



## Hearing Transcript

<b>Project:</b>	A46 Newark Bypass
<b>Hearing:</b>	Compulsory Acquisition Hearing 2 (CAH2) – Session 1
<b>Date:</b>	03 December 2024

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# AUDIO\_A46\_CAH1\_SESSION1\_2024-12-03

Tue, Dec 03, 2024 2:50PM • 1:31:17

Good morning, everybody.

It's now 10 o'clock. The hearing is open. Applause.

Okay, before we start, can I just check everybody can hear what I'm saying, and you can hear me clearly at the back. You're good. Thank you very much. And I also confirm with the case team, we're online, and everything's working well, I'd like to welcome everybody to the compulsory acquisition hearing relation to the application made by national highways for an order to grant development consent for the a 46 Newark project. My name is Kenneth stone. I'm a chartered town planner, and I've been appointed by the Secretary of State as the lead member of the panel to examine this application, along with my colleagues Paul Burley and David love and I'll ask them to introduce themselves, Paul,

good morning. I'm Paul Burley. I'm a chartered town planner and an examining inspector for nationally significant infrastructure projects at the planning Inspectorate.

Good morning. My name is David love. I'm a chartered town planner with postgraduate qualifications in ecology and a practitioner member of the Institute of Environmental Management and assessment. I'm an examining inspector for nationally significant infrastructure proposals with the planning Inspectorate. And back to you, Mr. Stone,

thank you. You will also hear to hear us referred to as the examining authority. Our role is to examine the application and to report to the Secretary of State for Transport with the recommendation as to whether or not the development consent order should be made. The application seeks consent for a scheme that comprises online widening of the a 46 the north of the existing route for most of its length, between farnd and roundabout and the A one, followed by a new section of offline dual carriageway proposed between the A one and Winthorpe roundabout, where the dual new dual carriageway ties into the existing a 46 to the west of Winthorpe roundabout. The widening works include earthwork widening along the existing embankments and new structures where the route crosses the Nottingham to Lincoln and East Coast Main Railway lines the river Trent and the A one the roundabouts at Farndon and winter will be enlarged and partially signalized, while the cattle market roundabout will be grade separated by elevating the a 46 access to the a one to and from the a 46 will be improved by upgrading the Brownhill and friendly farmer roundabouts Planning inspectorates. Case team here today is

represented by Ewan Keats as the case manager, and he's supported here today by Tim Hall, a case officer at the back of the room. Remotely we have Jessica Weatherby online as a case officer. Please don't hesitate to talk to any of the members of the case team. Should you need help today? Some housekeeping matters before we go any further, can everybody please make sure that your phones are set to silent or turned off. Toilets closest to the Great Hall are down the ramp and over to the left, over to that in the event of a fire, there are four fire exits. Please make sure that you familiarize yourself with the nearest exit to you. Fire evacuation assembly point is near the tennis courts on the front lawn, and to get there, you need to walk through the car park, past the Business Center. For anyone with any mobility issues, there is a ramp to use. And as far as I'm aware, there are no scheduled fire drills for today, I will now deal with a few preliminary matters before I move to the substance of today's agenda. Today's hearing is being undertaken in a hybrid way, meaning that some of you are present with us here, here at the venue, and some of you are joining us virtually, using Microsoft Teams, we will make sure that, however, you have decided to attend today, you'll be given a fair opportunity to participate. If you are participating virtually and you wish to speak at any point in the proceedings, please use the raise hand function, and we will invite you to speak at the appropriate time. Alternatively, please turn on your camera if you're happy for your image to be seen and recorded, so that we can see that you wish to speak. The hearing is being both live streamed and recorded, and the recording will be available on the a 46 New York bypass page of the national infrastructure website shortly after this hearing. Includes for the benefit of the recording, please, can those present ensure that you speak clearly into a microphone, stating your name and who you represent each time that you speak? If you're not at a table with a microphone, there is a roving microphone, so please wait for these to be brought to you before you speak for those people observing or participating remotely in order to minimize background noise, can you please make sure that you stay muted unless you're speaking? A link to the planning inspectors. Privacy notice was provided in the notification for the hearing, and I assume that everybody here today has familiarized themselves with this document which establishes how the personal data of our customers is handled in accordance with the principles set out in data protection laws. Please speak to the case team if you have any questions about this. Anyone who speaks at this hearing must do their best not to give any information which should be kept private and confidential, such as health conditions or an address. If you submit information in writing or at hearings which is considered by pins to be personal data, it will not be published or considered as part of the examination. If you have questions about personal data, you may speak to the case team or access the nationally significant infrastructure projects, advice pages. In this vein, I would mention, if you do want to tell us something about where you live today, because it is relevant to what you have to say, Please give a general location without mentioning a specific address. You

