

TRANSCRIPT_A12CHELMSFORD_ISH5_SESSION2_270623

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00:06

Welcome back, everybody, it's less than 35. Apologies, I don't think we've been able to quite fix the video stream as yet, but we're hoping to have to get that sorted out over the over the lunch break. But again, rest assured we can clearly sort of see and hear you. So moving on from from where we were, I think there are now two requirements that we just like to go through which are requirement 18, which is in relation to junction 21. And requirement 19, which is in relation to D trunking. So again, similar sort of questions, perhaps to the applicant in terms of where we are with the discussions on those with the parties.

00:49

Thank you, sir. Emma Holly Phillips on behalf of National Highways, as you would have seen from our response to a commentary in the draft DCO as 123 reference PC 22. The applicant maintains that the wording proposed by the examining authority on requirement 18 on junction 21. is appropriate, and has included that drafting in the draft DCA that was submitted at the last deadline, sir.

01:20

Okay, thank you for that. I think when we did include that wording it was I think it was a caveat in there that said we'd included that as your wording. But just because we wanted to make sure that we wanted something I think we then sort of put an instruction if that's too strong of a word, to sort of have discussions between the parties to try and agree. A form of wording.

01:42

Thank you. So Mr. Hollin Phillips on behalf of the applicant, those discussions have been have been ongoing and the applicant maintains that that is the appropriate wording. Thank you, sir.

01:51

Thank you very much. Mr. Humphries. Is there anything from Essex County Council in relation to sort of both of those article sorry, requirements? 18 and 19. If we can take those two together?

02:06

I think on requirement agency, which I think is function 21, I think we're now agreed on the draft wording, we have requested an updated general arrangement plan that would reflect what is now posted at junction 20. Martin, I believe a plan was sent through this morning. I haven't yet seen it. But assuming that that is correct and adequate. I have no reason to believe it isn't, then I think the only thing on requirement a team that we would want is that the plan is referenced in the requirement just so

that the two elements there are tied together, but I doubt very much that that would be controversial. And then requirement 19. That's the tracking. So do you want me to move on and comment on that?

03:22

Yes, please, please. Do we have to do that now? That'd be helpful.

03:26

Yes, this is, in a sense, the single most important issue for Essex County Council as I have already explained in relation to the two articles that we discussed earlier. So we all very much would object to the de-trunking of this section of road, the article 15. Seven, because we're not prepared to take on the liability for what is agreed to be a complete over-provision in terms of highway capacity. During a two-lane road were simply not required. We have from the very outset set out in detail in our evidence, why we think the deep trunking should involve reducing this to dual single carriageway roads with WC H. Provision in what would become the redundant carriage ways that's not been acceptable to national highways and whilst therefore we course welcome

04:52

the new

04:54

provision of an A D tracking requirements, its wording is not acceptable. To us, we, therefore commend to you our own words, which was pages 14 and 15. In our deadline six submission rep. 6098. Please note, at the end of our requirements, which we had actually submitted much earlier in the inquiry, we've added wording that if data from highways is not willing to undertake and implement the work itself that they should provide funds, and I drew attention, I think, on the last occasion to wording in both the adopted national networks national policy statement and the draft, revised national networks national policy statement about that, and so you'll find that data in that rep six submission of ours. And as I said, we have argued from this position, from the very earliest days, we've provided wording from very early in the examination, and what is so far proposed by a national analysts have been doesn't meet our expectations and has to say the potential consequences that we have to object in the declassification de-trunking. Of this road, which would clearly not be one either we or national highway site and Patrick, want.

06:47

Thank you for that clarification. Mr. Humphries. If I could just come back to the applicant, if there's anything that you wish to add, finally, on this before we move on, perhaps Thank you.

06:57

Thank you. So I won't I won't dive into the detail of the substance of the submissions on the issue of de-trunking. Because those have been before you throughout this examination. I just like to note that it had previously been the applicants position that no requirement on de-trunking was required, and that the wording that had been inserted in article 15 was sufficient. However, you will note, sir, that from our latest response to your commentary on the draft DCO, the applicant has accepted that a DCO requirements on D-trunking can be added to the order, and D did so in the deadline six draft DCO

however, that acceptance is on the basis and only on the basis that it is the wording as proposed by the applicant. So as you're very well aware, the applicant does not accept ECCS proposals in relation to the D trunking. We outlined in our response to your your comments on the draft DCO, the various submissions that have explained why we disagree with the ECC proposals, not least of which is because they have not demonstrated that they are necessary. And we've still not received any assessment of those proposals from ECC, particularly in relation to the environmental assessment of those proposals. That information is not before you and as such, we remain of the view that the requirement as drafted is entirely inappropriate to be put on the face of the order. And so we will obviously be pulling together those submissions in our closing state meant, but you do have the references before you at DCO PC 23 in the applicants response examining authorities commentary at as one a three. Thank you, sir.

08:51

Thank you for that, that that's helpful. I think it's what we do have is the positions of the parties set out so that's that's helpful in those references from from both of you are sort of helpful to to understand where we are. We don't have any further questions or comments at this stage on the requirements but just before I move off the requirements, is there anybody who's just got anything that they wish to add at this point? And it's down for this is

09:18

my conference, you will recall. So, the back of that 6098 we did identify three lumber of the new requirements on various various issues. You can find that at rep 6098 from page one, really I think page 27 onwards we prepare some wording on detail below for operating agreement we understand in relation to To that, that the outcome to this confirm that de l. a, when the council will be included in its outline construction management plan, right 6055 submitted at deadline six and provided that that is included ultimately in the construction management plan to pursue a separate requirement on that. But the second additional requirement we asked for work was a requirement relating to base construction surveys of local diversion routes, again, at rep. 6098. On page 27. On page 28, we proposed wording or that we understand this, I understand that discussions are still ongoing in relation to that. But if that does not reach agreement, and that will have to be very soon indeed, then we committed to you our draft wording, as identified on page 27 to 28. of of our rep six submissions. The third one was proposing a requirement and powerful they can inspect works that affect its local highway network. During the construction, this has not been included in the latest iteration of the draft DCO. Again, discussions I believe are positive and we're waiting, what a formal commitment on that. But against that need to confirm that in the absence of formal agreement and our draft requirements at pages 28 to 29 of rep 6098. Our opposition and we invent that to the next one, sir, is the requirements in relation to road safety. audit of this was in red 6098. At page 29 and 30. I think the SEC would agree on some common ground records that we're still waiting for a formal position on this from national highways. And, again, time is running out. So do we do need that urgently but in the absence of agreement, and again, we commend to you our draft wedding on pages 29 and 30. So so there are four issues there. The first one we believe is resolved, others may be resolved. But if they're not, that you have all our proposed wording.

