence. So we are quite tightly constrained still by the DCI will be that there are certain works that we are allowed to carry out in advance just to prepare the ground, but they are limited by definition. But as you've indicated that we will take that away and respond to you this evening more fully into as to whether or not we think it could be amended or if we just propose not to incorporate the change.

07:46

Okay. Yes. I'm happy with that.

07:50

Great thought. Now, the next one, slightly more confirmed, I think, sir, is Article Two, one and three, four. And that's the that's the inclusion clauses to essentially deal with a section 106 agreement. And I suppose the the the preliminary overarching submission is that obviously as legislation a DCA can largely do, whatever it wants, within reason, in terms of other consenting regimes and other and other agreements and consents. The reason why article four was included, it's hinted at briefly in rep 6016.

But we'll provide a fuller response this evening. But it's essentially to address the concerns of the relevant landowner over the existing interaction between a section 106 agreement and the scheme. There was a slip road that was renewed proposed, as you're aware, sir, from the new park and ride extension, and that was as a traffic mitigation measure to ensure the development was acceptable in development planning systems. And as I understand the position, the county and the District Council both now agree that the slip roads are not required in the event that the scheme is delivered, because the scheme will deal with the profit volumes sufficiently. My understanding is that South Norfolk District Council have discharged the relevant obligations, that it's the applicants' analysis of the section 106 agreement, which suggests that there may still be clauses within that agreement that bite upon the landowner despite the discharge of the requirements in Section 106 agreement. So the purpose of Article Three, four is to disapply. The contradictory provisions just to provide certainty to ask the landowner and the council as to the position and as, as you know, certainly it could be done through a section on a six eight application but that that creates costs and it may be argued is unnecessary in circumstances where we have a TCO. Now, we are discussing matters, it's an examination, you have the benefit of input from the relevant Council and you had the benefit of input from the landowner. So be in my respectful submission, a neater way of dealing with the issue rather than putting it off. And it's obviously an application that we then can control in that that sense. And there is a risk that you would end up with 106 obligation which was contradictory with the scheme and would leave the landowner in a very difficult position. And the reason why, my suggestion is, it shouldn't really be concerned, sir, is that the article would have no effect in terms of compensation or cost is merely a way of lowering legal costs all round and, and providing certainty as the articles is drafted to have no impact on on land take. So compensation, due to the landowners involved would still be paid in accordance with the overriding principle of equivalence as set out in the compensation code. So it's a sort of no harm, no foul type provision. It just deals with providing certainty. So that was that was a long explanation, but it will be in writing so this evening, as well for you.

11:22

Yeah, no, I appreciate that. Mr. Fry? I am. there does appear scope between the parties to the agreement to resolve the issue themselves. You implied about costs and different things. But there does seem a great deal of latitude for the the parties in the agreement to deal with this issue themselves directly.

11:55

Of course, that there is it but that's probably something for the district council, if they want to comment. And of course they could. And of course, they they they're not required to enforce the obligations under Section 106 agreement there. And they would be able to write to the landowner and explain that, actually, that they're quite happy to release them from those obligations. That and that that may be on the table. So I'm not aware of that. And as I say, it's a certainty point, rather than anything else.

12:19

Yeah. So I mean, say in a, in a scenario, say, of fee, but whether or not the scheme was in the DCA was approved by the Secretary of State or not, or granted by the Secretary of State with it. The SU could be presumably resolved between the two parties, irrespective of the DCF.

12:43

I think that that is correct, sir. I think as I understand it, the issue has been resolved to the satisfaction of District Council already, and they've discharged the relevant obligation. So yes,

12:56

there's no indication from the county council that they're looking to enforce a particular aspect of the agreement that would disadvantage a party? Because

13:11

it's not for me, but I'm I'm that's certainly my understanding. So I don't know Mr. Coming might be able to intervene if he has any information that be useful.

13:22

Yes, Mr. Cumming, great book.

13:24

It said, David, Cumming from Norfolk County Council. Now, I don't understand that to be the case. But I think what I will do is I'll pick it up with colleagues and respond in writing.

13:36

So as an action point, then Mr. Cumming if if the county council are prepared to verify state that they're not going to trigger any, any part of an existing historic agreement, and give a commitment to that. Do you see that as being able to resolve the issue? Or would you like to seek clarification?

14:04

So David, Cumming forward, Norfolk County Council, I would like to seek clarification on that. I'm not I suppose I don't understand at the moment whether that would apply, you know, your your question would apply to us or to South Norfolk Council.

