

TEXT_A1iN_CAH2_Session2_20042021

Tue, 4/20 12:31PM • 27:36

00:06

So the time is now 1155 time to resume this hearing.

00:11

Can I just check? Miss pattern is the live stream continuing?

00:25

pattern? Yes, the livestreams continuing. Thank you very much.

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So, we'll move on now to item four on the agenda starts trying to take us land issues.

00:42

The agenda item says the examining authority will ask the applicant to summarise and the outstanding matters arising from representations by statutory undertakers.

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Any statutory Undertaker, or other relevant body and attendance, wishing to speak in relation to an objection or issue raised that is relevant to the effects of the proposed developments on this undertaking, operators or lands will be invited to put all submissions the examining authority

01:12

examined authority mass questions of statutory undertakers and other relevant body and the applicant about matters arising from written and oral submissions. And the applicants will be provided with a right of reply.

01:28

We haven't got any statutory undertakers

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past the hearing today, but I will, nevertheless, ask the applicant for an update on the current position.

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Let's begin with just clarifying.

01:48

Mr. Greg. So

01:51

the

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appendix ca two and ca three was submitted that said line one.

02:02

These are

02:07

takers, rights, London rights and then the extinguishment of rights removal? evaporators. Those are the two matters.

02:18

that haven't been updated since

02:21

that line one, does that indicate there's been no change to the possession of any of the statues to take, as he previously identified?

02:31

Maybe better if my colleague Mr. Jeffries, addressed you on these matters? He's been involved with the discussions with the statutory undertakers, the line of

02:45

securities, can you? That's fine. Thank you,

02:49

says. Mr. Jeffries. Thank you. So in relation to these two appendices, we haven't been notified by any of those stature Undertaker's that the position has changed.

03:00

But what I would propose that we do do is ahead of the next deadline, reach out to our contacts that their stature and to say because it looks confirm the same. And then if the position has changed, we can of course submit updates to those dependencies, so that you've got the most recent information before you. Thank you. That's helpful.

03:19

Good, so

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what I just like to do then is take on board

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the latest submissions

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causing stuttering to take us so to statements of commonality.

03:38

Rep five oh 14

03:48

so it's an updated version of statements common grounds with National Grid class will be submitted a deadline six work on this and discussions as to protective provisions are ongoing.

04:01

updated version of stamps comm grant with Northumberland water submitted deadline five

04:07

similarly with northern power grids, and updated version of stamps common ground with northern gas networks to be submitted a deadline six work on this time to come and grants and discussions as to protect provisions are ongoing. So

04:28

Miss Jeffries head on if you want to say anything further on those ads in particular, if you can comment on the current most most recent statements Common Ground then with northern power grids, North Northumberland water

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and that might be helpful just take us through where you are with those 10 stand there are a couple of outstanding matters.

04:54

Absolutely, thank you. So what I'll do sir is First off, just run through each of those four

05:00

That Trinity is in terms of how our discussions are going. And then I can certainly focus on statements of common ground and what's contained in these thinking, say, at the last compulsory acquisition hearing, and I can find that a substantive discussions were underway with with both northern gas network and National Grid gas. But there's only initial contact had been made with Northumbrian water and northern power grid. Since that date, we've now made contact with with legal representatives for all four of the sexual Undertaker's. So we have now progressed discussions, sisters, a solicitor with each of those bodies, which has been really helpful.

05:37

In terms of Northern gas networks, there is a draft asset protection agreement currently in circulation. It's currently with northern gas networks for review. But following a call with their solicitor, I understand that, that there shouldn't be any major points outstanding.

05:53

And I suspect that once the last three minutes is agreed, the objection which which northern gas networks launched would be withdrawn.

