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00:02

Good afternoon. Can I just confirm that everybody can hear me clearly? Yes, can hear you. Thank you. Thank you. Can I also confirm with Ms Patten that live streaming of this event has commenced? I can confirm that we are live. Mr. Pinto. Thank you very much. For those people watching the live stream Can I also advise that should we get any point agenda proceedings this morning, that this afternoon pardon, we will have to stop the live streaming in order to give us clear recording files is a result at the point at which we recommend to meeting in we start to live stream, you will need to refresh your browser page to view the risk the restarted stream or remind you of this again, should we need to adjourn and the time is now 2pm. And it's time for this hearing. To begin. I would like to welcome you all to this fourth compulsory requisitions hearing for the application made by Highways England for the a one in Northumberland, Morpeth to Ellingham. Development propels comprises two parts, with Part A being the widening of the existing single carriageway to a dual carriageway for approximately 12.6 kilometres of the existing a one between Morpeth and Felton. It includes approximately 6.5 kilometres of online widening in 6.1 kilometres of new offline highway. Part B involves the widening of the existing single carriageway to a dual carriageway for approximately eight kilometres of the existing a one between Alnwick to Ellingham. Thank you for attending this virtual meeting. My name is Andrew Pinto am a chartered town planner and planning inspector employed by the planning Inspectorate. I have been appointed by the Secretary of State to be a member of two panels for the examination of the application. I am now going to ask my fellow panel panel member to introduce himself.

02:08

Good afternoon. My name is Kevin Gleeson. I too am a chartered town planner. I'm a plumbing inspector employed by the plumbing inspectors had been appointed by the Secretary of State for housing Communities and Local governments to be the lead member of the panel to examine this application.

02:26

Thank you. Together we constitute the examining authority for this application. And we will be reporting to the Secretary of State for Transport with a recommendation as to whether development consent order should be made. We are also joined by Candice Patten. We are also joined by Candice Patten, who is the case manager for this project in by George Harrold who is a member of the case team. This meeting is being held on the Microsoft team's platform is being live streamed in order to minimise background noise. In order to minimise background noise, can you please make sure your phone is switched off or turn to silent in that you stay muted unless you are speaking? If you wish to speak at a relevant point during the hearing, please use the Microsoft team's hands up function in please wait to be invited to speak. Can I also remind people that the chat function on Microsoft Teams won't work. So please don't try to use this to ask any questions or post any comments. Please also speak loudly and clearly. If you don't manage to speak at relevant point in this agenda, there'll be an opportunity at the

end of the meeting for you to do so under item six or to tender any other matters. Because digital recording that we make are retained in published, they form a public record that can contain your personal information into which the general data protection regulations GDPR applies. Consequently, if you participate in today's hearing, it's important that you understand that you'll be live streamed and recorded in that digital recording will be published. If you don't want your image to be recorded, you can switch off your camera. Does anyone have any questions with regards to this matter?

04:26

I'll take that as a note. So I will press on. As already mentioned, each time you speak Could you please introduce yourself and also who you are representing if you are representing someone as this is a public examination even if you haven't indicated that you wish to speak if there is a point that you wanted to make please feel free to indicate at a relevant time that you wish to contribute. The hearing today will be structured discussion, which will be led by the examining authority based on the agenda that has already been published. The purpose of the agenda is to enable you to answer any questions that we might have to ensure that we have all of the information that we need in order to make a recommendation to the Secretary of State. This is the fourth compulsory acquisitions hearing to be held in this examination. It is being held because the examining authority which is to question the applicant in here from affected parties or interested parties, arising from traditional land included within the order limits, as part of the applicants change request to int three d agenda for this compulsory acquisitions hearing was published on planning Inspectorates national infrastructure website on second of June and it might be useful to have a copy of that to hand. I will also share now on my screen, the key headline items included in the agenda.

06:06

substantive items are as follows and item two will consider site specific issues to be addressed by the applicant. And item three a will cut or will cover site specific representations raised by affected persons. item four will consider all the representations from parties who may be affected by the proposed development. Specifically, the examining authority will invite any additional age appropriate parties or interested parties to make overall representations on matters addressed in previous hearings relating to compulsory compulsory compulsory proposed compulsory acquisition of land and rights of the proposed development as a whole.