13:24

Thank you, Mr. Murray's that that's helpful. Selling Phillips is there just anything you quickly want to just pick up on on those words confirm where we are with those.

13:33

Thank you, Mr. Hawley Phillips on behalf of the applicant, if I can just give you some references. So in relation to the detailed local operating agreement, our response on that is provided in rep 5033027. And that confirmed that the outline construction traffic management plan was updated as submitted a deadline six. The comments that have been raised by Essex County Council have been addressed in Section 5.22 of that updated OSI TMP, the examining nation Library Reference of which is rep six dash 054. As such, we are of the view that that has been adequately dealt with in the OSI TMP and that therefore there is no need for the requirement as proposed in relation to pre and post construction surveys. Our response on this again is that rep five Dash 033 Dash zero to nine. And again, the OSI TMP has been updated and revised version was submitted at deadline six at rep 605 for the comments raised have been addressed in Section 5.23 have that AC T MP. And again, as such, we're of the view that the requirement proposed is not required on the basis that it's been delivered in the AC TMP is in relation to the power to inspect works that has been previously raised that was addressed by us in rep five Dash 0330 Dash zero to nine. And the applicant is happy in principle with a request made by ECC to inspect the works that affect the local highway network and we are working with ECC to find a suitable mechanism to enable this. So it may not be the case that a requirement is needed. But we those discussions are ongoing. And in relation to the road safety audit requirement that is proposed. Again, discussions are ongoing, as to the appropriate mechanism to respond to this request. And instructions are awaited on those discussions from within national highways. We think we have a way forward and will continue to liaise with Essex County Council on this issue in an attempt to find a solution that's agreeable to both parties. Thank you, sir.

16:03

Thank you for that clarification, explanation of those references is always always helpful. I've got a handout but again, I can't see whose hand is up. So if I could just go to whoever has raised their hand that would be helpful.

16:18

I think it's myself. It is yes. Yes. I apologize. I couldn't find the page regarding to article 14, which was the Boerum narrowing, which was addressed just before the break up big fat. I'm speaking as Mrs. Kathryn Evans, chairman of the local access forum. At some point in the discussion when the boardroom road narrowing was discussed, there was speak there was talk of enhanced cycleway and footway provision. I'm not sure where we got to on that. And I'm not sure whether the cycleway provision was off carriage way or on carriage way. I just wanted to know whether that was being included somewhere.

17:05

Okay, that's probably want for the applicant to respond to but I'm wondering whether that might be something the applicant can provide a written response on that might be more helpful if that's okay.

17:16

With it before deadline, seven

17:22

Yeah, deadline sevens next week, so I suspect it will be sooner. So yes, that deadline seven I suspect unless the applicant is able to provide something sooner, but I don't want to promise anything on their behalf. So I suppose best deadline seven will be the latest you'll get that information.

17:39

Sir, Mr. Khalifa, that's a perfectly applicant. Yes. If we can respond in, in writing to that. The basis that deadline seven is hot on the heels of the close of this hearing. And I wouldn't want to commit us to providing response in advance of that. So we will respond in our deadline seven submissions. Thank you, sir.

17:54

That's great. Thank you for that.

17:55

It may be there's a response from Essex County Council as well, because I've simply lost track of where that comment tree went to.

18:03

Thanks. Okay. Thank you. Well, I'm sure the applicant can sort of fill you in on all those those details and and respond in writing to that. Thank you for that. What I'd now like to do is just finally on this item is just move on to the protective provisions and just get a very, very quick update on where we are with those. And hopefully, this shouldn't take too long. But if you can sort of room way through and in particular, I think the three that we'd identified Network Rail, Anglian Water and Caden gas.

18:31

Thank you. So Mr. Hollin Phillips apart for the applicant, I'm actually going to be handing over to my colleague, Steven dog who will be dealing with the next few items on the DCO. Agenda.

18:49

Morning, so Stephen dog from WVD on behalf of the applicant. Good morning. Morning. So sorry, you had frozen there? And I wasn't sure if you could hear.

19:01

No, that's fine. We can we can hear you. Yes.

19:05

That's great. So I don't know if you want to touch upon the Environment Agency. Under under this kind of padding, or whether we've kind of moved on to other things such as tankless,

19:22

I think the other protective provisions of outfall and then we can pick up the Environment Agency on that that particular one and all we're looking for is just a very quick update of of where we are with those three if we could.

19:32

So Network Rail submitted a set of revised protected provisions at deadline, six in rep 6108. National Highways is now reviews reviewed the document and as a result it will be submitting some amendments to the draft DCO deadlines seven which will include at least some of those amendments nationally will also provide a written response to network rail's deadlines six submission at deadline seven, which will set out which amendments not agreed and national highways reasoning for Nox, not accepting those amendments. Broadly speaking, the areas between the parties relate to the steps which national highways has to take if the use or operation of the authorized development causes electromagnetic interference and certain safeguards for national highways where it becomes liable to pay costs, and also the type of losses which should be covered. In the event the agreement isn't reached before the end of the examinations. Secretary so we'll need I suspect to adjudicate on whether to accept national highways or network rails drafting.

20:48

Okay, thank you. Yeah, that that's helpful because that was going to be a question that's because we have seen the submissions from Network Rail, so thank you for that.

20:56

So on Anglian Water, there is one issue outstanding with Anglian Water in relation to the protective provisions namely the what what angling would call the standoff distances to be set out in paragraph 27 subparagraph seven in part three of sheduled 11. In essence, these distances determine how close works under the DCO so let's actually clarify these are these are works which which are somewhere which isn't a street so that they're off street on the cross, otherwise land. The standoff distances in paragraph 27 Seven. Determine how close works under the DCO must be before the undertaker must submit a plan of works to Anglian Water to allow them to consider what if any requirements should be placed on the works to protect their apparatus and access to it or allowing them to remove their apparatus. The standoff distances included in national highways version of the draft DCO reflect previous precedent in the AK 47 schemes, including blofield, Tottenham, thorn and wansford. And so, they also reflect the what are described as the easement distances in angling waters, cross sector, cross sector infrastructure access statement. And there's a table in there which sets out distances for land where no development is proposed. And then enhanced distances for land which is marked for development or land use changes in the next 20 years and the local plan. Then states any work undertaken outside the standard easement weights along pipelines may proceed without any reference to Anglian Water. So, the distances which are included in the protective provisions align with those enhanced distances. Although there is a difference of of of wording the the distances given in that document are the total distance as opposed to the ones and protective provisions which are met which are measured on one side and the other side of the meeting line in the pipe. But essentially, they are the same distances Anglian Water has given some reasoning for its request for enhanced distances in rep five zero 23 and states that the distances in the draft DCO are not sufficient. Because of this is a quote a number of shortcomings that have arisen through experiences in addressing our own

maintenance and repairs to our assets and from previous national infrastructure projects that interface with our assets. Anglian Water hasn't to date set out what those shortcomings are, or specific details of scenarios where this has caused them problems. National Highways doesn't therefore, consider that there is sufficient justification yet or for the applicant to accept the departure from the form of the A 47 protective provisions. I should answer the tangling waters proposed standoff distances present a significant increase in distances to those provided by national highways and will be likely to pose a significant increase in the administrative burden on national highways both in terms of the extent of consultation and the works which might be caught by those requirements that Anglian Water can impose. And it therefore, has potential to have significant effects in terms of things like program in terms of in terms of future delay. It further justification and examples can be provided to national highways then we will consider them further and whether or men whether the amendments that are proposed might be justified or whether Other solutions may be more appropriate. Again, so in the event that agreement isn't reached by the end of the examination, I suspect so the the circular state will have to adjudicate on whether to accept national highways version or Anglian waters.