Yes, the hearing will follow the agenda published on the national infrastructure website in the 25th of November, 2024 the examination reference library. Reference Number is EV 2003, and it would be helpful if we had a copy of that in front of us so could, I could ask the applicant to display that please. Thank you very much. We'll scroll through that as we move along. In terms of substantive matters, the agenda is focused on the individual objectors to compulsory acquisition and temporary possession, who have notified us of a wish to be heard at a hearing in relation to compulsory acquisition and temporary possession. The agenda is for guidance only, and we may add other considerations or issues. As we progress, we will conclude the hearing as soon as all relevant contributions have been

made and all questions asked and responded to. But if the discussion cannot be concluded, then it may be necessary for us to prioritize matters and defer other matters to written questions. Likewise, if you cannot answer questions being asked or require time to get the information requested, then can you please indicate that you will respond in writing, we'll probably have a mid morning break, I suspect, around 1130 but that depends on where we are in the agenda, and conclude this hearing by lunchtime, as we've got an afternoon session on a different matter, when we Take breaks for those who are participating virtually, you'll need to ensure that your cameras and microphones are turned off so that there's no leakage of information or other matters. So I'll now move to introductions. I'm going to now ask those of you who are participating in today's hearing to introduce yourselves. Could you introduce yourself, stating your name and any title you wish to be addressed by, and if appropriate, who you represent. If you're not representing an organization, please just confirm your name and summarize your interest in the land which would be affected by the proposed development. I will start with the applicant and their advisors. And if you could just tell me who will be speaking on your behalf in the principal parts, if you can just do that in terms of your initial speakers, and if we're going to introduce other parties, we can introduce them later, later in the day. Applicant, please Good morning,

sir. My name is Jonathan Bauer. I'm a solicitor and partner with Womble bond Dickinson with the legal representatives for the applicant. I'm joined by some colleagues at the table here, and as and when they need to speak, they'll introduce themselves at the appropriate time.

Thank you very much.

Can I now move on to organizations and individuals who. Have expressed a wish to attend and again, please, can you introduce yourselves and tell us which matter you're going to speak on or what point you're going to raise? Let me start with local authorities, statutory parties, Newark and Sherwood District Council.

My name is Raj Gupta. I'm a solicitor and a partner at Town legal, and I'm representing nuke and Sherwood District Council in relation to their land ownership.

Thank you, Mr. Gupta,

do we have any representative from Nottingham county council? Nottinghamshire County Council?

I have nobody in the room, and I appear to have nobody virtually. Thank you. We did have canal and river trust as an original indicator, but we received an email from them to indicate that they would not attend this morning's meeting, as they were making good progress with the applicant and didn't need to

so we will not have canal and river trust this morning. I now move on to affected persons who have objected to the compulsory acquisition or temporary possession of their land or interest. I have a number of objectors there, so if I can just ask each of you to introduce yourself. Mr. Miller,

yes. John Miller, effective person. I have interests in the farnd and East and farnd and West flood compensation area, and I'm also tenant on parcel three, 2k, and 315, a.

Thank you very much. Mr. Miller,

yeah. Mr. Thompson,

good morning. James Thompson, joined by my wife, Beth, representing the land at Langford Hall and Langford hall itself.

Thank you very much. I have got some representatives from the charity of Thomas Brewer,

yes, good morning. I'm David barthorpe.

David,

I'm treasurer and Secretary of the of the charity, joined by my colleague Lee kamach, who is chair and who will take the lead for us, our interest is on plots, six, two, a to six to D, adjacent to In thought roundabout. Thank you.

Thank you very much. Applause.