06:56

We will seek to allocate sufficient time to each issue to allow its proper consideration. We aren't expected that matters on the agenda will take too long to address. But if we do need more than one hour and a half, then at completion of the session at around 330 we'll probably have a break for half an hour before resuming at four in continuing if necessary until 430. Noting that we have an open floor hearing do to start at 5pm. We will be however flexible about his timings will conclude the hearing as soon as all relevant contributions have been made in our questions asked responded to. We've already had three campus requisitions hearings and asked a number of written questions. So today we want to be pursuing matters where we have been satisfactorily addressed already. Are there any questions at this stage about procedural sides of today's hearing or the agenda? I don't see any hands raised. So while we will continue. I would now like to take the names of those who wish to speak at today's

hearing in please again, do not forget to state your name in who you are representing, if any. So can I start with the applicant, please? Mr. Bassford, I believe

08:19

Good afternoon. My name is Howard Bassford. I'm a solicitor and a partner at the law firm DLA Piper. And I'm supported by Mr. Henry Jeffries from my firm also today. Also in attendance should you need to speak to them our Mr. Mark Stoneman, who's the project manager from highways England. And Mr. Paul Hine, who is the district valuer from the valuation office agency also representing highways England. Thank you, sir.

08:45

Thank you, Mr. Bassford. I believe that today. I believe that today Mr. Hein is actually not with us. I believe that we have Mr. Sowerby

08:56

It is Mr. Sowerby be in fact, in Saudi and you are quite right and I was wrong. It is it is he who is Mr. Sowerby is also from the valuation office agency and also district valur.

09:08

Thank you very much. Thank you. I also believe that we have Mr. David Morrow with us.

09:28

Mr. Morrow is in attendance what I usually do, sir, is that should it become necessary to introduce you to other team members than I do? So. Mr. Morrow is here though to assist you with matters relating to engineering, should that be necessary? Okay.

09:44

Thank you very much. Mr. Bruce, please. Yes, good afternoon. Good afternoon, Mr. Bruce. Would you mind introducing yourself and also mentioning if you're representing anyone or any Two or three you are representing please.

10:01

Yeah, Graeme Bruce, Chartered Surveyors from Young's RPS actually represent about six landowners on the upgrade proposals. I don't anticipate adding anything today's to today's proceedings, but we'll do my hand if anything occurs to me or any clarification is required.

10:25

Thank you very much. Is there anyone else with us today want to call get wishes to speak that I have not mentioned or called so far?

10:47

I'll take that is now. So this addresses the first item on the agenda. Welcome introductions and arrangements for the hearing. Are there any questions of an introductory metric of luminary nature that you would like to ask today? Yes, Mr. Bassford

11:11

So I'm simply going to say that the case for the inclusion of the additional land in the application is set out for you in the statement of reasons and that you should have everything required before you.

11:24

Thank you very much, Mr. Bassford. If there are no further questions at this point regarding the introduction, and a welcoming introduction and arrangements. Can I please pass over to Mr. Gleeson who will lead on item two of the agenda? Mr. Gleeson?

11:49

Thank you, Mr. Pinto. So item two is site specific issues for the applicants and for agenda item two. This out as the examining authority will ask the applicant to explain how the compulsory acquisition and temporary possession powers within the draft decision relate to change requests two and three, take something authority will ask the applicant to provide a brief update of the progress of negotiations with affected persons and the timetable for conclusion. And the examining authority may ask questions with applicants about matters arising from written and oral submissions. So I'd like to begin by just asking the applicant to confirm the changes to the application as a result of change requests two and three, and how these affect matters relating to compulsory acquisition and temporary possession. And in doing so, can the applicant please justify his case for compulsory acquisition and TP in the event? very general overall sense please. Mr. Bassford

13:00

Good afternoon, sir. And yes, the most straightforward way to see this is by looking at the revised land plans that relate to the changes that were submitted, I'm just turning those up for myself now. And in particular, it is to identify that