25:15

If that's helpful, thank you.

25:18

And so finally, on cane gas, national highways understands that the protective provisions with cadent are in an agreed form. And they reflect the protective provisions included in other schemes such as a 47 blofield, and the A 47. Fix on orders. It's understood that Kayden has one outstanding issue, which relates to liabilities at Benton golf club. And this is an issue that's only really arisen in the last two to three weeks. And so negotiations are currently proceeding between the parties in relation in relation to that and and what comfort the applicant might be able to provide.

26:02

Thank you mistake that that's a helpful update of where we are with that. Thank you. I don't have any further questions on on that on the draft development consent order. That's been useful for us to sort of go through that. So that brings us the end of item three. So thank you for all your your contributions on that. What I now like to do is move to Item four, which is statement of common ground. I'm going to hand over to Mr. Wiltshire, who's going to just lead on this item.

26:32

Thank you, Mr. Hunter. I'm a not a number of draft statements of common ground was submitted at deadline six. As we stated, the preliminary meeting, finalized and agreed statement of common ground are very helpful to us as we draft our recommendation report. I just wanted to reiterate at this stage that we are able to attribute little weight to agreements that are not completed by the end of the examination. With this in mind, please Can the applicant provide an update focusing on those statements of common ground with outstanding issues and whether we can expect to have final signed versions by deadline seven as per the examination and timetable? Thank you.

27:22

Reuben Taylor national highways. So I am going to ask Mr. Fernandez and Mr. Orr Ewing to address you on the position in relation to stem so common ground.

27:36

Thank you, sir. On behalf of national highways. So we've have currently 18 statements of common grounds. And we have been in discussion with all the interested parties and we plan to send all of the statements of common grounds signed at deadline seven and they will have a list of items agreed that will be quite extensive. And there will be some items disagreed and some that we still are under discussion. We'll try to close out some before that line seven. If I may, I'll just go through some of those as as to provide where we are at this point in time. So with Colchester we have our mattress degreed so that will be signed with Chelmsford, we have some matters outstanding on cultural heritage, the main road on the construction sequence and pines line. Again, we are under construction with the local authority with with very constructive meetings. And we have another one before that line seven, to see if we can get these matters progressed. With Essex County Council, I'll pass to my colleague that if you want I'll continue with all the other ones. And then my colleague David addresses at the end, probably that will be preferable. So right, yeah. So we've Mauldin we will end some matters are still under discussion mainly around Kevin Cass mine, an impact on the trees that was discussed before blue meals and medication provided on bng. And to be done locally, in terms of providing that BMG, and there are some matters in disagreement under junction 21 and modern link road and the Duke of Wellington mini roundabout that I believe that the local authority already touched this this morning. So those will be under disagreement. Bring three we have some replacement land, it's under discussion just because in sign off and the in age land use for public use are under discussion. And matters in disagreement is the de trunking ravenol as Essex County Council as well. District On the trunking moving to prescribe consultees, Natural England. We have under discussion, saw mitigation that needs a second EMP and the soil handling management plan. We the environmental agency, we have matters in the discussion. As we know, it's covered under the main rivers bng calculations and the mammal crossing, again related to the cover. So this is still a matter under discussion with Historic England, its impacts on scheduled monuments outside the other limits and Palaeolithic assessment and the accurate archaeology. Those are under discussion Mark does not agree that the impacts on the proposed mitigation of the medieval moated Mark stay and the neurolytic long mortuary enclosure ravenol And this has been previously covered on applicants written representation rep 2060006007 and examining questions two rep 4055 211 three and 211 Four and finally, at the applicants response examining questions three reps 06089 Question 3.7 point one moving to crown a state we have medicine discussion, that is just the outline pending application for the allocation and road layout. So those are under discussion, but I think crown lands will be covered more extensively under the this year hearing later today. So I think spend on that with more than parish council, we have matters in disagreement that is junction the closer of junction to NTA the noise reduction surface on both sides of the carriageway and noise on main road. And to note that bottom conservation side it is represented by the parish on the metro of course of junction 28 Witham town council we have now all matters agreed including the replacement land, Hatfield Peverel parish council. We have Madison's discussion on construction of station Road Bridge and the air quality and Madison's disagreement is the rat running traffic around Church Road. Then Essex police are matters agreed except for the provision of traffic management officer to sport police role. And these are still in the discussion. And now for the statutory undertakers, Essex waterways. We still have some matters and the discussion on the land taken the

use of waterways towpath by the public and the discharge of surface water during construction and the desegregation bylaws, Network Rail or some others excellent discussion around the clearance process, including the detailed design progress with the infrastructure in between network Rolla national highways and increased comfort to Network Rail related to the technical unmanned acquisition. Developing engineering solutions that are acceptable by both parties and discussions to the future maintenance access to both parties. Disaster Anglian Water there's two matters in the discussion and that is protected provisions as my colleague Steven that covered it, and ravenol and braxted road access to Anglian Water Services to the infrastructure on that area. cadent gas we are under discussion on the detailed design for the medium and high pressure and those matters still progressing. And now, finally, last to interested parties. Price aggregates, there is a number of matters and the discussion. This is mainly around the detailed design of our proposal on Bryce's land and we're trying to progress those as fast as we can and get to a position where we can agree those matters with Bryce. And with National Farmers Union union. Eats matters under discussion. It's the survey access and what qualifies adjacent to the order limits. Again, we still in contact with national animal units and we'll have somebody discussions before the deadline seven hopefully to try and close these items. So that's my update. I'll just pass to my colleague David or Yun to give an update on Essex County Council if that's alright, thank you very much.