06:01

And that's the basis on which the objection was submitted. In terms of national grid gas, we're in a similar position. Again, there's a draft a draft agreement prepared and currently with National Grid gases, legal representatives, and again, as set out in their deadline to submission. I think once agreements on on that and that protective regions is reached, their objection would be withdrawn on that basis. In terms of Northern power grids, were put in contact with the representatives on the 24th of March, say relatively recently, we have had preliminary discussions around the 18th of February written submission to the examination. And we're just currently awaiting detailed comments on the draft protective provisions before we look to agree next steps.

06:49

In terms of Northumbrian water, there hasn't been any submission from Northumbrian water to the examination to date. But we have been in touch with their legal representatives from the ninth of April. And we're currently just discussing an approach on that one.

07:05

So I think in a standard overall summary, I think northern gas networks and National Grid gas are probably the the two best progressed. And then the remaining two stature Undertaker's. Were at an initial conversation stage, but looking to agree how to resolve points.

07:21

Thank you.

07:24

And assuming that's

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north and gusset networks and National Grid gas progress, as you suggest, so that

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their representations can be withdrawn.

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Whether you be encouraging them to confirm in writing themselves that that is the position. I will indeed Thank you, sir. Yes. Good. Thank you.

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And then.

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So northern power grid,

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stay stems common ground.

08:05

So they're saying an undertaking is sought in respect of costs associated with diversion of operators. your response to that? Your comments and the statements. Captain considers that firts

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northern power grid is sufficiently protected by the protective provisions. And no case has yet been made as to why additional undertaking is required. So you've just said you're in discussion on that matter. It is progressing, though. That's correct, sir, said that matter and other matters raised in motion to protect some revisions out with that representation or under discussion? Good. Thank you.

08:54

Again, just checking my notes on Northumbrian water, then.

09:10

Yeah, token setting, I forgot I need to pick it up. And so you said you was at a meeting you had 90 people and first contacts. And then since that day, we've been discussing how to take things forward.

09:24

So from the applicants position, are you confident that all matters can be resolved by the end of the examination?

09:31

I am certain by the end of examination, obviously, at present, we're waiting for comments back from from the other parties. So to some extent, it's out of our hands, but we're certainly pushing by by the end of examination.

09:45

Thank you.

09:49

With these things, it's always important that contact is made so that at least if the

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statute taker is involved, we presume that they

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knowledgeable about what what is required during this process. That's encouraging anyway. So

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that's a helpful summary. Thank you for that. So the final element of

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protective provisions then his comments made by the Environment Agency, deadline five.

10:26

Rep five Oh, 44. That was their general comments, said line five. And they said, We require further discussion with the applicant before we can comment on the acceptability of the protective provisions and the requirements. The proposed changes submitted on 12th of March, and, if accepted, may have implications for protective provisions and requirements required for the decio. Now, I don't want to get into the proposed changes.

10:59

We'll be discussing those at some future points. But as far as the protective provisions relating to the scheme as submitted, are there any outstanding matters with the environmental agency there, Mr. Jeffries?

11:13

No, sir. So in relation to the scheme as at application, so ahead of the change request, I believe during issue specific hearing one, the Environment Agency confirmed they were satisfied with the draft protective provisions. But during that hearing, and consistent with their their subsequent deadline five submission, they confirmed that they need to reserve their position in relation to the change request. We haven't heard further from the Environment Agency in relation to protective provisions around the change request. And we will certainly look to make contact and confirm position ahead of deadline six.

11:48

Thank you.

12:00

I think that's largely opposed that's trying to take us but just one

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further matter which

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we covered the first ca hearing,

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statement of reasons.

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Paragraph 4.4. point one sets out number of existing utility services that would be affected by the scheme. So that's work number 12. a diversion of national grid feeder high pressure, gas main, we're going to be diversion on demand of Northern power grid 20 kilovolts, high voltage line, and third one was the 66 kilovolt electrical cable. We've obviously dealt with that third one this morning already. Is there any updates you can give me in relation to those other two type versions that are planned? accepting the non

13:02

lands pay of quiet is statutory undertakers lands. But nevertheless, they are work affecting utilities. Mr. Jeffries.