13:31

the

13:33

changes predominantly relate to a widening on the downstream eastern side of the river Kokott Bridge to enable additional land to be brought within the application. Now, that land is required for more than one purpose, but, but essentially, it is to provide the on a temporary basis, the working area needed to access the land for piling works which will result in the stabilisation of the Northern bank and the engineering purposes for that have been explained to you I think on a number of occasions. And on either bank, it provides space for the crossing to the southern bank the access works. And the works also provide space for scar protection in order to protect the toe of the north bank in particular although there is some scar protection on the southern bank but which will ensure the stability of the bank and the structures that will be required. In addition to the southwest there is some additional land included and that is an additional planting area which is provided To offset the impacts on the wooded area in the Kokott Valley and ensure that compensated replanting can be provided that. Thank you. In terms of progress with negotiations, Mr. Sowerby will be able to chime in. But the critical point to note here is that the parties with whom we are negotiating, who are Viscount Ridley on either side of the

river and Ms. Scott, on the north, are parties with whom we are already negotiating. And as such, the progress has been decent. It's in line with the other acquisitions that were explained to you last week. And that we expect, therefore, to be able to have concluded arrangements, or at least have heads by the close of the examination in line with all of the other paperwork that was described to you by Mr. Hine. Mr. Sowerby. Do you have anything to add to that?

16:17

Richard Sowerby district valid for the applicant? Thank you. I do not have anything further to add. Negotiations are ongoing. And we are anticipating concluding those by early July. early July being before the fifth hopefully. Yes, before the fifth of

16:40

July. In fact, before the second link, ideally. Okay, that's fine. So I don't have any particular questions about any of the proposals for ca and TP specifically, I think Mr. Bassford, some Kudu took me to that plot of land plan. That was the focus for me on this topic. I think also, the reference to table 2.1 of the change request letter, which is rep foil 34 that describes the amendments to land affected by ca summary table there of all those changes. Is there anything you want to add to that table? or provide the commentary on that table?

17:36

Not at this stage? Sir. This is relevant within this the greatest sort of scheme of things. This is relatively uncontroversial as as a topic today. And so, so I don't wish to detain you with that.

17:52

Okay. And do you wish to add anything in relation to the book of reference statements of reasons or funding statements?

18:01

Those as you know, have been updated, sir, I would simply be repeating myself.

18:07

Okay, thank you. So the tests that we've discussed in relation to other land subject to ca and TP can just use those checklists whether consideration has been given to all reasonable pod sensitives compulsory acquisition and temporary possession? Is your answer the same as for the all the other land?

18:35

It is and as you know, we're seeking to it's very difficult to provide additional space for spat scour protection for a new bridge over the river could anywhere else. So an alternative location really isn't going to work. And as you know, we are negotiating, which is the other big alternative to compulsory acquisition, the Human Rights Act point is exactly the same as for the other land negotiations that we're undertaking So, so your surmise is correct, sir,

19:06

and for the same landowners. So, the same issues apply yet. Whether the rights to be acquired including those temporary possession are necessary and proportionate.

19:17

We are taking no more than we consider as required. And it is necessary to enable the revoke it to bridge to be provided. And you will understand that we've looked quite hard at that question. Because the because the environmental effects that we we've discussed previously are important. So we have looked at whether these works are necessary and we've concluded Yes, they are.

19:44

Okay, thank you. And whether the works can be justified in terms of compelling case in public interests for ca.

19:54

This is a nationally significant infrastructure project bringing substantial benefits to the Northumberland region And as such, we will say, Claire is that compelling case and the public interests are in line with the other submissions we have made.

20:06

Thank you. And finally, whether there are any other requirements in terms of the infrastructure planning compulsory Acquisition Regulations 2010 that's been met in relation to the additional land.

20:20

We believe that all of the requirements of the regulations have been met.

20:24

Thank you very much. Okay. I have nothing further relation to item two then. So anything further you wish to add Mr. Bassford?

20:34

Not from me just now, sir.

20:35

Thank you. So let's move on then to item three on the agenda, which is site specific representations by affected persons. And the agenda says the examining authority will ask affected persons to briefly set out any outstanding concerns in relation to ca and or TP, the lens which they own hands or occupy that have not been addressed by the applicant? Does anyone wish to speak on this point? not hearing the 10. One does. I wasn't expecting anyone to speak, given the list of attendees. So I think we can move on then to item four. All representations from parties who may be affected by the proposed development of agenda says under this points, the examining authority will invite any additional affected persons or interested parties to make all representations on matters addressed at previous hearings relating to the proposed compulsory acquisition of lands and rights for the proposed developments as a whole. Any affected person or interested party wishes to make representation on

matters addressed to previous hearings related to compulsory acquisition of land or rights of the proposed development as a whole may do so now? Is there anyone who wishes to speak on this point?