14:19

But it well, it would apply to any any party within the agreement and the enforcing authority for the agreement itself. So if there's more than one account that one council involved in the agreement, then both councils would need to give a view but presumably, that would be a lead counsel for for the agreement.

14:43

So it's David coming to the county council, I have to pick this up separately and respond in writing.

14:49

Okay. Understood. I mean, as it stands, Mr. fry, I I do think there needs to be some convincing case to include With that article, it does give me I am dubious about the inclusion of that. I do hear what you're saying and the neatness of being able to extinguish it. But I do think there's still a lot of scope for the parties to the agreement to resolve this is a point.

15:23

SERPs I'm breaking like for I've adapted. I'm very grateful. I know that. But as I said, it isn't actually an article that is critical to the scheme or to the the applicant. So if the other parties are agreed, I don't think there would be any issue in removing the article if you're uncomfortable, sir. But what we will do is we will liaise separately. So far as we're able to with South Norfolk District Council, who were the planning authority, I understand who were discharged in Section 26. And find out what the position is and update the examination, probably for deadline, nine's will provide the response that I've given this evening, and then we will provide you with an updated response once we've managed to establish agreement.

16:05

Okay, yes, understood.

16:09

Thank you grateful. Rob wanted to go on to a requirement that we had agreed with Sir, but I'm afraid I'm not going to go straight into sheduled. Two, which was crime three, one, which is the inclusion of the independent Design Review text. And that that is another one, so that I would like to explore with you. And it's obviously largely the same in respect of landscaping, which is a later article. Probably, if I discuss that first and respect for landscaping, the landscaping scheme is discharged by the Secretary of State, so it probably doesn't require anything else as the Secretary of State is obviously empowered to apply his own design standards to the landscaping scene which he needs to improve in writing. So I'd almost suggest we park landscaping in that sense, as the Secretary of State would need to be convinced that we comply with the NNPS in respect of design. So to return to requirement three, one, which is the general design of the scheme, and again, it doesn't buy in terms of going to the Secretary of State unless we're seeking minor amendments. So it is something that probably needs to be dealt with. Now. The applicants view remains as we've set out in writing that we've complied with the relevant paragraphs of the MPs. And what we propose do this evening is just set out in writing each of those paragraphs and what the applicants done in respect of those, those paragraphs. But largely, the reasoning is that the applicant has had an independent team of designers working on the scheme from the outset, it has its own internal design policies and design guidance, which is in compliance with the NN MPs. And it has further design reviews and permits of a technical nature, again, all independent of the design team. And that in respect of paragraph four to nine of the Add Edit, and yes, there's the scheme is set out in the case for the scheme in the scheme design report, application document, app 127. Has balanced the policy requirements of design along with environmental impacts functionality, purpose and costs, and that all goes into design and in the wider aspect of design. Respect to the other paragraphs, again, the applicant continues to rely on what set out in the scheme, design report, and in asserts that what has been done is a sufficient and be comparable with other highway schemes, which have recently been granted by the Secretary of State who obviously would have taken into account his own design guidance that I suppose so the overarching comment is that the necessity for independent design reviews adds adds an element of uncertainty into the the project and an element of perhaps expense, particularly when the applicant, as you'll understand, sir, has many DCS and independent design reviews can impose delay and cost on the scheme. So in principle, the applicant doesn't think that given everything that I've set out, and what set out and then in the scheme design report, a sort of a further review is a unnecessary and B could have wide, wide reaching implications that perhaps on

this scheme, it might not necessarily come to enforce but on some of the largest games might create issues and so there's a deal appreciate that there's a 10 and perhaps between the requirements of design in terms of functionality and design in terms of form and design perspective, environmental information, and environmental mitigation. And so I suppose, after that long introduction, so my question is, is, is your real concern? Like bit as aesthetic or appearance issues? Or is it that wider definition of design?