35:00

Thanks, Nina David arguing on behalf of the applicant. As regards to Essex County Council's statement of common ground, which was submitted deadline six was the rep six hyphen 069. There has been considerable progress on the number of items moved to agreement over the course of last couple of weeks, working closely with Essex County Council. There are various matters that are currently under discussion that we're trying to push over one of them, for instance, was referred to a junction 21. That was an under discussion. One, we've alluded to the fact that that could may well move to agreed imminently. And then there are various items that are in in disagreement. I think that it's probably accepted that these are some of the key items that have come up throughout examination, where there's clear differences in the sides. But as I said, there are several methods on the discussion, which we would have to move to to agreed, as I said, touched on like junction 21. But there was already a lot of progress compared to what was submitted deadlines six, and we expect it to be signed, obviously at the next submission. Thank you.

36:04

Thank you both for that. Can I just check I've got on my list, one with the messaging and in with action group, is that one that you're progressing? Or is that no longer going to be submitted? Or did I miss it?

36:21

That one, I think there'll be an update provided in the statement of commonality, but we have not made any progress on that statement of common ground. They've been arguing on behalf the applicant. Sorry. Thank you.

36:34

And I see Mr. Harding has his hand up. You obviously wish to comment on that.

36:42

Yes, sir. Please. Andrew Harding messing with action group. Mr. Ewing just said that there will be some degree of commonality, we have a standard for Mr. Guyot, who represents national highways, saying there is no commonality. We anticipated and went to considerable efforts to have a meeting with national highways to try and find some common ground to try and assist inspectors. We have actually submitted a paper in the meantime, that tried to cover some of the issues here. The fact is that we could not even agree an agenda national highways refused to include items that we consider to be vital on the agenda they refused to send people we consider had authority to actually consult. And were simply once again going to meet with us to tell us what they wanted to do. So at this point, lawyers acting for national highways have said in writing, there is no commonality. They also promised after the abandonment of that meeting, which is now five weeks ago, that they would send as a matter of urgency, explanations for the issues that we had raised, we still do not have that. So despite our very best endeavors, we have been completely unable to reach any kind of agreement with national highways or indeed their lawyers. And that even extends to agreeing an agenda. Thank you.

38:14

Thank you, Mr. Harding. I think Mr. Taylor wants to respond.

38:20

To tell you that, sir, thank you, Reuben Taylor national high res. So you will have seen from documentation already provided, for example, the emails about the attempts to set up a meeting in as hyphen 065 The nature of the correspondence between national highways and the action group, and you will, of course, a flavor of the relationship from that national highways has done all that it can do reasonably to set up meetings, it's been prepared to spend significant resource and time to get meetings. Those meetings have not been either held or fruitful for various reasons. But you will be able to see for yourself from the material we've already got. But why those meetings haven't borne fruit. Sometimes parties in these sorts of processes can't agree. And this is I'm afraid one of those times, we will be setting out a deadline seven, the vision that we've got to in relation to the action groups representations, and hopefully, you will find that useful. Thank you.

39:38

Thank you, Mr. Taylor. Yes, we will. We will look at the final submissions and they will be helpful. Does anybody else wish to say anything on statement of common ground? Okay, and my colleague, Mr. Hunter wishes to say something.

39:56

Yeah, thanks. Um, I just got a question for the applicant and In relation to the stems are congruent with Network Rail because they made a representation at our EP 6108, where they referenced that there been discussions and they received a further draft that had significant different and a new points in it. So I just wanted to get an update on on that, if I could. Apologies if you mentioned it, and I missed it.

40:27

So I'm not sure who from the applicant will pick that up. That's Mr. Fernandez or Mr. Taylor.

40:34

So I think I think would think Mr. Goodwin is going to take off, he's just having trouble getting his camera on. There. We always managed it.

40:42

My name is Andrew Goodwin for national highways. With regard the stems are common grounds with Network Rail. There are a number of matters that obviously we're trying to move into into agreed. There were a few matters that those that we thought were very well progressed and network were still asking if he points on. So we've agreed to keep those under discussion. And that will enable us to submit a agreed stems of common grounds at some deadline seven.

41:18

Okay, thank you. That's helpful just to clarify that Thank you. Good.

41:26

Thank you. I see no more hands up relating to stem to common ground. So I'm going to hand over to my colleague Mr. Goss on Item five on the agenda land use.

41:42

Thank you very much,

41:43

Mr. Wiltshire.

41:45

Couple of points we got on the agenda here and dealing with them in reverse order. We did ask a question about the fisheries at our our third set of questions. I'd like to explore both with Essex and the applicant as to where they are. It seems as though with the removal of what was originally proposed that there might be some agreement. And Catherine Evans might also want to comment. So can I ask him perhaps Essex to come in first and say where where they think they are with the footpath beneficiaries. Thank you.

42:32

Sir Michael Humphries for Essex County Council. And you can see I now have on my left, Shirley Henderson, who was the officer who's been dealing with this, who can elaborate My understanding is that national highways are looking to provide the root south around the fisheries and the county council would be content with that. If you want more explanation then that Luke can elaborate on.

43:09

Thanks for that. Mr. Humphries. I think it would be quite helpful if at some stage we had a plan that was lodged, which I assume will come in at deadline seven. I don't know if Kathryn Evans wants to say anything on this. I think she had previously indicated that she might like to comment.

43:28

Yes, good afternoon, Mrs. Evans, chairman of the local access forum. I think we indicated deadline six, I think it was that we were very content with what Essex County Council have proposed. And I and I believe that national highways have agreed that it now goes from the fisheries, the where the existing path is, along to the wet meat data as a

44:01

thank you, Mrs. Evans. I think that's our our understanding. You know, from my point of view, it'd be really useful if we could just have a plan at deadline seven, just just making that clear. So there's no misunderstanding at all, but certainly the view of both ethics and life is that national highways have agreed to the proposal. And they're concerned that that was highlighted previously. I don't know if the applicant wants to say anything at all on that, or shall we move on to Gershwin.

44:39

Sorry, yeah, I'll come in there. It's Chris ForeverGreen. And on behalf of the applicant and a plan of the streets rights away and access plans in this area was submitted at deadline six. I just grabbed the reference for those. And actually if nev if you're able to put that on the screen. It's that's better than giving a reference but it's rep said Thanks, Owen for Fantastic. Thanks, Neve. So yeah, as as everyone's indicated, and there is the previous page, page eight on this as well which shows how it connects to the footpath the name of which escapes me that goes adjacent to the river brain under the 812 providing the connectivity into Witham. But yes, I mean, I don't mean to, to go into too much detail on this, because, as I understand it, all parties are in agreement here. But this does show the route, how it goes across the A 12. Using the brain bridge, rather than essentially looping back to the proposal for braxted. Lane Bridge, which and the right screen. Thank you.