Do I have Peter westler from aldergate properties I

Okay, don't appear to have Mr. Whistler, Mr. Hatton, good morning. My

name is Adrian Hatton. I'm the landowner at rectory farm and have land in the airman Callum flood compensation area, possibly easiest to describe my plots as the whole of plan seven, with the exception of Plot seven slash six Alpha.

Thank you very much. And then I have Paris dot solar representatives from that, yeah, Mr. Cook, my

name is James Cook,

an associate planner with serious planning. We're the agents for the planning application that's currently being determined by Newark and Sherwood District Council on behalf of Peridot solar our interests are to do with Callum flood compensation area

plots seven. Uh, seven, 4e, primarily.

Thank you very much.

Morning, sir. My name is Chris Cook, no relation. I represent Peridot solar. We have an option to lease land for a solar development on involving on plot seven, slash 4c, D and E, primarily the flood compensation area.

Thank you very much. That is everybody that I have there. I do have somebody online who wishes to introduce themselves. Let me go to the online

Hello. Sorry. Can you hear me?

I can indeed. Hello.

My name is Amanda Beresford. I'm a partner and solicitor at law firm Schofield Sweeney. I am representing lindam developments limited, and I'm accompanied by Dean Bauer, who is a representative from Linden, who's also online. We are concerned to express our concerns around plots 15, A, B and C, which affect my clients, land which is to the west of the Newark Showground. Land, it's the plots that concern the diverting of sorry, the creation of a cycle way and footpath across my client's land, which is allocated for employment development.

Thank you very much. Whenever we come to that, you can explain your issues at that stage. Thank you very much. Let me just check if there's anybody else that we i

i have an indication that there's a Mr. Brocklehurst who has joined online. Mr. Brocklehurst, do you wish to speak at all, or can you just indicate what the interest in the issue is? I

Okay, I'm getting nothing further from Mr. Brocklehurst, so I shall move on. I

So before I move on from introductions, is there anybody else here who would wish to speak, whether in the room, no or virtually? Hands up, no. Hands up. Okay, I shall move along. Then. Can I just reiterate the point to all participants today for the purposes of the recording, it would be beneficial to us if each time you speak throughout the hearing, you state your name and if you're representing somebody who it is that you're representing, as I mentioned earlier, the event is being live streamed and recorded and will be available to view on the a 46 New York bypass page of the inspectorates website. Anyone watching on live stream or at a later date has the opportunity to make any comment about matters covered in this hearing today or deadline four, which is Friday the 13th of December. I'll just make some comments about the purpose of the compulsory acquisition hearing the application for the proposed development includes a request for an order granting development consent to authorize compulsory acquisition of land, or compulsory acquisition of an interest in or right over land or the temporary possession of land. This hearing is to enable the examining authority to hear and examine the objections of individual affected persons. This hearing will help us to consider the issues raised and whether relevant legal and policy tests applicable to compulsory acquisition and temporary possession proposals have been met. Purpose of the hearing is to consider the matters on the agenda, which is published on the 25th of November. And for anyone who does not have a copy of the agenda, we will get that displayed on the screen as we move through each of the items. It's not appropriate to display documents that haven't previously been submitted as part of the examination. So if you propose to refer to a new document, that document will need to be submitted along with your written summary of your oral submissions so that it's formally entered into the examination and other parties will have an opportunity to view and comment. On it. If during the course of the hearing, we need to refer to a document, we would use the document reference in the examination in the examination library. The objective of the hearing today is to develop the X rays understanding of the issues. The expectation is that we as the examining authority, will lead on questions. Although there is a provision for direct questioning by interested parties, should that be necessary? But that is to be done at our discretion. I would remind participants that the applications for development consent orders are examined principally through the written process. However, hearings can be held to examine matters where this is helpful to the examining authority. There is a subject matter controlled agenda, and this means that the matters for discussion today are those identified on the agenda. Parties with an interest in land that is affected by a compulsory acquisition request are known as affected persons. All affected persons have been notified of this compulsory acquisition hearing, and they have a right to be heard in relation to any objection about the effect of a compulsory acquisition request on their interests in land. We have