20:27

I think my initial view is that there's lots of, but the design isn't yet final. First and foremost, I think that that's an important component to acknowledge, it was informed in earlier parts of the examination that those documents are not yet fully furnished. So therefore, it does appear to me that there is scope to fought for an independent design review to influence the aesthetics and the appearance of the development or elements of the development. And that would then feed into the applicants own, then final design, but the applicant would have the option of having an independent design review, but then assessing the comments it's received, and then deciding whether or not to make any further changes to its own design, that it's been to this point has been assessed by the applicant itself. And also the the two local authorities, I do acknowledge that but an independent Design Review may give or allow further enhancements that might not be apparent at the moment. Acknowledging that the designers and final and that also relates to the issue of landscaping, I do appreciate that there's lots of environmental aspects and functional aspects going into the scheme as a whole. But again, the aesthetics and perhaps any enhancements might still be possible in the design. And the purpose of a design review or an independent design review would be to give a review of any enhancements, or inclusions that could be included. And again, the applicant would have control over what those changes would be and how they the final information applied for. But it would inform the decision on the design would better inform the design rationale as a whole with regard to aesthetics and the side of things. So those were my reasons really to, to ask for those in terms of delivery and timings. I do accept that it could put the applicant at an additional cost by including that. To my mind, it would be possible to undertake a design review. Or or the applicant may may choose to do that, whilst waiting for the Secretary of State's decision and have that ready. And possibly that wouldn't then impact on any delivery timings. But again, those are my initial thoughts and views based on what's been posed so far in your responses earlier.

23:57

So thank you, I'm grateful for that. That's a very useful clarification. Sorry, I'm getting lots of as you may appreciate, so lots of messages and updates, I suppose the overarching come and be so my team is listening to your comments we are going to respond this afternoon, but what we will do as well. So is we will explain the internal processes between the applicant and as you'll understand the applicant being the strategic road network is company employees independent designers to design schemes and there are internal design processes which are signed off in respect to each scheme. So, there is an independent in inverted commas Design Review, which occurs behind the scenes, which happens for any scheme comes out and in respect of detailed design. So we will explain more of that to you sir. And in respect of our response in terms of the the intimate nature of the scheme. Again, the only comment I'd make is that that's been accepted by the Secretary of State before as all highway schemes, as you'll appreciate, Sarah, are at this stage in the detail design is not fixed until after grant as that's a process

which which goes on my, my sort of with my legal hat on my only concern with the independent design review really is that it creates a potential element of disagreement uncertainty, which creates perhaps some, some legal risk of design panel suggests certain things or noted, so that you've said that it's up to the applicant, essentially, it's an advisory provision, as you've suggested, which is a useful clarification. It's I will take it away. And we will respond in writing and probably a more detailed response, a deadline nine, as opposed to being able to edit everything that I've said to you today, but we will do what we can, but I'm certainly aware that within national highways, there is an independent Design Review body, which which are pines on the major and controversial schemes. And so we'll explain more about that with you. But that's not necessarily every scheme, because some answers, that's controversial in design terms. So I think further information and proper consideration to what you said this morning, I think is what I can offer at this stage.

26:21

Yeah, I think the the issue for me is it would be the applicant assessing its own design. If it's taken to its own strategic design panel, I appreciate the applicant has its own design processes. And it's it has sort of wider business aims as to what what those design processes involve. But yes, I would stress that the applicant would still be in control of any final report to them. And it would be for the applicant to decide whether or not to accept any advice or not. So yeah, so I'll wait for written responses to this issue in tandem with the landscaping as well, because I do think that the landscaping is also in the category of not actually being finalised at the moment. So although there is a master plan, I don't I don't think that that necessarily is the final iteration of it. Unless on informed otherwise.

27:30

No, sorry, microphone that. I think that's correct. What I have. What we will also consider, sir, is I know that other schemes have proposed alternative wording to deal with with design issues. I think the Awan scheme is one example. And we'll put that into our response essentially, in respect to the landscaping scheme that DCO put in a requirement to provide details of how the landscaping team assesses the guidance in paragraph 429 of the NNPS. So to the to make a positive obligation on the applicant to assert how it complies with the Secretary of State's design tests are set up in MPs. That might be another way of skinning the same cat you're writing so

28:26

yes. Okay. And it's it's just a consideration as to what enhancements could be procured is the underlining underlying su as it were.

28:39

And sorry for being slow, but just to clarify that that goes beyond the simple sort of aesthetic appearance.

28:47

But well, there's the there's the aesthetics and appearance. I mean, I do note, the footbridge is quite in a quite prominent area in terms of public vantage points from the from the roadside. I won't go into detail but it's it's acknowledged quite a lot in the examination documents that the there is a sheduled monument nearby. And there is sometimes scope to get design enhancements and a scheme the static

ones before finalising everything. So that's that's the general cut and thrust of the request. It's it's linked to aesthetics, its location. And all the ingredients going on there. It's sort of a bit of everything but it's whether or not there is scope to actually improve it from the applicants initial design.