45:42

That's really helpful. Thank you very much. And good news that we seem to have a broad agreement, a broad agreement on that. Can we just touch on, we're on now to the Gershwin Boulevard bridge. And we did indicate we've we've put it up on the on the website that we did undertake an inspection and an unaccompanied site inspection of this. On June 16. We found mr. Lomax his documents very helpful. We had all the other neighbors who'd made representations. And the details of that have been put up on the website, the references EV O to A under Events and hearings, if you want to see what we did, but we actually started the site of the proposed bridge looks around that. Then we went back, as indicated in the inspection note, the other companies inspection note went back to the Boulevard to where the the the actual alternative site were was coming. So we've had a look at that in some detail. Two or three weeks ago, it was, as we say, and accompanied. So there were no representations for either residents or from national highways. It was just the three of us who made a personal inspection. So that was really, really helpful for us to do and to get a close feeling for for what was being proposed. We're also aware that wrapped rep six oh 94 There's been a further representation bite made by the applicant with a summary note, which made a number of additional comments. And I'll ask them to, to make a comment in a moment. But they did emphasize their request the requirement contained in Section 136 136 of the Planning Act, which essentially, what we requires them to provide a route. And we've heard previously from particularly from Essex, that they really are expecting that there will be a bridge in one place or the other. So can I turn to the applicant and say we are aware of this further

representation summary note? Is there anything that you'd like to add at this stage? And then I'll see if mr. Lomax wants to say anything else? Thank you.

48:52

Thank you very much, sir. So as you as you say, and I think you've done a lot of the introductory work for me, we're obviously aware that the panel attended all of his drive on the 16th of June and and of course that the applicants submitted at deadline six, the Griffin Boulevard issue summary note and and I don't think it's in anyone's interest for me to read it out verbatim here. But but just to pick up on the pertinent summary points, which is as you as you say, with reference to to section one through six of the Planning Act, the applicant is firmly the position that the most appropriate location for the bridge to replace the the informal crossing that exists today is that is the one that's presented in the data application. It provides a minimal diversion to the existing footpath one to 195 across the 812 and provides connections north into western or south towards footpath 12196 and the James Cook woods and Easter blue Mills Hill on the Blackwater Rail Trail and beyond those those locations, the applicants proposed replacement land increases public space in the vicinity of the bridge, from nought point three five hectares loss of the footbridge to 2.1 hectares of new green space. The proposed bridge provides connections to this open space and facilitates onward journeys to Witham Riverwalk, Blackwater Rail Trail and blue Mills Hill, the wet meet nature reserve and onwards to little braxted Lane. And finally, in summary, the applicant does not believe that the alternative proposal should be taken forward because it does not create a route to the replacement, Landsat 812. And wider rates of rights of way network I've already described. The land required to deliver the bridge in the alternative location is outside the covenant current permanent landscape required and would change the special category land and replacement land proposed. And we would need to provide justification to acquire that title. And it further increases the diversion of the public right of way in the range of 550 to 600 meters by relocating the crossing point approximately 300 meters west of its current excellent position. Thank you.

51:02

Thank you very much indeed, for all those comments. mr. Lomax, we have seen your representations that you've made on a number of occasions, and also those of your neighbor, various neighbors. I just wonder if there's anything else you briefly want to add at this stage?

51:24

Well, first of all, I'd very much like to thank the examiner authority for taking the time to come and look, because I think without seeing it, you wouldn't see the impact it would have on our neighborhood. I think I would dispute some of the points that the gentleman from national highways has just made. In particular, the diversion of the footpath. If you see on the plans, there is actually a track that runs along the north side of the environmental reclaiming. area, definitely a 12, which could easily be used to make the footpath link to the additional land space that they provided. And if they will use that for it, it would make the diversion a couple of 100 meters, not the 600 they've talked about. But generally speaking, I think that at one of the previous SSH meetings, I think it was the last one, one of the other participants talked about national highways, reluctance to admit they've got something wrong. I think he's perhaps not quite as extreme as that. But I do think they do make changes. And I think this is a case where the consultation was inadequate. They've put a smokescreen in that document that you've referred to talking about the consultation. But people know that there's a dual carriageway going past a few 100

yards away, they don't know to go and look at the detailed plans to say, Oh, someone's decided to park a bridge in our back garden, which is effectively what has happened. And you know, that consultation, nothing, nothing was highlighted to people that there was something that was actually worth going to look at in those consultations. So I think pretty much is a smokescreen. But generally speaking, I think the perceived procedurally aside, I think the the relative arguments that myself and my neighbors have put forward for the alternative location, and how it provides everything that Essex County Council and national highways want in terms of connecting the footpath.

53:31

Oh, sorry, sorry, mr. Lomax,

53:32

you, you're you're going in and out. Perhaps I know ethics have got a hand up. Would you like to comment further? Ethics come in at this stage. Thank you.

53:48

Sadly, so Michael Humphries, again for Essex County Council. Two points, the first point on the location of the bridge, we have no preference, but the second point is important. We have already set out our view that there needs to be a link from the bridge to help help bridge all lane. So that's the lane that you'll see on the plans slightly to the west of the proposed location of the bridge, we regard as as important as linking up various routes in an appropriate way.

54:40

Thanks, Mr. Humphries and I think Braintree council have made the same point that they think it most important that there there is a bridge which national highways which I think all parties accept, particularly in view of the statue requirements. So We have seen representations there. We've had a close look on the ground a couple of weeks ago. And we will continue to take that account of that. So all of you thank you very much indeed for, for your contributions there. And we certainly will can continue to consider the position. I'll now pass to Mr. Hunter who's going to take the next item on the agenda. Thank you.

55:33

Thank you for that, Mr. Geiser. I'd now like to move on the next agenda item is to do with the gas pipeline in particular. At the last hearing, the applicant confirmed that they had some discussions on detailed designs were ongoing with cadent gas, and in particular regards to proposals for not drilling both under the river and the woodlands at Blue mills to avoid any tree roots. In the submissions after the hearing, the applicant indicated they expected to be able to provide a React commitment on this matter at deadline five. We've seen that there has been some changes to the reactor at deadline six in particular changes to commitment at bei 51, it would be really helpful to do so the applicant just update us on where they are with these discussions with Caden gas. And in particular changes around the React whether the DL six submissions are the changes or whether there are further changes proposed to the React valinda as discussions to ask the applicant please.

56:40

Andrew Goodwin on behalf of national highways. Yes. So we had hoped to be able to make the React commitments at deadline five, the discussions regarding that react commitments and some of the technical matters. So enable the applicant to be in a position to make that that commitment was still ongoing at deadline five, by deadline six, the additional work commitments be I 50 was included. And that alongside the commitments, bi or eight we believe, to be adequate. So, you know, to give the assurances that are required that we will use or install the pipeline using no dig techniques. Make sure the line and depth will be selected to minimize impacts on the woodland protected by the tree preservation order. And in particular, the back the black poplar, and auto halt.