notified all those parties affected by the application for the proposed compulsory acquisition powers and held a compulsory acquisition one to provide an opportunity to comment on the applicant overall approach. In October, this is now the opportunity for those who have made or are making a substantive objection to the use of the proposed compulsory acquisition powers or requests to be heard to address us on an individual basis. At the appropriate time, I will call each of those persons who have registered to speak to address the examining authority with their points. At that time, I would ask that you introduce yourselves as to who you are, and if applicable, who you represent. We will be examining the application for compulsory acquisition rights in the context of the powers provided by the Planning Act, 2008 specifically sections 1222, and 1223, link to that legislation is available on the main national infrastructure planning website of the planning Inspectorate. But in brief, we will need to test and advise the Secretary of State on whether the land and rights that are sought are required to build or facilitate the proposed development, whether there is a compelling case in the public interest or the land or rights to be acquired compulsorily, and that What is sought is legitimate, necessary, reasonable and proportionate. We will also be mindful of the advice set out in the government by the government in its 2013 publication, the Planning Act 2008 guidance related to procedures for the compulsory acquisition of land, which is also available from a link in the guidance section of the main national infrastructure planning website, our deliberations and decisions will also be guided by relevant human rights legislation, including the European Convention on Human Rights, articles six and eight and the first protocol of Article One, ultimately, while considering whether to recommend or allow the application for compulsory acquisition part respectively, both we and the Secretary of State would take great care to weigh any interference with human rights against the public interest associated with the benefits of the proposed development and ensure that any interference is considered both necessary and proportionate. It is for the applicant to demonstrate that the all of the proposed compulsory acquisition powers that it seeks are justified within this framework, that all reasonable alternatives compulsory acquisition have been explored and that there's a reasonable prospect of it having the funds available to implement any compulsory acquisition rights that may ultimately be granted by the Secretary of State in the time allowed within any development consent order. While there is a clear and obvious link between our examination of the proposed development itself and our examination of the application for compulsory acquisition and temporary possession right, the two are tested on their own merits, according to the case and whatever our ultimate recommendation to the Secretary of State, it is possible that they could grant the valid consent, but not some, or any of the requested compulsory acquisition or temporary possession powers. We should stress that we will form a view over the full course of the examination on each of the requests for compulsory acquisition powers, and whether or not there's a compelling case in the public interest, and not just in the submissions and evidence put before us today for the purpose of this hearing, we are assuming that the representatives of the applicant are reasonably familiar with the legislative policy and guidance framework. And with the process that the examining authority and Secretary of State will go through, for those of you who less used to compulsory acquisition hearings, we should explain that there may be a number of principal documents that are referred to, including the development consent order, land plans, explanatory memorandum, statement of reasons, and the book of reference. These are all identifiable on the examination library and can be found within the examination Library. In preparing for this hearing, we have looked at all relevant material, including the statement of reasons, explanatory memorandum, and various chapters of the environmental statement, and all of these are again available within the examination library. The land plans identify all relevant parcels of land and include a label for each that



cross references to the book of reference. The Book of reference includes a comprehensive table that lists each parcel of land, the power sought and everybody that has been identified with a legal interest in it, it was the applicant's responsibility to undertake diligent inquiry into the existence of all such affected persons in advance of making the development consent application. The statement of reasons sets out in detail where the applicant believes there is a compelling case in the public interest for it to be granted compulsory acquisition powers in the draft development consent order, and that these are necessary, proportionate and justified. Finally, may we remind you that the focus of today's hearing is explicitly on the individual cases of those affected persons who have registered a request to appear before us in relation to the applicant's proposed compulsory acquisition and temporary possession powers, and we will not be taking any submissions or evidence on any other aspects of the proposed development itself, including its merits or wider concerns. There will be other opportunities to write or speak to us on these broader aspects later in the examination, and these are set out in the timetable. If you have other issues that you wish to raise, you can address those in written submissions at relevant deadlines or in other hearing sessions proposed in the timetable. And we're having a number of hearings this week. Similarly, we cannot take evidence on the eligibility for or the quantum of compensation that may be sought or awarded to an individual, affected person or the application of the compensation code. This is strictly outside the scope of our Terms of Reference

