



Hearing Transcript

Project:	A46 Newark Bypass
Hearing:	Compulsory Acquisition (CAH) 1 – Session 2
Date:	09 October 2024

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00:05

I make that 12 o'clock. So it is time for the hearing to resume. We'd basically concluded on Item three, and we're moving on to Item four on the agenda, which is in respect of statutory undertakers, conscious that we don't have any statutory undertakers present, but if we can just explore these matters with the applicant. In any case, what we're concerned with here is seek to understand the applicant's current position in respect of sections 127, and 138 including progress on negotiations, those remaining, which have no sort of objections, which are remaining but have not been withdrawn. The current position of negotiations, whether they're unresolved concerns relating to statutory Undertaker's land and rights and apparatus, can the applicant just take us to the highlights of the current condition of negotiations with statutory undertakers? Well, I think we're most interested in here are any particular outstanding matters, rather than anything else. So are there any particular issues that are are there.

01:24

Thank you, sir Jonathan Bauer, for the applicant. In terms of the statutory undertakers concerned, there are four statutory undertakers who have made representations. There are three who have land interests in the affected by the order the canal and river trust, National Grid distribution, East Midlands PLC and Network Rail infrastructure limited the third statutory Undertaker is RWE generation, UK PLC, but they they don't have any interest in land affected by the order, but they have made a relevant representation, and that relates to their interest in the operation of state power station. So for the purposes of Section 127138, is our understanding that that isn't applicable, but I thought it would be important just to raise them as a as a statutory Undertaker, just so that we made sure that the examining authority was aware of them, but they haven't made a representation in relation To any land interests affected by the order. In terms of where things stand with the the three statutory undertakers that I've referred to, I can provide a brief overview of the current position. And then if there are any specific questions, of course, that any of you have got, then we'll only be too pleased to assist.

03:08

I suppose, if I give a precursor that rather than have specific questions, it's sort of areas where we could touch on. I suppose it's if you can address some sort of progress of discussions is basically we're at statement of common ground and protective provisions, where you've got to with those. Understand, you'll be updating those during the examination. But you know, we're conscious of the time of an examination, so there's a point of general application, which is the operation of that ticking clock. We're in a statutory time scaled examination. The examination will close on the eighth of April next year. So as a matter of practice, we, as an examining authority, wish to do our utmost to report to the Secretary of State on the basis that positions between parties are fully understood in that they are either agreed and that there's therefore a broad supported position and objections removed, preferably to be put before the Secretary of State, or if agreement is not possible, that we've got the information in front of

us to make What amounts in adjudicatory recommendation to the Secretary of State, what we are distinctly don't want to be put in the position is because it's not good reflection on our professionalism as an examining authority. And the discharge of the secretary of state's position is sort of said the prefer Bill kick the can down the road a bit, and suggest that there are certain matters that the Secretary of State might undertake further consultation or outstanding matters around the resolution of matters, particularly in things like the protective provisions and. But the decision period is not a period to do that sort of thing, to the extent that anybody has had concerns about the potential extending durations of decision periods, which is an issue. And one of the observations I would make is that it's important that processes are not loaded into those examination that those sort of post examination periods so that there were never statutorily meant to be used for those purposes. So if we've got outstanding matters, obviously they need to be resolved rapidly and moved to a point of understanding of what the principal disagreements are, or whether or not there is the potential for resolution. So that's really where we want to get to. We want to understand where we're at the minute, what what the trajectory for resolving those are, and what the likelihood of being able to get those resolved within the time frames of the examination and to ensure that hopefully we're in a position where we've got agreed protective provisions and any objection to withdrawn.

