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00:11

Welcome, welcome back everyone. And just carrying on with the agenda. just mentioned, before we go to Mr. Lindsey. Mr. Lucas, there is a further rep at rep. 2123124. So we have got that from you. I don't think it tells us a great deal more. But there is at least rep 21123 and 124. So we have seen them further indication. But as I say, it doesn't really tell us much more about about the points that you want to raise. Anyway, we'll come back to you and in a moment, but I said that we deal with Mr. Lindsay, who's been waiting patiently so Mr. Lindsay, are you able to join us

01:16

trying to unmute the camera ah, I think we're there yet. Hello, miss doing so good afternoon, sir. John Lindsay of Columbine cottage Kelvedon Road in worth speaking. Also, on behalf of my wife, Mary Lindsay. Thank you for granting us the opportunity to appear once more at these hearings. I shall not waste your time reiterating in detail our concerns about the impact of this scheme on Columbine cottage, other than to highlight the main topics, which are the guaranteed retention of our front hej along the B 1023. The repositioning of the whole road running behind our property. The need for further mitigation measures in regard to noise, dust, vibration, light pollution and working as disturbance and assistance with discretionary purchase should we feel unable to continue living in Columbine cottage because of the disruption in its response 9.60 to x q 335. For the applicant confirms that it has added further controls to the proposed works in the vicinity of qualified cottage. Thank you for this, but we should be grateful to know details of these changes and how they will further mitigate some of the disruption. We note that the applicant makes no reference to the guaranteed retention of the hedge fronting the V 123. With regard to the whole road south of our property, the applicant explains that this is necessary in order to save the neighboring property barkham Limited, thereby choosing to blight a permanently occupied domestic property in order to save a commercial property. Why should the commercial property necessarily take precedence? With regard to discretionary purchase, the applicant kindly sets out the rules governing discretionary purchase in situations where the owners have a pressing need to sell their property. In this case, the owners are required to pay all their own costs. If, however, the pressing need to sell is the result of and only the result of the aggravation caused by national highways road widening scheme, it is patently totally unjust, that we should be required to meet the costs of a move that we would otherwise not choose to make. We strongly believe that this makes Columbine cottage a unique case that falls outside the normal rules. Finally, another speaker having earlier today referred to injurious affection of land. We feel that this is possibly also relevant in our case.

04:16

Thank you very much. There's Mr. Lindsay. And we did of course at the company site inspection come and see combine cottage and you did at that stage take us to the front hedge and specifically mentioned that and obviously also the the haul road. So we've seen the applicants response to our examining question three as well. I'd like to hear from the applicant as to what they'd like to say in response to what they've just heard from Mr. Lindsay. Thank you

05:01

Ruben Taylor, on behalf of national highways. Sir, thank you for the opportunity to respond. National has already set out its position on many of the points raised by Mr. Lindsay, in representations to the ESA. To the extent that we, there are new matters that are raised, we're going to respond to those in writing rather than going through me, given my feeble attempts of advocacy this afternoon. So I think that's probably the best way to leave it for now.

05:39

Thank you. Thank you, Mr. Taylor. Just from the point of their hedge, I wonder if Mr. Goodwin wants to say anything, because he was he was with us when we looked at that. So I don't know if there's any clarity that Mr. Goodwin if he's still on the call, whether he could give us in respect to that ESC is Mr. Goodwin. I just wonder if, if you could say any more about the hedge because that was something that we did walk up and down when we when we looked at ConCom Columbine cottage a couple of months ago.

06:13

Afternoon, Andrew Goodwin of national highways. At this stage, it is very difficult to make any further commitment towards the hedge row. Our understanding, and I know that's that's not necessarily an agreed understanding is that part of the hedge row is in the highway. However, in our detailed design works as we bring those forwards, we do not believe it likely that any works are needed to that hedge row. However, until that detailed design is sufficiently progress, and that detailed design is usually at a stage after this. It is yet we are unable to make those those guarantees at this stage. That said, we will make all reasonable endeavors in our design to so protect that edge.

07:07

At a hit I hear Mr. Goodwin, but yeah, I'm a little surprised that we don't know at this stage, whether or not the hedge is on Lindsay's land or whether it is part of the highway. I mean, clearly, the Lindsay's property has been there for a considerable amount of time before before the original Highways Act. So and there's been a great deal of work done with them in the book of reference. So I mean, can't you be clear as to whether or not who, who owns the hedge

07:46

and driger, doing financial highways. So we have set out what we believe to be the line of the hedge and their line of the highway based on information from the sort of brand registry, and we believe that part of the hedge is in the highway. And I think that is part of the difficulty. And the disagreement, however, that said, if it is possible to to protect it, then we will do so.

08:21

So Lindsey, is there anything? You're probably getting too much reassurance from that?