57:43

Thank you for that. Just a point of clarification for me if I could actually which is we've got the React and I think the reference, you've got LV 15. And then you've got bi 50. We then are by hell? Sorry, first the trenchless techniques such as horizontal drilling and potential directional drilling. Yep, the 15 just refers to no dip techniques. So I'm just trying to understand, are they one of the same? Or Should those both be identical in terms of the wording just to just for clarity, and and everybody sort of clear what is what is proposed.

58:21

Andrew could jump off national highways, to my understanding. So they're both sort of non technical, generic terms for the same thing, I not open cuts. There are many methods for drilling, tunneling, etc. And they're just both both of those descriptions are sort of generic terms for that.

58:41

Right. So they both refer to that same process. Okay, that that's helpful. And that was the only questions I had in relation to the gas pipeline itself. Is there anybody on the call who's got anything that they wish to raise it at this point in relation to the gas pipeline and that element of the scheme? I've seen one hand up go from I can only see one, which is a finger to Annie keen first.

59:15

Yes, thank you. This is an area of Uncommon Ground between districts

59:20

just before character just to get just that. Thank you.

59:27

Scenario One common ground between on district council on national highways which concerns tree protections around the gas pipeline diversion. Law and District Council remain concerned about the level of protection afforded to the roots of the black popular within the blue Mills nature reserve, which national highways own assessment determines determines as a veteran tree. The council would like national highways to confirm the distance of the root protection area being given to the black popular to ensure it comes to no harm during the gas pipelines array. Voting operation. Thank you.

1:00:05

Thank you very much. And if I could just if I go back to the applicant, I've got another hand which is Mr. Cathcart. If I could come to you please.

1:00:14

Yeah, it's Mark Cathcart, talking on behalf of myself and you came to our land, I own the blue Mills nature reserve. I'm still not clear what the actual route is. Because there's quite a stretch along the river where the trenching wire from the tunneling may go under. So I wondered if the actual specific route has been determined yet. And also, is there a commitment that under that entire stretch that we own, it would be tunneling, or not trenching?

1:00:55

Thank you for that, Mr. Cathcart. I think that'd be helpful to get the applicant to view both on those two points. But also on the the question in terms of the root protection area for the black poplar, so if I could go back to whether it's Mr. Goodwin or whether it isn't the applicant be helpful to clarify that.

1:01:13

Good afternoon, Alex Jewell representing national highways,

1:01:16

just to respond on the first point made by any key and we'll come back to you on writing about the distance of the root protection zone for the black Poplar.

1:01:24

Okay, thank you for that. And then in terms of the points from from Mr. Cathcart in terms of the route and the process for construction within the land that he owns. Mr. Goodwin?

1:01:45

Yes, the

1:01:47

we don't seem to be able to hear you, Mr. Good. There we go. Thank you.

1:01:50

Thank you. Yes, the routes is still to be finally determined. But I think that the key thing that we have been able to get to and to answer Mr. Golf Carts point there is that it would be a no dig trenchless technique and it wouldn't be an open cuts installation.

1:02:12

So just to clarify that that's within the nature reserve in the area that we visited as part of the complete site inspection.

1:02:21

The react commitments bi 50 confirms that's the woodland that is protected by the the tree preservation order. That is that that react commitment is applicable to.

1:02:36

Okay, thank you very much, Mr. Cathcart.

1:02:43

It's that last point that I'm confused about the rear commitment in relation to the TPO. There's also a part of that nature reserve, which appears not to be covered by the TPO, which is reedbed. And if I remember, when you came to see the site, it clearly was reedbed. In the nature reports from I think it was castagne, which formed currently part of the DCO documents. It says it's nettle bed. And so I've got two questions. One, is that going to be corrected? And second, is the commitment when I said the land or the blue most nature reserve the land that you visited? Is it a commitment for trenchless across the stretch of that land? Or is it only on the TPO? area? Thank you.

1:03:43

Thank you, Mr. Cathcart. That will be helpful to sort of seek some clarification on that, because then that's that's an important aspect. So perhaps Mr. Goodwin can come back on that for us.

1:03:57

So the commitment the area covered by the tree preservation order. That does not mean though, in the detailed design that we wouldn't. Well, we are still looking at that route switch, which could include the full area. But that is all still part of the detailed design. And it's matters that we need to discuss in detail with cadent to ensure that we've got the right design both to look at the environmental mitigation, but also for their ongoing maintenance of that pipeline.

1:04:33

Okay, so just to clarify, so at this stage, it's just the area that subject to the tree preservation order that will be covered by the React component. So I only ask because you just cut out briefly at the start of what you were saying.

1:04:46

And triggered during National Heartland Health national hallways? Yes, sir. That is correct.

1:04:50

Thank you. Mr. Cathcart. So you've got your hand up again. How can back to

1:04:57

you? It's Mark Cathcart and be offered from Myself and the blue minerals nature reserve. So given the answer that Andrew Goodwin has just given, it suggests that there is a possibility that there might be trenching, across the blue most nature reserve, specifically within that DCO arena, that will be reedbed. So my question is, Have I have I read that correctly? Second question is, what would the access be to unable to do that, because to get access, other trees would have to be cut down to get access? And the third, if you were to trench, what provisions are you going to take to protect the reedbed in its future redevelopment, and secondly, the wet woodland, which is right next to it, which is actually the TPO where the wet woodland could actually be destroyed, in terms of its wet nature, because of the

trenching. So therefore, the specific value of the wet woodland, and its rarity in our countryside is effectively still under threat from the Canaan gas pipe from Andrew Goodwin's answer. So I'd seek clarification on those points, please.

1:06:15

Thank you, Mr. Caca. I think your understanding mirrors my understanding, but I wouldn't get Mr. Goodwin to explain that. I think the way you've set that out is, is how I understand that. But if Mr. Goodwin could also pick up those comments in terms of access, and another side of things as well.

1:06:33

Yes, Sir Andrew, good evening for national highways. So there's there are a number of points they're raised there. And I think it's probably best that we respond back to those in writing.

1:06:44

Okay, I think I think that will be helpful, but I think it would just be if you could just confirm to Mr. Catco, that his understanding is correct. I think that will be that will be helpful, I think.

1:07:01

I think we need to take that away and look at it. So.

1:07:05

Okay, I'm just conscious we are rapidly running out of time. And there isn't a great deal of time from deadline seven. Mr. Cathcart.

1:07:15

Yeah, just a brief comment. We wish to point out the rarity of wet woodland, and also the rarity of reedbed. But we'd like to underline that the nature commentary given by national highways in nature surveys was incorrect. It's certainly not nettle bed. And I believe the inspectorate when they visited would confirm as such, we are happy to send photographs of the area to show it's definitely reedbed. And to underlying that inland reedbed is very rare. And it's obviously essential for the animals that benefit from it. And also, it's very, very difficult, if not impossible to recreate wet woodland, and reedbed outside of the areas where they naturally develop.