06:12

Jonathan Bauer, for the applicant at the points in relation to the time line for examination and the need to secure, will hopefully secure agreement on the protected provisions and any other agreements which sit alongside is heard very loudly and very clearly, and from experience of other examinations, it is a point that is not unnoticed. I can give you that assurance that work is taking place, and perhaps if I give you a very brief update in relation to them. And the first point is nothing has been highlighted as any barrier to reaching agreement with with those three statutory undertakers in relation to the canal and river trust. Draft protected provisions are being provided and are being reviewed with a meeting set to take place next week, as I understand, to work through the practical implications of the works being carried out. This isn't the first engagement, I hasten to add, but it's the next stage in the process, and then any amendments to those protected provisions would be included, and it's it's the current expectation that agreed protective provisions, Once settled, will, of course, then be included within the draft order, noting the final opportunity to provide a draft, updated draft DCO is obviously not the end of the examination. It's prior to that so the timeline in relation to finalizing protected provisions to fit into the timescales for submission of the draft DCO will be accommodated in relation to National Grid distribution East Midlands PLC, the applicants currently waiting comments and approval of the protected provisions. And there's an associated, albeit it doesn't necessarily need to concern the examining authority, but an associated Asset Protection Agreement which sits alongside those protected provisions. And then finally, in relation to Network Rail alongside the protected provisions as an agreement which you might be familiar with from other schemes called a basic Asset Protection Agreement, or a bapa, that was signed and returned to Network Rail in August, and the applicant is following up with network rails asset protection team to secure the signed agreement of that. It of course, does take two parties to finalize matters. And whilst we will be impressing the deadlines upon the statutory undertakers, it is reliant upon their engagement as well, but as as I say, sitting alongside that then is finalizing the negotiation on protected provisions as well. And just back to my sort of overall comment, there's nothing being identified that is preventing those progressing, but desire from the applicant to to get those finalized as soon as possible. I don't know whether Mr. Sutton has got

anything that you want to add in addition to that, but that's by way of overview where we are with with those stature undertakers. And I should say that the A bit like the the agenda items in. And return to Item three, which applies to compulsory acquisition, temporary the position in relation to Section 127, for acquisition of land, and section 138, in relation to acquisition rights. It's it's a it crosses over

10:18

Mark Sutton, on behalf of the applicant, no further real detail. On the back of that say that the progression and the meetings and the discussions have been commencing through since prior to statutory consultation. We've got a good level discussion going on, particularly those three individuals, and we'll be addressing their the points in the statement of common ground and the response to the relevant representations have been raised in parallel with the negotiation of protected

10:55

provisions. Jonathan just one final point, really, so in relation to the fact that the protected provisions can also deal with other statutory undertakers to the extent that there is a need for protected provisions to be provided. There are the general ones you'll have seen in the in the relevant schedule of the development consent order. But those, those are the three statutory undertakers who the applicant is actively engaged with to finalize agreed protective provisions with those with those parties. Yes,

11:29

sometimes I've seen protective provisions for the EA, and we haven't seen any of your statements of common ground. So I'm not sure that whether or not they're anticipating anything of that nature are the EA expecting to be included with protected provisions, and how's that progressing?

11:55

Jonathan Bower, for the applicant. I mean, at the moment, protected provisions are not being sought with the EA, as the scheme is not looking to disapply flood risk activity permits, etc. But if that position were to change, then obviously we would engage with the Environment Agency to seek to finalize protected provisions. But just to be clear, at this moment, we're not seeing identified a need for them.

12:35

Thank you very much. Don't have any statutory undertakers, so most of the IPs or APS seem to have the spirit. So nothing there anything online don't appear to have anybody raising any hands. So we'll just move along. So the next item, Item five, I have Crown land, another special category land, again, this is as much just giving you an opportunity to give us an update on where we are. So can we deal with Crown land? Firstly, can you just update us on where you're getting along to with that? Any milestones that you can give us any sort of visibility on and when you anticipate you might reach some sort of agreement, or what sort of agreement is going to be necessary.

13:26

Jonathan Bower, for the applicant, thank you, sir. Yes. So just to be clear, there's one parcel of land which has been identified as Crown land. It's probably best described as an I can't even say it an anomaly in the sense and it's plot two, six, a for the record, it is land which is beneath existing Highway. It is land where the original owner of the land has gone into liquidation, or the original owner of the

freehold, the subsoil has gone into liquidation, and so as a result, under the process of bona vacantia has reverted to the crown. And also the Secretary of State for Transport from 1981 is the beneficiary of an agreement in relation to that land, my working assumption is that that related to, and as we've seen, it relates to a contract for sale of that land to the Secretary of State. But that contract, and presumably at the point that the original highway, a 46 was delivered, but that was never completed, and the the the freehold transfer never took effect. And so that's why the the Secretary of State for Transport is listed in the in the title. So. Crucially, you need to know what's happening. So two things. The first is that, because this has been occupied as highway for several years, the applicants exploring with the land registry to make an adverse possession claim in relation to that land and the pace of progress with the land registry is not quite as as quick as one would hope. It doesn't proceed in the same set timescales as an examination, but that is, that is that process is underway, and secondly, seeking to also resolve matters through the bonava county department within government to seek to secure title in that way, it is probably at best described as a precautionary approach to treating the landers as Crown land, because strictly, I don't think that land, which is bonava County, is necessarily classed as Crown land. And then secondly, because the Secretary of State for transporters is the beneficiary of that 45 year old agreement. Or I think yes, at a 45 year old agreement, that's why they've been treated as cautiously as it being Crown land. It's not anticipated that section 135 consent would be required, but we try to explore all our avenues to try and deal with this anomaly. Do