08:28

No, indeed. I mean, land registry plans are notorious. It's a broad line drawn on a very small scale. And it doesn't actually define anything like, you know, accurately enough the line of a hedge. So I would take issue with the use of the land registry. But I think we're not going to be able to take it any further forward at this stage, other than to agree to defer, if you like, and that to maintain that. We believe that strongly that that edge belongs to us. But as I say, we probably can't take it any further. No, but at least we've put on record our views, and they and they stand. So thank you for pursuing that.

09:21

I'm just to echo that point. I mean, laterally plans do have a disclaimer on that, don't they saying that they can only be accurate up to or a certain distance. So bearing in mind the age of column, Columbine cottage and the point I made previously that it actually has been there before the original Highways Act. One would have thought that would be weird would be quite persuasive. Mr. Mr. Goodwin, what about the whole road? As Mr. Taylor said earlier that's been back and forth on that. Several times. And you, I think the NH view is that it's going to be where it where it is, if it is where it is. What about further controls on the management plan? I don't Mr. Taylor one, one strike something on that?

10:31

Andrew Goodwin for national highways. So at one of the previous deadlines, we did update the management plans, we put additional controls in the outline construction traffic management plan, we prepared a specific haul road management plan, we updated the construction compounds plan as well. And we also included more information regarding the communications plans. specifically to address these points off the top of my head, so I cannot remember all of those references, but I can make sure we respond don't include those in our deadlines. Seven response.

11:12

Yeah, thank you for that. All I would say is that we did at the hearing at the end of April, we did ask the Lindsey's whether that provided them with any additional comfort. And their response to that was that they looked at the plans and No, they weren't reassured at all. So I think, yes, you can, you can tell us the references, but I think they're looking for greater controls than then that are in place at the present time. So if there's anything further that you can do, what I think they'd like, would be that you had a further look at the management and seeing if there's any further if you engage anything further, as far as the controls that you can put in place, because at the moment, the lenses are not comfortable with, with what's in place.

12:07

Route contain the National Highway. So thanks, thank you for that. We'll take that away. And we'll have another look and see if there are additional measures that that we we could put forward. Notwithstanding that. That's a review. We've we've already done, I think a couple of times already.

12:26

But that's be really helpful if you could, Mr. Taylor, thank you. Thank you very much for that offer. And we'll see what comes forward. Thank you, Mr. Lindsey, for for joining us and making further contribution. You know, appreciate this has been going wrong time for you, and you are significantly affected. So you know, thank you, thank you for your forbearance.

12:55

Could I just finally say thank you to the inspectorate, once again, for the time that you've given us that these hearings, to voice our various concerns, we really do appreciate that.

13:05

Thank you, Mr. Lindsay. And good afternoon. Right. So we're gonna go back now to to Mr. Clerk, and Mr. Lucas, and as I as I said a little bit earlier, we are aware of those submissions. Rep. Or, but they say much more than the the original rep that we had. So I don't know whether you want to say any more Mr. Glocal Mr. Lucas, so or whether you will just ensure that a submission is made by deadline seventh, which is Monday, the third of July, and perhaps give us a bit more detail as to your position, because all we've got at the moment is what I'm looking at, in terms of the updated compulsory acquisition shedule. Which, which gives us a little bit of information. But we haven't heard too much from your side in response to that, so do anything you want to add?

14:17

Yeah, so I spoke with Matt in the break in the interim, and we'll provide a full reiteration of all the points and summarize and provide all the plans etc. for you for the deadline seven. From my perspective, I think that my points would be summarized as I say, on that deadline seven point, but Matt may want some may want to reiterate some of the further points you made earlier on.

14:44

The stroke if you want to add Yes, not not very much. Yeah, we will. We will make make a opposition very clear in the in the in the representations, including, we will provide a plan with shows the impact of the scheme in terms of land take on our current proposals for that plot of land, which is currently in for planning consent with Braintree District Council. And we can also provide an indication of the likely costs that would be incurred to replan that pasture or the remaining parcel of land, taking into account the injurious affection as well, which we have also engaged with national highways about an early payment of those additional costs, which will now be incurred. Thank misspoken. And if your submission could include the full reference to the Braintree district, Council, local plan that would really help so that we can cross refer to to to to that, because, as we mentioned earlier, because that was adopted as recently as July 2022. Obviously, that's a very important document for all parties to consider. So thank you. Yes, sir. We will certainly make sure that happened. Thank you.

16:17

Apologies if I could just make one one final point. Separately, my colleague, Edward route, who, actually I think you mentioned earlier, representing Mr. Buchanan. He would just like to restate the point on the final design works for the Katyn gas main. I understand that they've been chasing for these for quite some time and would just like some information on when they're going to be coming forward, if possible.