1:08:09

Thank you, Mr. Cathcart. There is an opportunity at deadline seven for you to submit what you sort of said today and what you've outlined today. So I'll leave that with you should you wish to provide further submissions in terms of what you've said in writing? That would be that'd be fine. And then, in terms of where we are, I think the applicant is going to respond to you in writing and provide, excuse me provide some further detail and responses to those questions. I don't have any further questions in terms of the gas pipeline. So I'm proposing that perhaps we move on to the next item on the agenda, which is looking at river crossings. And in particular sort of discussions that are going on with with the Environment Agency. Before just getting into sort of where those discussions are just like to sort of just ask a question around the Water Framework Directive, if I could, in particular, based on the the environmental agency submissions, DL five, which I think are EP five, zero 31. It stated that the FAA

doesn't currently agree that the applicants Water Framework compliance assessment, which is up 159 has demonstrated no catchment scale deterioration, and that position doesn't appear to have changed and their DL six submissions. And further I think the steps of common ground between the parties identifies that the Water Framework assessment is marked as currently under discussion. So perhaps if I could just start with the Environment Agency, if I could just to confirm whether the information submitted at deadline six from the applicant has changed your position in this regard to the Water Framework they're at and if not, can you confirm what specific information is required to address their concerns about catchment scale deterioration

1:10:03

The curl boat for the Environment Agency. I believe the answer to your question is no. But I think it might be helpful if I bring Mr. Carr into to comment on on your question. So I'll pass past appoints Mr. Carr. Thank you.

1:10:23

Hello, James Carr for the environmental agency. Yes, there are a number of risks involved, that we feel just aren't covered by by the particular threat of the culvert crossings. Fish Passage in particular, is not always a problem with culverts. But we do know that a lot of COVID have, because they narrow up the river, and they destroy all the riparian habitat, and basically allow a concrete tunnel to for water to pass through. They don't have the habitats that that fish require, in in some cases such as eel which can't travel upstream against strong velocities of water, so we're not entirely happy. That eels and other fish will be able to pass upstream through all these culverts, the speed, particularly new culverts, and we have compared concerns over those issues. If fish passage has one. One point where it they can't travel up. Fish can't move through through location because of the of the works to it, then that will cause Water Framework Directive across the whole catchment. Because the fish obviously cannot. We can't we cannot through any other works reach a solution whereby fish passages resolved in the whole catchment. We're doing a lot of work to remove barriers, but these culverts are putting in potential new barriers. And we've got no guarantee that there won't be problems with these and they'll certainly be some deterioration at a local scale, if not at a catchment scale is working out exactly where that tipping point is. That is very tricky. We are we will be reviewing reviewing the technical notes on the culverts. That's that's been submitted before the next deadline.

1:12:32

Okay, thank thank you for that. So just to sort of finish up that that question on the Water Framework Directive, many this is probably directed more to the applicant and then yourself, Mr. Carr. Given that the environmental agencies, the statutory adviser, and from what what I think we just heard, they don't agree with the applicants Water Framework Directive compliance assessment. In the event that we're not able to, we're not able to agree with the environmental agency. We as the FAA would need information to get the Secretary of State who in this respect is the competent authority in respect to the DC application regarding a derogation under Article 4.7 of the Water Framework Directive, given the limited amount of examination time left was slightly concerned on this point, and in particular, so is the applicant able to provide a derogation test on a without prejudice basis? If that question makes sense to you, Mr. Taylor?

1:13:30

Reuben Taylor for national highway? Sir, I'm not sure I understand the premise of the question. If there's a dispute on the assessment between the applicant and the Environment Agency, are you suggesting that the ESA and therefore the Secretary State has to accept the Environment Agency view, rather than determine which assessment is the one to be preferred?

1:13:57

I'm just making sure that we're covered in terms of the response that we provide to the in terms of the recommendation report that we need to make and the Secretary State has got everything they need in front of them to make a decision.

1:14:10

So I think I think the applicant's position would be this. First of all, it is provided a full assessment in relation to compliance with the with the Water Framework Directive. that's evidenced and in front of you, the Environment Agency has not there's no assessment from them. There are various assertions made, there are criticisms made, but there is no alternative assessment. That's the first point. So you have to weigh up the evidence. And you have to see, in essence, where there's a dispute who's right and who's wrong. If in that process, you then came down in favor of the Environment Agency view, and I think what you're asking for is more information about the derogation position, and we can certainly provide That to in writing? I'm afraid I don't have the details of that today.

1:15:04

That is that, in effect is a much more summarized version of what I was trying to ask, in terms of having that information should should we choose to? Or should we recommend that the environmental agencies, the way that we go is having that derogation test at the Secretary of State has that information and agree that that may well be on a without prejudice basis from from the applicant? But it's having that that at that point, should we choose to go down that route?

1:15:29

Okay, well, we'll make sure that you get that I don't know whether we'll be able to do that for the deadline seven, given how close it is. And given the weight of other material that we're we're working on at the moment, we'll do our best.

1:15:42

Thank you very much.

1:15:45

In terms of what a framework, there are two that that really sort of there's nothing else I wanted to ask on that. What I wanted to then sort of find out mainly from the applicant, and the environmental agency may actually sort of hopefully answered that position is sort of where we are in terms of the discussion, because I think Mr. Carr said that they were looking to respond to the applicants submission, deadline six by deadline seven. But if I could get a we could get sort of an indication of where discussions are at at this stage. And potentially sort of an idea of where we may well be by the end of the examination, that'll be helpful. So if I could ask the applicant, please.

1:16:24

Reuben Taylor national highways, sir, as I understand it, there, there was a meeting earlier this week, I think, with the environmental agency matters are discussing or being discussed. But it has to be said that the position of the parties is to think fairly entrenched on the the issue about the coverting. We've set out our position in detail in the technical note that you had at deadline six, which is rep six, at hyphen 095. I don't think we've had a detailed response yet from the Environmental Agency. And that's, I think the the response that Mr. Carr was alluding to just a few moments ago, in terms of where we're likely to get, it doesn't appear to us as if there's going to be any agreement reached. And so we will be making full submissions on the points relating to coal that's in the closing submissions.