16:43

I suppose, from our perspective, what we want to do is get an understanding of when or where there might be a resolution to this, or what the approach is that you want to advocate to us so that we've got that set out. So if your indication is you want it not to be treated as Crown land, but in other ways, then you need to set out why you think that's the case and justify that. And then we've got the information in front of us to enable us to conclude that that's an appropriate approach, and then to recommend to the secretary of state that they adopt that approach, or how we resolve this matter. So I suppose it's just ensuring that you put something in front of us to confirm the position that you want. I appreciate that until you've done some of your diligence around these issues, that you might not be in that position, but the sooner you can get to that position that you're comfortable with and can put that in front of us, then the better, given what we've seen already, I don't think there's a huge issue there, given that it's a small area, and as you say, the nature of what that land is and the interest that there are in that land, but we just need to ensure that we get it resolved.

18:06

Jonathan, for the applicant, yes, sir. And as as I've outlined, and you've understood the there are the avenues which are being progressed to try and get to the resolution as quickly as we can. And that's why we train twin tracking that process, and in terms of we can formally set out in terms of our written summary of this hearing our position, such that you've got that on the record, in addition to what we've just said today, and we will keep the examining authority updated at the appropriate time. It may be, of course, that there's a question waiting for us, for us to respond to, so we will respond to those questions as well as putting it into our written summary of this hearing.

19:00

I think that would be helpful, that your position is set out and in terms of any of the matters that are in the written questions, which may overlap with some of the matters that we've discussed at the hearings. I'm comfortable with just receiving signposts between them so that you don't need to sort of restate cases and duplicate information, you just sort of say yes, C, paragraph x, in statement y, so yeah, signposting is fine.

19:29

Jonathan, bad for the applicant, that's extremely helpful and appreciated. Thank you. Applause.

19:42

Crown land, other special category land. We know that the applicant has confirmed that the order land does not include any national trust land. Moreover, they do not identify any commons, including town or village greens or fuel or field guard. An allotment. We obviously don't expect this to change over the examination, as you will have made diligent inquiries to get to the position to make this statement. However, if anything arises during the course of the examination, please draw to our attention as soon as possible. There are a number of plots identified as open space, and therefore just seeking a little bit of an update in respect of unresolved concerns relating to 131132139, if there are any.

20:34

Jonathan bow for the applicant, thank you, sir. Yes, as you've quite helpfully set out, the only special category land left remaining to address now is in terms of open space. There are three principal areas. And if I can refer the examining authority, please to chapter seven of the statement of reasons, section 7.2, that details the various areas of land and the justification why exemptions apply in relation to the relevant areas of open space. I can run through those in In summary, should you wish, but suffice to say that the there are areas which are required for temporary possession. There are areas required for the construction of highway and or widening of the highway, and in respect of drainage of Highway, which using the the exemptions in section 131, and section 132, of the of the Planning Act 2008 mean that ultimately there's no need for the applicant to seek to rely upon special parliamentary procedure, which is probably relief to all consent.

22:04

I think so. I think also just, are you aware of any parties who may have an interest in any of those plots that may well raise any objections or concerns to the justification that you put forward.

22:23

Jonathan bow for the applicant, no, sir, not aware of any, albeit, part of the land is interested with the canal and river trust. And so as part of the discussions with them, the practicalities of the works will form part of that discussion, but not aware of any specific objections being raised at the moment

22:46

and that that will be picked up to the statement of common ground and any protective provisions and things of that

22:55

nature. Jonathan Baffin, yes, yes, it would be. I

23:10

Okay, I think that deals with item five. So item six, then I've just got a

23:18

specific item just on human rights. And as you were shadowed earlier, then, that needs to be balanced against the compelling case Item six we were relating to human rights and the equalities duties. And here we're sort of seeking a brief summary, again, of the applicant's position in respect of the engagement of the Human Rights articles and the equalities duty, including the circumstances where they think they may be engaged, and what measures you've sought to employ or processes that you've adopted to address any possible breaches. Just very generally, run through that firstly dealing with articles eight and six of the Human Rights Convention on Article One of the first protocol you know, are you aware if there is a need to highlight any specific cases where interference of human rights needs to be brought to our attention? And then, similarly, are you aware of a need to highlight any specific cases or examples where the equalities duty may be engaged or breached. So it's just sort of, are there any warning flags there for us?