22:32

Again, not hearing anyone? Can I just check with you, Mr. Bruce, given that you're the only interested party here today is anything you wish to add at this point?

22:46

Thank you, Mr. Gleeson. Know, one of the clients I do act for is the West End anglers who own the fishing upstream from the proposed bridge. Yes, they've made representations on their own behalf already. And I believe their interest is being taken account of Thank you. There's no land being acquired, but their access and rights may be affected which we'll we'll work together with the district, valuer and kostina on and will remains to be seen another there's a disturbance to the fishing. We are concerned about potential bank erosion because of the proposed works. But I believe they were that direct by their own representations. Thank you.

23:31

Thank you. Mr. Bassford. Do you want to come back on that point?

23:39

Only sir, to say that West and anglers are very properly put in a relevant representation which you have before you. It's recorded and repeated in the consultation report, which we submitted in relation to the change request, and answered and Mr. Bruce is correct. The applicant and its representatives are engaging with West End anglers with a view to supporting their continued use of their land for fishing during and after the works.

24:16

So we will, will there be an agreement? Are you expecting the agreement to be signed for the ends of the examination on that matter? I'm not sure rights.

24:27

I'm not sure if there is a a formal agreement to be concluded sir, or rather, it is to be a series of arrangements set out say that both parties know what is going on. There. There is access for other people and beneath the existing coconut bridge and it's ensuring that the anglers are able to enjoy access to their fishing pitches whilst the woods carry on those sorts of things. So this is very well picked up in methods of working and so on.

25:00

Yes, I recall that that submission was made. I have to say, I think it was a relevant representation. Yes. So again, if there's any ability for the anglers, with support from the applicant to agree in a position statement that says that everything is agreed or can be managed in such a way that obviously would help in as reporting to the Secretary of State,

25:33

we shall take that away, sir. And we will endeavour to have an exchange of correspondence with them that shows that they are that this has been addressed.

25:47

Thank you very much. That's helpful. Thank you.

25:50

So So, I mean, obviously, they're going to be seeking access through a life construction area. So we will need to engage with them during works. And longer term. We will be looking to agree access rights, but but we will get in touch with them and try and try and say thank you.

26:12

That's helpful. Thank you. Okay, so I think that largely completes matters. Before moving on to the final items on the agenda. Can I just ask the applicant and Mr. Bruce? Well, is there any, any further updates on matters in terms of compulsory acquisition schedule that we discussed, its ch three last week, and in furthering your wishes to add on that I recognise it's only a couple of days, but there's opportunities there.

26:46

I suspect there isn't anything further to update you on just yet. So knowing how these things go, people will have had a moment's pause before preparing for tomorrow's deadline, and then they will move on to this one.

27:01

Okay, thank you, Mr. Bruce, anything.

27:03

I can confirm by quirk of fate. I had a meeting with Mr. Bell this morning. And he is in agreement with the district values proposed terms. I anticipate to be able to confirm similarly for the other five clients I'm representing. With regard to West End anglers, I was also attended a site meeting elsewhere last week, and it was agreed that there will be an early meeting with the hiring authority and cross team to discuss their access issues. And I believe that will be met positively by all sides.

27:45

I'm sure Mr. Basswords welcome such progress as well. Yes, thank you. So let's move on then to the final items on the agenda. So review of issues and actions arising. item five, will circulate any actions. As soon as this set of hearings is completed. item six, any other matters. Other heavy issues which anyone wishes to address at this point, before we close?

28:28

I'm not hearing anything, so we can assume there aren't. So if there are no other relevant matters, the timetable for examination requires parties to provide any post hearing documents on or before Tuesday 29th of June, which is deadline 10 on the agenda. And can I also reminds you that video recordings and transcripts of the hearing will be placed on the inspections website in due course. So item seven,

closure of the hearing. So thank you for attending this hearing today and sharing views on the application. I can now confirm compulsory opposition hearing is closed at 230. And look forward seeing some of you this evening. Five o'clock the open for hearing. Thank you very much