to complete if you're in any item about the purpose of the hearing, may we request that all affected persons who make an oral representation today to submit a follow up written summary of their oral submission after this hearing by deadline four, that is Friday the 13th of December. Written submissions should be based on your reposition today, rather than adding new material, but they can include more detail and CO operative or supporting evidence, such as plans. For those of you who haven't attended proceedings such as these, there is necessary formality, and we would ask that you refrain from interrupting people who are speaking. These are most unhelpful to us and potentially disruptive to those who are speaking. Where I come to the substantive agenda, Item on the individual representation, is there anything of a more general, procedural nature that anyone wishes to raise with me, nobody in the room, and I'll just check virtually no hands raised there. I will then now turn to deal with the individual site specific representations of those affected persons who wish to appear before us in relation to compulsory purchase and compulsory acquisition and temporary pedestrian let us move to the individual sites. For the individual sites, if we can just throw up the agenda item, we've got agenda item three. What that states is that we will ask each party to provide for us in their their presentation or their their representations to us a number of matters. And if I just run through those at the start, I don't have to do that for each party. But if you can confirm the plots that you have an interest in, do that by reference to the book of reference and land plans and outline what the nature of your interest in that land is. If you haven't got the full details of those land plots or whatever with you today, then make sure that in your written submissions you include that and specify specifically and particularly. By the land plot, I would ask that you provide us with an outline of the current scope of objection your objections and taking account of any progress in negotiations with the applicant. And I would ask that you can confirm whether compulsory acquisition and or TP powers are objected to and why you're raising that objection. It would be helpful if you could identify what the relief is that you're seeking. And it would be also helpful if there are any hardship issues, if you can identify those. And then finally, if it is relevant, whether or not you're raising any human rights act rights or the public sector quality duty matters are

engaged, and what considerations you believe emerge from that. So if I now then turn to each of the individuals, I'll call you as a particularly So, can I ask Newark and Sherwood District Council, first of all to speak to us? Mr. Gupta,

thank you, sir Raj Gupta, town legal representing New York and Sherwood District Council. So can I just mention first of all that I will have to leave at 1130 but hopefully that will inconvenience you.

Okay, thank you.

I wonder would reference to the plots? We've got quite a few plots, and I wonder it might be possible to put up on screen page three from the land and works plan. So I can perhaps explain with reference to the plot numbers, nukes, land holding you.

So I was hoping perhaps the applicant might be able to do that. But, um, if not, I can simply describe it to you.

I think the applicant is working on it. So if you could describing it, and then hopefully it'll come up.

Certainly, the land holdings affected are in two categories. Primarily, it's a lorry Park, which is

used, I don't know if you've had a chance to look at it as an examining authority, but it's, it's it's used frequently by by the float industry. It's a major source of income for the council. It employs five full time, seven part time staff. The second aspect look that I'd like to touch on is effectively the entrance to the council's main offices, which is subject to temporary possession powers and which need to be regulated. Otherwise there's a risk that the council simply wouldn't have access to its its own offices. So those are the two things that I'd like to speak to you today about and describe. Yes, here we are. Thank you. It's sheet three. I think I

so if you can see on the roundabout, if you go south from that, that's Lloyd Park. And if you could just scroll down a little bit so we can see the whole context. So the lorry Park is broadly that triangular area, most of which is white, some of which is pink, some blue and some green. The plots that are to be permanently acquired are plots 13 free. Three, so 314, A, E, G and J. And you can see those are mainly in the sort of north and northwest corner, but also going down to there in addition, there are a number of plots which are subject to temporary possession and easement, or the acquisition of easements. So that's largely the area shown in blue. That area is shown. In blue is plots 14 B, 14 b1, 14 C, 14 D, 14 F, 14 H, 14 I, 14k and all of those plots, apart from 14 b1, and 14 H, are also subject to

the acquisition of easements. Those easements vary some. In some cases, they're restricted covenants, but in every case, they include a right for national highways to pass and reparse over the land and so effectively sterilize land so it can't be used for for anything apart from access. I hope that's helpful in describing the land subject to powers. But if there's any questions you have, please do ask otherwise. I'll move on to what we're looking for and where we are in negotiations.

Thank you, Mr. COVID, you just said that, due to the easements, the land can't be used for anything other than access. Could it not be used for LORRY PARKING?