24:31

Jonathan Bower, for the applicant, thank you. So before I just address that you mentioned in the previous agenda item, the last point to you wanted to cover with section 139 and just just to close that point off, that only relates to common land, and as as there is no common land, I just want to make sure that we know that that's doesn't apply in the instance. Thank you, right. Thank you. Jonathan Baff, the applicant, so moving on to human rights. And also equalities. If I can refer, please the examining authority to Chapter Six of the statement of reasons you've helpfully just set out the relevant articles to be addressed, and those are contained within the agenda for the hearing. Article One protects the rights of everyone to peaceful enjoyment of possessions and provides that no one can be deprived of their possessions except in the public interest and subject to the relevant national, international laws and principles in terms of the applicant's case that set out in paragraph six, point 3.3 of the statement of reasons that there is a compelling case in the public interest for the compulsory acquisition, which is demonstrated in chapter five of the statement of reasons, and also in the separate document, the case for the scheme where the applicant has sought to acquire the minimum amount of land to deliver the scheme. And a point which came out in the open floor hearing in response to the First Lady who spoke, whose name I didn't quite hear, just to reaffirm that in six point, 1.1 of the statement of reasons, this confirms that no residential properties are being acquired for the scheme. Article Six entitles those affected by compulsory powers sought in the DCO to a fair and public hearing of any relevant objections they may have to the granting of the powers, and this includes property rights and can include opportunities to be heard in the decision making process. Um, from a the applicant's perspective, I just refer the examining authority if I made paragraph six point 3.4 of the statement of reasons. And throughout the development of the scheme, the applicant has given persons with an interest in land a full opportunity to comment upon the proposals, both in statutory and non statutory capacity, and the applicant has endeavored to engage with land interests. And we, we Mr. Sutton, set out earlier where amendments to the scheme had been made in response to feedback received as part of the consult consultation. And so the applicant has had regard to the feedback in both the initial

design of the scheme and then with iterative design changes throughout the life of the scheme. Examples of those design changes are set out in chapter five, section 5.7, of the consultation report, and we've not referred to that so for the benefit, it's a PP, hyphen 28 and annex n of the consultation report evidence regard had to the consultation responses we've set out in Section six points of paragraph six, point 3.5 of the statement of reasons where the opportunity for people to be heard has arisen, and the ability to engage in the process, and that arose so far in this examination, yesterday, in the open floor hearing, where one landowner spoke, and who also appeared today, along with some other landowners. And the applicant will be continuing that engagement with those landowners, and they will have the opportunity to be heard on their site specific issues to the extent that those who haven't been addressed by the time the next compulsory acquisition hearing takes place in the week of the second of December, in terms of Article eight, the right to private and family life Home and no public authority can interfere with these rights except such as in accordance with the law and is necessary in the interests of national security, public safety or the economic well being of the country. And just to reaffirm it's the applicant's case that there is that compelling case where the public benefit outweighs that private private loss set out in in the second statement of reasons. I'll pause there to see if you have any questions, sir in relation to human rights before moving on to equalities issues.

29:16

I'm fine. Thank you.