29:51

So I'm grateful I'll take everything away and discuss with my team but there's nothing more I propose to say unless there's anything you'd like to add, sir?

30:01

No, there isn't.

30:02

I can't I'm very grateful. Sorry, let me just quickly check my instructions, make sure that nothing further has come in that find an easier one. So then we go into shedule, two requirement 3.2. And your proposed amendments have been accepted as to making things online and will be in the draft DCO submitted at deadline eight. And the same goes for requirement one and requirement five, three F. As regards the landscape ecology management plan, we've included the proposed changes in the draft DCO. However, the landscape and ecology management plan is an appendix to informs part of the EMP. So there's been a slight amendment to the definition. Okay, that will be made clear in what we submit. The next issue was requirement five one, sir. And I've heard your further comments on landscape. So I don't think I don't propose to go back into it. So. Okay. Thank you. And then requirement five bore so is the the best practice guidance for the relevant counsel against I'm afraid it's one that we have some slight difficulty within that I can proceed two risks. One is that there is uncertainty created. And the second is that. Again, this is more in principle, a comment that on a long linear scheme, where one has a number of local authorities, which may well have different guidance if this becomes established precedent wording. So we are faced with a position where different best practice guidance takes precedence on different aspects of the scheme, and you have a sort of a very arbitrary line where where certain best practice applies and where others don't. So that that said is an overall view, the applicant, of course, will takes into account and will consider and as part of the considering attach schemes, and so on and so forth, takes into account everything in the local area. And any particular concerns that a council has in respect of sensitive areas or particular sensitive elements best practice, the app can will, of course, take that into account. My concern is codify it in the sense that I'm not sure what would apply when British Standards are meant to be the the gold inverted commas standard that the scheme complies with, but we'll do better where it can. I think that was suitably captured in the original wording. And the changes that were suggested were, as I recall, so in case British Standards did not become applicable or withdrawn or for whatever reason. And my initial view was that the, the additional wording creates just an element of uncertainty in respect of what best practice would apply a various times on various schemes. So that that that's going to form the basis of our comments. But if there's any other

33:26

Yeah, I appreciate those views. Mr. Fry, what I would say is that this isn't a linear scheme, it's quite tightly constrained. So there's no danger of councils having different standards. So it's quite certain in that regard. It it is also quite unique in terms of ecology, and the heritage aspects of this. And it is not

just about the landscaping condition. There are other things going on in terms of ecology. I just do have a concern that perhaps a five year period won't be enough in light of everything that's that, that that local area might be subject to. A quick win may be to increase it to 10 years as a suggestion, but if there are concerns about complications in providing certainty against the British Standard and other other aspects, but of course, those would be my initial views in any event, but I will consider the applicants responses to these. They are suggestions only and it's just an initial You,

35:00

of course, I'm very grateful that microphone napkin sorry. Yes, that that's been noted by my team. And we'll we'll discuss that this afternoon. So before we respond in writing this evening. Your comments with respect to part two requirements? 17 have been have been noted, sir, but I don't propose sending will respond in writing. That's just on the days of consultation. And then I think the last sorry, second last matter is, is the requirement on temporary construction welfare? And also, so what I suppose my question is, the extent to which it's necessary, given article 34, which controls the temporary use of land for carrying out the authorised development, what the applicants are required to do. And article 34, three, which sorry, I don't have in front of me sets out the the timescales remaining in possession and deals with the restoration of land. And that's all set out in the articles and that, again, in my respectful submission would be is more certain than than as soon as practical, although there is of course, also an obligation on the applicant to return land anyway, under the correct damn rules. So yes, is what are you trying to get out over and above us?

36:31

I think article 34 Three, would cover my concern. So I am willing to retract that, as a suggested change. It was alluded to in the compulsory acquisition hearing yesterday that this might cause an issue for the applicant. So yes, I understand the rationale of article 34. Three and there are provisions to secure it what are essential was essentially immunity. Bit restoration diaper. Su so yeah, I I hear what you're saying Mr. Fry. And I will take stock of that

37:18

upgrade for sale. As I say, we'll put it in writing queue as well. So so you have it in front of you when you come to consider these matters. And then I'm pleased to say on the on the last Matthew rates, Part Seven article 41, eight D. We've searched for Trinity Trinity burial ground, but it isn't in the area. So it's been amended and removed. So

37:40

that's good news. I was a little bit surprised, man, but yeah, thank you.