13:14

I think sir, at this point is probably as for hand over to Mr. David Murray after WSP. He is the engineering consultant for the scheme. Thank you, Mr. Morrow.

13:28

Good afternoon. So yesterday when

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the client Yes, the two other parts of the statutory Undertaker diversion to me mentioned are on part A of the scheme of this could be trying to look on the works plans to give your works rather than

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12 1812 B.

14:04

So these two works are already being undertaken on site and the works are physically complete, the diversion works have been undertaken. And the final weigh leaves are currently still being agreed between the utility company and the land owner themselves. But in terms of the scheme itself, that will close out any aspects that need to be considered for this game. So those two parts of diversions were related to each other to realign them. So allow the new carriageway when it comes into cross perpendicular if the correct level.

14:45

That's helpful to know. Thank you. So if the works had been done today still needs to be included in the TCL my best selling for Mr. Greg but

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if it was completed, why do you need this power?

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I'd like to reflect on that to see if there's anything further included still needs to be potentially done before we actually commit to do withdrawal, or from specific points, but that's

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fine.

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That's fine.

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Next deadline and perhaps coupons review to the end of the examination.

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If the works done, everything's completed doesn't suit up any point having the powers in the TCL. If they're not needed anymore, so yes, give you a month review that be helpful. But otherwise understand why, why they're in there at the moment. That's fine. Thank you.

15:59

Yesterday, the

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comment I had in my notes was there was representation with representation from Royal Mail.

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The applicant responded script three Oh, 26.

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Has everything been resolved now with Royal Mail?

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And if so,

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given that they submitted a relevant rap, could they be encouraged to withdraw that now? I'll confirm it matters? I agreed and the representation

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is addressed.

16:44

Sir, I think that's how much we need to confirm in writing. Following the hearing is fine. Yes. In terms of looking to confirm that we can certainly reach out to Royal Mail through our contacts and ask them to confirm in writing, in addition, because Thank you, always useful to tie up loose ends and have the confirmation. So that would be good. Thank you.

17:10

Is there anything else anyone wishes to raise under item four on the agenda before we move on to item five?

17:20

No, in that case, I'll hand on to Mr. Pinto to deal with item five. Thank you.

17:33

Thank you, Mr. Gleason.

17:36

item five of the agenda is any other matters. So before the sorry, review of issues and actions arising. So the items described in the agenda as the examining authority will address how any actions placed on the applicant are to be met and considered the approaches to be taken in further hearings, in the light of issues raised in this hearing. So in relation to that, the examining authority will circulate any actions placed on the applicant, or indeed any other party, any interested party party and how these are to be met and addressed. if appropriate. We will also consider our approach to any issues in further hearings. This will be circulated as soon as possible after the closing of the set of hearings. Are there any questions on this specific issue?

18:36

I assume that there aren't any further questions. So I'll move on to the next item. Any other matters? So before I draw this meeting to a close, are there any other matters that anyone would like to raise?

18:53

Sorry, sir, it was just speaking, just to clarify one point in terms of

19:02

issues that Mr. Gleason was asking us to address, which was the additional specification

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of progress in relation to

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positions on compulsory purchase. We were discussing it in relation to the bills. But it was just to clarify Firstly,

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is the expectation that we will do an expanded compulsory acquisition schedule as opposed to a separate document? And secondly, is this required for additional information required for all remaining representations? Just to clarify exactly, it's we have to do is to listen. Yes, Mr. Greg, just to explain.

19:52

I'm not straight to camera.

19:57

What I was looking for was just to ensure

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That

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examining authority is kept up to date with current negotiations with the bills, you're already choosing that schedule to schedule attached to every deadline anyway, I just want to make sure that it is given sufficient how to patient with the bills is given sufficient prominence in that. So, as time goes on, that may be become the most significant

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elements of that whole schedule. I don't necessarily need

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that to be an additional statement provided. Beyond that, just we need to reflect that the sensitivity of that owner and the issues surrounding them are taken account off at every deadline.