1:17:29

Thank you for that, Mr. Taylor, Mr. Carr, or anybody else in the Environment Agency, was there anything that you wish you'd to sort of add in terms of what we can what we can expect from you, in terms of that response to the submission from the applicants, I think on one of their having a section four, point 5.15 of their technical notes, they set out a number of points that they would like to see some information on. So it's just question of whether you're gonna be able to do that in time and what can expect for you by deadlines, seven,

1:18:01

said countable for the Environment Agency. Mr. Fernandez did in relation to talking about the statements of common ground did talk about the issue of Maine river crossings as under discussion, but I think that a more accurate description will be not agreed. And we can't see how agreement could be reached in the couple of weeks before the examination closes now. So we're still very much in disagreement with national highways on the issue of the proposed coverting as part of them propose main river crossings that are part of this scheme, and we had hoped that national highways might come round to our point of view in the course of the examination might consider amending their scheme. They haven't done that. Our position is that clear span bridges are infinitely preferable from an environmental point of view. And we're still not in entirely clear why the applicants have basically stuck to the position that they have. Mr. Mr. Taylor, did comment that about the I think he's making a point about lack of evidence, but you have the expert opinion of Mr. Carr who, who obviously has significant expertise in this area. I think he'll correct me if I'm wrong. His title is catchment coordinator. And he's very knowledgeable on on this issue. He in His submissions has referred you to a considerable body of scientific literature, which, if I can put it this way indicates that coverting is a bad thing. We will we will respond to the technical note that Mr. Carr mentioned, that appeared on the the pins website on the 16th of June I understand we will not sent it directly. I make no criticism on that score, but the fact remains that we first So it's on the 16th of June. We do intend to respond to it in detail, although it's called a technical note that there are quite a lot of legal submissions in it as well. And I'll obviously be assisting Mr. Barrel and, and Mr. Khan on that score. So that's, that's where we're up to, sir. I'm conscious that you did ask for a position statement on matters that were still on dispute by the end of the examination. And perhaps if I could clarify, we we can aim to, to answer what is a very lengthy submission. It's fit. It's nearly 50 pages long, I think. But there are two deadlines as the the third of the third, sorry, the third of July deadline, which is deadline seven, and then obviously, deadline eight, which is the close of the examination. And we could try and answer all these points by Monday. But if

we could have until till the close of the examination that would assist because there is a lot to deal with, in fairness to the applicants, some of the points or points that have been raised before, but there are some new points raised. So that's our positions.

1:21:15

Yeah, that that will be that'll be helpful to get that. Mr. Taylor.

1:21:20

So can I just raise some concerns about that way forward? Because if new points are going to be raised that deadline eight, we won't have an opportunity to respond to them. And there is a basic issue about fairness that arises in those circumstances, can I suggest if the environmental agency is going to be making detailed points, that they need to be made a deadline seven, so that there is an opportunity for the applicant to be able to respond the deadline? And

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thank you, sir. I think that's a useful point. Because, again, it doesn't it doesn't help us if we don't get the responses to the responses.

1:21:57

So I think

1:22:01

whether the environment agency needs to respond, probably not respond, but I think it's just there for for that information, I think that will be procedurally the correct way to do and to allow the applicant to sort of come back on those.

1:22:12

So thank you. And the other aspects I just wanted to to explain is that the there is a fundamental disagreement about the approach the policy approach to take to coverting between the applicant and the environmental agency. We've just heard the the basis of the case from the Environment Agency is that Colbert's bad the applicants cases founded firmly within the policy and can be found within the the NPSL N, and particularly paragraph 525. And that contains a policy test that no significant harm should be caused. The applicants conducted a very careful assessment of the consequences the comer has proposed, and that assessment concludes that no significant harm arises. Thus, there is no the mitigation hierarchy, which requires avoidance of significant harm, is not engaged. That's the basis on which the applicant puts his case, as you have heard today, and indeed would have seen in writing the environmental agency position is that there should be no harm of whatever degree Cole was Bicol was saying that we say that approach is inconsistent with the approach and the MPs. Indeed, that approach set out in its own internal guidance is inconsistent with the national policy supplies to the determination of this particular infrastructure proposal. And indeed, as far as we're aware, is in any event, simply internal policy and has never been subjected to external consultation. And so we say, should be given little weight. So we say our approach is entirely consistent with the relevant policy. And it's entirely justified. You'll have seen that from the documentation. I say nothing more about that. Again, it's a matter we'll return to in detail in closing submissions. Thank you.

1:24:21

Thank you, Mr. Taylor. Mrs. Bolt if I could come to you.

1:24:28

Yes, that that. Thank you, sir. We obviously disagree with I think everything that Mr. Taylor has just said, although I don't believe it's our case that we're saying there should be no harm at all in what happens but we'll explain what I'm I'll be corrected by Mr. Carr, if I'm wrong about that. But I don't really see the point in arguing out our respective cases right now because that's not what this hearing is for, as I understand it. We're more than content to to produce written submissions. By the third of July, I do take your points about the the the issue of, of the applicants getting a chance to respond to our comments, although I would point out that some of these points could have been made before. And we're now answering a very lengthy document in a very short time. So I'd just like to, to make that point. But we will, we will submit our response by Monday, and then the applicants will have a chance to comment on it. And, and then obviously, you will close the examination on the 12th of July. Thank you, sir.

1:25:36

Thank you for that clarification, that that's helpful. I don't have anything else in terms of that, that item on the agenda, and I'm not seeing any other, other hands up. So I think that now moves on to the the other. Next item, which is item eight, which is review, we have issues and actions arising, I think the applicant probably has a list of sort of what needs to be done. But the ones I think we'd emphasizes is the response on the blue male side of things and that discussion that we've just had on on the environmental agency. But that's more for the environmental agency than than the applicant to come back on those. So Mr. Taylor, I'm guessing your team, we've got a list of actions to keep them busy for the next few days.

1:26:18

I think that combined with the other things, we've got to deadline, several will keep us busy. Pretty much 24 hours a day for the next few days. But yes, we got that list. Thank you.

1:26:28

Thank you. Okay. Moving on to item nine, which is any other matters? Does anybody in the virtual room have anything else that they wish to raise? At this stage? I'm seeing a shake of head from the applicants. Mr. Taylor. Thank you. Okay, thank you. I'm not seeing anybody else put up any hands at this stage. So I'm taking that there's no other additional matters, or any other matters to be discussed. So thank you for that. That now sort of moves me on to the close the hearing. So we just like to thank you all for your sorry, I've just missed the guys may have a question. Apologies. So yeah, just like to thank you for your participation in the hearing, which has been extremely helpful and useful. Given that I'm now closing the hearing, there'll be no need for us to resume again tomorrow morning. A digital recording the proceedings today, we made available as soon as possible on the project page of the infrastructure website. And in addition, I request that you submit in writing any points that you made here by the next deadline, which is deadline seven, which is Monday, the third of July 2023. The time is now two minutes past one. And I declare this issue specific hearing for the President, a 12. Chancellor

to a 120 widening scheme is now closed. Thanks very much, and good afternoon, and there'll be a compulsory acquisition hearing as well, commencing at two o'clock so thank you very much.