37:48

So I think so that that deals with all your your suggested changes, unless there's anything else I can assist you with in respect to those.

37:56

I know that deals with everything very, very neatly. And yes, I don't have any any further comments on that.

38:05

I'm, I'm grateful. So I, I do have updates on statements common ground and licences consent, but you have a bullet for interested parties and affected persons comments. So should I disappear for one second, see if anyone has anything to say?

38:20

Yes. I will invite views on that. So I'm just quickly trying to find my place in the agenda if you just bear with me a second.

38:42

Okay, I would like to ask I think this might have already been answered, but just seeking confirmation from the two councils, whether or not they're satisfied with article 41 Having regard to cultural heritage and archaeological considerations, and the inclusion of requirement nine. If you do have any, any comments, could you let me know now? Otherwise, I'll assume that you've got no objections to that.

39:17

Okay, thank you. I'll take that as no objections. And are there any other comments from any of the other parties in relation to any of the other aspects that have been broached in relation to the draft DCO that any of the parties want me to consider? I'll take that as a no thank you. So that brings us to Item five, and this is any miscellaneous items or any other business. Progress on statements of common grounds if you'd like to take over again as The Mr. Fry on that.

40:01

So microphone for the outcome. So you'll forgive me by just read from an email on my other screen. In respect statements common ground, the Environment Agency, the everything's been agreed we're waiting for it to be signed by both parties. In respect of Natural England, as you heard earlier, sir, it's been sent to Natural England but no comments are received back but certainly no issues have been raised. And sir, I'm aware and other schemes Natural England haven't been able to complete in time the end of the examination, but as soon as that socg is completed, we will send it in albeit it will be the secretary of state rather than to sir. In respect of Historic England, again, they have the socg and no comments have received back so we're not anticipating any issues with that. The stcg with Norfolk County Council is well progressed. And there is a what's been described as a final closeout meeting which has been arranged in advance of deadline nine. So again, we are hopeful that you will have that deadline nine sir. And it's exactly the same position respect of South Norfolk District Council there's a meeting before deadline nine and we're hopeful that we will be able to agree in sign by deadline nine in respect of national grid, Network Rail, Caden gas Anglian Water each socg is agreed and waiting to be signed by both parties. So you will again I hope that deadline nine sir and Big Sky is the same as the council's it's well progressed there is a meeting arranged in advance of deadline nine and again it's hoped that you will have a final socg assigned one by deadline nine Sir there is not expected to be an socg with Vattenfall so. So

42:07

okay, is a particular reason for that just from the applicant.

42:12

I think essentially that was unnecessary, but again, we will right on the point so I have been dealing with that particular issue. Okay, yeah. And then that's everything on statements common ground, sir, in respect of licences and other consents. You heard earlier, sir, the letter of no impediment for bat is being submitted to you. There's a letter of no impediment that you're aware of so in respect of bowl, but I just wanted to raise with you that that might be returned to Natural England for an amendment as the middle mitigation is crystallising in respect of all but again, we're not anticipating any issues. It's just merely a question of moving slightly where the mitigation is. Understood, no badger or great crested Newt have been found. But as your ways were, sir, there are pre construction precautionary surveys which can be carried out and if required, letters will be sought, but we're not anticipating that that lettuce will be required. And lastly, initial discussions have been had with Environment Agency regarding abstraction and discharge licences. Those are ongoing, no concerns but as is common, that won't be agreed before the close examination but no issues have been raised and we can't sit that's going to be an issue. preconstruction, sir, as far as I'm aware, those are the only licences consents to update you on

43:49

grateful Mr. Frey. Okay, is there anything else anybody wishes to raise? I'll take that as a no. I do have record of some action points arising from the earlier parts of the hearing. And what I will do is I will produce a note which will be displayed on the project page of national infrastructure website. I've noticed you've come back on the screen Mr. For I don't know if you want to run through those.

44:40

My notes are just agreeing and nodding with you as you as you go through your final your final matters.

44:46

Okay. And so those actually related to the agenda items themselves so I don't see those as being controversial, but as I say a note will be produced. I'd like to thank you All Hearing participants for their contributions. May I remind you that both the digital recording and the transcript of today's proceedings will be available as soon as possible on the project page of the national infrastructure website. The time is it well, it's 17 minutes past 12. And this issue specific hearing for the A 47 811 Fifth junction improvement scheme has now closed