16:44

And can the applicant respond on that point, please?

17:00

Andrew Goodwin for national highways service, as I've said previously, the technical discussions with cadence on their detailed design are progressing well. They're at an advanced stage now. And we have shared previously with Mr. Route for Buchanan and other interested parties in the lands, the design aspirations that we have for the route there and particularly so that it minimizes any future land taken the gas main is as tight parameters as it possibly can be. That has all been shared with cadent. And they bring their detailed design forward. So we would like to think that the design will be is as literally impactful on that pasture lands as is practicable. And we will share that as soon as it is available and ready for for sharing.

17:57

Thank you, Mr. Goodwin. That's, that's really helpful. Right, go around the virtual room. numbers seem to have reduced somewhat. Is there any interested party who wants to make a further comment? On the compulsory acquisition matters? I don't see any hands are up. Yes, there's one hand, it's gone up. I'm not too sure who that is. But she'd like to reveal who you are. And make your comment.

18:42

Oh, yeah. Can you hear me? Yes. Can you hear me? Yes.

18:47

Yes, we can.

18:49

It's Ian Mahoney here from high clear and Hatfield. Peverel.

18:53

Hello, Mr. Mahoney. We did mention you at the outset because you had asked to speak and this is your chance to make that so we were expecting to hear something from you. So yeah, the floor is yours. Please go ahead.

19:08

Okay, thank you. Thank you for listening in this afternoon. It's just a slight minor problem at the moment. We've had various positive meetings with Simon Perth from the valuation office and cost Stein about what's going to actually happen here with the temporary footbridge. We've got no issues with what's going on. But we seem to have a little stumbling block about the utilities. I've asked various questions. And it's all written down in the position statement on there. But he seems to be the utilities team that's holding everything up. The valuation office obviously needs to arrange for storage for various items, and they need obviously a period of time to do that over. I've asked these questions, but costly and can't answer those questions because they're waiting on utilities teams. So can highways

actually help Castaing to answer the questions to help the valuation office? That would be a question to ask directly to highways, please.

20:14

Thank you, Mr. Mahoney, and yes, we we've heard from your previous here hearings. And it's good that there has been progress with your temporary bridge. But you're not quite over the line yet. So don't if national highways can come back and give you some comfort, Mr. Goodwin.

20:34

Andrew Goodwin for national highways. I will need to take that one away, sir. And to find out the details that Mr. Mahoney is referring to. But we will dig into that and we will get a response but by deadline seven.

20:54

That's absolutely fine. Mr. Mahoney Oh, I hope that gives you some some reassurance that there will be something coming in by the third of July. That's deadline seven, so you won't have long to wait.

21:09

Yeah, I know it's been signing, it's going to come up in the detailed design. But obviously, we're getting nearer and nearer when it needs to be all signed off and then put in place. But I'm just trying to help the valuation office do what they need to do, because they can't do it because they need timescales.

21:28

I think that points taken on board by Mr. Goodwin. So fingers crossed, that that will be progressed very shortly. So thank you for your contribution. Mr. Mahoney, and certainly, Mr. Goodwin is as taken that on board.

21:47

Okay, thank you very much.

21:48

Thank you. Thanks for coming along and making that contribution. That's really helpful. Thank you. So going back to you, Mr. Taylor. I don't know if there's anything you want to say in by way of sort of summing up really?

22:08

Reuben Taylor national? How is No, sir. I don't think so. I think if I've caught you're just that's the end of proceedings for today.

22:20

You couldn't resist that. Could you Mr. Taylor. Put the ball back over the net. But yeah, I'll let you off. I think there's no other representations that are being made. It's really good to see progress. I mean, the Crown estates while and Mr. Guyot for forgetting Burgess, Simon to make that comment, which is, which is really helpful. And the, the borrow pit summary, which we saw was was rep five oh 15, which

did provide the just was also really helpful. So that was appreciated. And clearly, quite a bit of progress has been made with the with the bar. Oh, great. So thanks for that. I mean, obviously, as we've said before, there's there's only barely two, just over two weeks of the examination left. So there, there is still time to to give us further information. And just to reiterate the point, we only see the submissions that are made by July the 12th. And anything that comes in after July the 12. We don't get to see the secretary of state might but it's of no help for us when we prepare our report for the Secretary of State, so the more that can be that you can get him a deadline seven and deadline eight. That at least is material that we can work on. But I'd like to thank everyone who has participated this afternoon. And the good news is we're going to get away quite early so that's that's a result. So thank you very much for everyone. This will in fact be the last hearing so and the national highways team for for your your efforts and

24:27

I'll just pass

24:29

on to who No, no, he's just passed the ball back to me to to actually call the close of this meeting. So it's now just just coming up to 10 minutes past four. So this hearing is now closed. Thanks everyone for your attention.