29:18

Thank you. Thank you, sir. No,

29:19

no, we're okay

29:23

in terms of the equality duty. This is, of course, something that lies with the Secretary of State in her decision making. But in order to assist the examining authority and also the Secretary of State, firstly, perhaps it would be helpful just to outline what the what the duty is very briefly, and then I'll touch on some of the aspects where the applicant has had regard to those protected characteristics. So the section 149 duty need to eliminate unlawful discrimination, harassment, victimization and other conduct prohibited by. Or under the act as duty to advance equality of persons who share protected characteristics and those who do not, and foster good relations between persons who share a relevant protected characteristic and persons who do not. So the applicant has undertaken equality and equality impact assessment, and for the record, that's a PP 195 and that's been to consider how the scheme may have direct and indirect impacts, and how it would contribute to equality. Also the mitigation measures embedded into the scheme, along with the ongoing actions of the eqia, should seek to minimize any adverse impacts of the scheme and provide benefits for a number of equality groups. What that equalities Impact Assessment also did, sir, is to use an equality, diversity and inclusion tool to assess those impacts. That is all set out in the eqia. And I just wanted to highlight a couple of aspects in relation to the engagement with landowners and affected persons so far, so that you can understand some of those those points. But it is out. It is as all set out in the equality impact assessment. So in f point 1.5 sets out how the applicant has adjusted their consultation due to notified

protected characteristics. I won't go into what those protected characteristics are, but and they obviously are not specific to any individuals, but they it is set out in F, point 1.5, and but it does also set out how, how engagement with a particular community was adjusted as well. In f point one, point 5.1,

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she just outline which particular community that

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was believed. Yes, sir, it was. It's with a gypsy, Roma and traveler community.

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Is that the community on Toni lane? Yes, sir,

31:59

I believe it is. We

32:01

were aware that there's also a potential Gypsy, Roman traveler site next to bridge house, kennels on Winthorpe road. Has any approach been taken with that community as well?

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Jonathan bow for the applicant, yes, I'm instructed that it applies to both communities. Thank you.

32:30

So in Jonathan Baird, the applicant in Section 6.5 of the statement of reasons, you will note there that the applicant has stated that the equalities impact assessment will continue to be developed throughout the remaining design and construction stages of the scheme, but the assessment concludes that the mitigation measures, in combination with the ongoing actions, should minimize any adverse impacts. No considerable impediment was identified to the scheme, but monitoring will be ongoing. Should there be a need to update the examining authority in relation to that equalities impact assessment? Then that would be forthcoming. But there is nothing identified at the moment which requires any adjustment to that EQ IA to be made.

33:18

And Did you receive any feedback from those two gypsy Roma traveler locations, we haven't seen any relevant representations, for example, coming from groups.

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Jonathan Bower for the applicant, we've not had any formal written feedback from them, but obviously there is adjustments can be made in terms of how that engagement takes place, but there's been nothing formal in writing from from them.

33:44

Thank you.

33:57

Jonathan Bauer, for the applicant. I'll pause there to see if there's any further questions that you may have in relation to equalities impact,

34:11

not that's fine. Thank you.

34:19

Jonathan bow, the applicant. Sorry, sir, I'm happy to move on to agenda item seven, if you would like. But I didn't want to Yes,

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I think we're concluded with the Human Rights inequalities. I've got nothing further. None of my colleagues have anything further. So we can move on to item seven, which is funding. This is the final substantive matter in the session. I wanted to discuss, I think what we wanted again was sort of updates to the funding statement and whether adequate funding is likely to be available to enable the compulsory acquisition to proceed within the statutory period, following the draft the CEO being made if that were to be the decision. Okay, again, I've got a couple of observations. National Highways as an entity within the funding framework provided to it by the road investment strategy is obviously in a very different position in relation to operation of funding within an examination, and, for example, an in principle, sole private sector applicant, if the proposing commercial acquisition can't draw on the Treasury funds from a strategic commitment to a project by government, and so they have to demonstrate their funds at the readiness to deal with the global extent of potential compensation liability that falls upon them. Let anybody else has any comments to submit to us? To the contrary, I think our starting view would be that it's not the case in relation to an entity that is essentially a government owned company providing a project within the framework of a government strategic position. So I would just give people the opportunity to comment on that, whether, in reviewing this statement, they can come back and writing to us, but I don't think that we've got a particular issue with that. It's probably a second observation, and it may be something that you're expecting and you were going to comment to us on, but obviously there's been a recent change in government, and they've made a number of statements about the difficult position with which it is faced, and in the context of what we're discussing in this examination, they have announced at the start of the government halting further work on a couple of road schemes which have received consent. I guess what we're wanting to understand is whether or not there's any change in commitment there that you're aware of there's an underlying remaining question about government commitment to schemes in Riz two, and even beyond that, whether there has Any that would have any implications for your funding statement, or the availability of funding to meet compensation liabilities in due course. I suppose what we want to understand is whether or not you've got any visibility as national highways on that matter. And you may just tell me not until the budget or the or, should I say the autumn statement. So I suppose it's something we want to keep an eye on as things may well progress over the period of the examination, and as soon as you have anything available or aware of, or any visibility of, let us know. But is there anything that you want to draw to our attention at this point.