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They start that's okay. So that's understood. Thank you, sir. Okay. Okay. Okay. Thank you, Mr. Gleason, in in thanking Mr. Gregg.

21:01

Are there any other matters that anyone else would like to raise at this point? Please.

21:13

I take silence says no. So in that case, I will then hand over to Mr. Gleason, who will comment now on site inspections.

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Thank you, Mr. Pinto. So

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just wanted to provide an update and seek comments on site inspections.

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A note of the examining authorities and accompanied site inspection which took place on 13th of March and first of April, was published on the project website on 13th of April. This was an inspection which was undertaken by Mr. Pinto.

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The examining authority is given further thoughts, the need for additional inspections and the presence is considering the further and accompanied site inspection, which

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will take place during May.

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And I'm considering the tie would undertake that alone.

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The only request we've had for the company to site inspection. And this is where it would not be possible to see features of the scheme from publicly accessible land with Mr. Hawes and see the features that Mr. Hawes has identified, which we agree would be helpful for consideration. We're considering that an inspection should take place in the form of an access required sites visits, mindful of the ongoing COVID restrictions.

22:48

Should Mr. Halls be willing to provide access to his property, and so the parties have no objection to this, the visit could go ahead without any accompanying parties. Mr. Hawes wouldn't be permitted to engage in dialogue with me, and no other parties would be required to attend. This is an approach to site inspections, which has been used in other current national infrastructure cases, and is commonly used for planning appeal site visits.

23:18

So at this stage, I'd ask parties to

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reflect on this and seek initial views of Mr. Hawes the applicant and other IPS.

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If you require further time to consider this, perhaps you could comments tomorrow at issue specific hearing two.

23:42

On Thursday, feed twins over to that day.

23:47

If parties consider this approach is acceptable, I'd ask Miss Patton's confirm with Mr. Horse, the date of which the visits would take place and to our timeframe within which the visit would occur.

24:03

Thus the normal practice we would adopt for planning appeal site visits, details would also be copied to the applicant for information. And if this are published on the project websites. And ultimately note as a visit will be published after the events.

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Hopefully that's clear, but I'm happy to clarify the those points.

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Clearly, this isn't something that's

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to take something authorities raised before in writing. So it is

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has been presented to you afresh. As you said, you may need some time to think about it. But given the COVID restrictions and the lack of requests for site accompanied site visits, we did think it was an appropriate way forward.

24:49

So I'll start with Mr. Hawes if you want to make any comments. And then lastly, applicants for their comments on this approach. Mr. Hawes, please

25:01

Yes, I'd like to thank you for the consider considering this particular option and fully supporting that and understand the constraints that you outlined there. I shall be more than happy to repeat that.

25:16

Thank you very much

25:18

for the applicant, please.

25:24

Sir, give me maybe helpful with just maybe reflect on that proposal overnight and confirm at the hearing is that was okay. Absolutely fine. And what I would say is, we're putting this proposal to parties to consider. We haven't taken any final decisions yet.

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It is something that,

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as I said, I think my understanding has been tried on other national infrastructure cases, but seems quite unusual to access required site visits.

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But there is precedent from other planning appeals to do it in that way. But

26:03

yes, happy to have comments later, then we'll take those away. And I will respond formally to all parties. Okay.

26:12

That's fine, sir. Thank you very much. That's all I had to come back to you, Mr. Pinto.

26:19

Thank you very much, Mr. Gleason.

26:24

In addition to these comments, are there any other interested parties that would like to comment on this specific issue?

26:38

I don't see any hands raised. So aside from this specific issue, are there any other matters that any party would do wish to raise now as part of this hearing?

26:57

Now, I don't believe there are no hands raised item. So moving on to item seven of our agenda,

27:07

which is closer of the hearing. So thank you for attending this hearing today. In sharing your views on the application, we will consider what you have said in examining this application and take that on board in this situation. We now confirmed it is compulsory acquisition hearing is closed at 1222. Thank you very much.