38:03

Philip offy, I'm the Senior Project Manager for the a 46 new bypass, representing national highways and the applicant the with regards to the compulsory acquisition funding, that funding has already been approved and authorized, so that is something that is available to the scheme right now. With regard to the wider funding, you've made reference to new government and the fact that they are in the process of carrying out a strategic review of transport and infrastructure. Clearly we form national highways forms part of that that review, but until we have the information back from that review, we will be continuing with the current approvals that we have in place the

39:15

I suppose there's not really much else we can say to that, other than just, you know, as as and when information becomes available, then the earlier that to put into the process, the better for everybody, so that we can understand where that position is. We just keep, keep us updated on that, as all of that can suggest to that. I

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we can cover on funding, but yes, sorry,

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Philip Buffy, for the applicant. Just regarding the budget, it's not anticipated. We'll have any information regarding the strategic review. Two but the budget may show what funding is available for national highways through the start of the roads investment strategy.

40:08

So what's the timescales for the strategic review?

40:15

I don't believe they've given one on the website. Sorry. Philip, off the applicant. There isn't one on the website at the moment, we don't know it's the answer.

40:26

And following the government's allocation of funding, said you'd know generally what national highways would have. Is it a national highways decision or a government decision as to which projects are funded the

40:42

Secretary of State for Transport is sorry Philip Buffy for the Secretary of State for Transport is the sole stakeholder for national highways, and we take the Department for transport our licenses from the Department of Transport and we deliver the schemes and projects that they ask us to deliver.

41:07

Thank you.

41:19

Okay, I think that concludes item seven, which is the funding statement. So moving to the sort of conclusions any other matters? I don't think that there's anybody else here who can raise any other matters with us. Not sure if national highways have got any other matters they want to raise with us.
Jonathan

41:44

Baff, the applicant, other than perhaps if we were able to record the actions. And it might be that Mr. Love is moving on to that. I'm just

41:51

about to move to that. Thank you. Okay, if there's no other matters with us, then I think there were one or two action points. I'll just ask Mr. Love to confirm those.

42:04

Thank you. Mr. Stone, yes, I've only noted down two action points because those matters we discussed in item seven and item five were more, I thought already captured in the timescale timetable, and would be updated anyway. So my first action point I have noted is for the applicant to check the reference in the case for the scheme examination library reference document a PP 190 and to up, to make sure the reference to the national policy statement for national networks is 2015 document of 2024 I did have a check during the during the break there, and my understanding is it's quite clearly to the 2015 document. So it might be something we could clarify now.

42:56

Jonathan bar for the applicant, yes, like like you. We, we also check the position and because the that was the relevant NPS at the time that the application was made, that is the salient one. But when we update the well, to the extent that we need to update the statement of reasons, we can make reference to the fact that it was the previous NPS that that cross reference is in relation to, we

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are in sort of a horrible situation with regard to that, because, obviously, the application was submitted at a certain date and accepted into examination on the day of the new NPS coming into effect, which obviously is the meaning that we have to test and examine the application in the context of the 2015 NPS. But obviously it is a significant consideration the new NPS. But yes, you could pick that point up.

44:06

The second point I have down is the applicant will provide details of the sifting report that informed Riz two, and that was all the action points I noted down.

44:19

Jonathan Baff the applicant. Thank you, sir. They were just three of the points which are not necessarily action points, but the points that we will make sure are addressed, which is to update the examining authority in relation to the position on Crown land, to pick up in relation to open space with the statement of common ground with the canal and river trust, and then the final one was to the extent that

there are any updates in relation to funding arising during the examination, then we would update the examining authority accordingly. So.

45:00

Thank you. I think given the limited number of action points, and those matters are set with you, rather than other parties, we won't publish a action points list, which sometimes occurs. I think we're consciously that we will pick those up. So we're happy with that, so we won't be doing that. To confirm that position. I think that's everything, then nobody else here. So can I just remind you the submission of written summaries of your oral cases be put into the examination by deadline, one which is Tuesday, the 22nd of October. So all that leaves us to thank everybody for your attending and participation today. Time is now 1245 and the compulsory acquisition hearing on the strategic case is now closed. Thank you. Applause.