If a lorries parked on a piece of land, we would be infringing on the easement acquired by national highways to pass and repass over that land.

And so does that affect the capacity of the lorry Park?

Yes, two things that affect the capacity, obviously the permanent acquisition of the pink land and any acquisition of easements, unless those are regulated in any way by agreement.

In your representations, you've said the capacity would be reduced by, I think it was 30% does that take account of the pink land and the easements?

It does. It's also subject to the possibility of reconfiguring the car park to mitigate that loss of capacity, which is subject of negotiations, which will come on to right.

So even with the easements in place, there may be no loss in capacity,

there will still be a loss in capacity. It's difficult to say at the moment, because we do need to undertake a design of the reconfiguration of the Loy Park to take into account a loss of land to both easements and to and permanently. So we don't know what loss capacity will be at this point. If nothing were done, there will be a loss of capacity of 30% but we're hoping that will be limited. Let

me just briefly go to the applicant on this point, please, on the easements point in particular and why there's a prohibition on parking lorries. What's the purpose of those easements?

Jonathan Bauer, for the applicant, my understanding, sir, is that it will still be possible to use the blue land for parking of vehicles.

Is that where the easement would be yes

on the on the blue land being the rights land. So in particular, sir, parcel 314, B,

thank you. So where does this difference in opinion arise between what Mr. COVID has just said and what you've just told us. Jonathan

Bower, for the applicant, I think it boils down to the negotiation that is taking place between the parties on the basis that the original position is set out by the council in terms of potential capacity impact was taking into account if, if the land were to be sterilized on the blue land, as we heard said. But I think perhaps, as Mr. Gupta is going to be coming on to say, is to update where the parties have reached in terms of negotiation, he's also touched on the further work that they need to undertake in order to understand the reconfiguration works and any potential impact on capacity. But I don't want to speak for Mr. Duncan to update us in terms of where we are on negotiations, but perhaps I can come back once.

That's fine. Thank you.

Okay, so Mr. Gupta, do you want to then continue? Certainly,

can I? Can we just scroll down a little bit on that plan? Because I just wanted to mention the entrance to Castle house, which is the council's main offices. And you can see that's at block 314, H. Yep, just to explain temporary possession, I'm sure you're aware, but just in case, temporary possession can either be exclusive to the applicant or can be shared with with others. That's at the applicants or the authorities discretion. So that's something needs to be regulated through for agreement, because as matters stand, the applicant could take exclusive temporary possession of that land and prevent access to Castle house.

Should I? Should I move on to the discussions today? Yes,

please.

Certainly we. We had a helpful meeting on the 11th of November with various members or officers of the applicant team. It seems that, in principle, an agreement can be reached as there's there's no huge differences between us in terms of a structure. In very basic terms, the proposal is that the applicant will provide a near complete, detailed design of the works they intend to do before they're finalized, and seek comments from the council and take into account those comments provided there given within a reasonable time frame, it will then undertake not to exercise any powers for a certain period of time to allow the council to undertake its own design reconfiguration of the lorry park within that time. So the idea is, effectively, we have a detailed design of the applicant's works. We have a period of time in which we can undertake a design to reconfigure the lorry Park, undertake those works, and then the applicant goes on to land and undertakes their works. So the idea is really to minimize the impact on the lorry park, and that would have the happy side effect of minimizing the conversation potentially payable to the council by national highways. So in basic terms, that's that's where we're at.

Can I just understand how you would anticipate that being secured? So is that through a separate agreement with you and the applicant? It's not that that design work will be completed during the examination and then secured, it's that you would secure the ability to carry out those designs at a later date.

That's right, sir, yes. The idea is the applicant's request is divided into two parts, the first part relating to the detailed design of the applicant's work will be provided for in in an undertaking via a letter from from the applicant to the council, and Mr. Bauer helpfully provided yesterday afternoon a draft of that letter, which we will need to consider the second part relating to the reconfiguration of the lorry Park and the costs of doing that design, etc, to be dealt with by an agreement. The applicant has said that they will provide a draft of that agreement. We've given them heads of terms, but, but that's not yet materialized. We're hoping that they will provide a draft soon.

And Mr. Gupta on this point about the redesign so we the XA wouldn't see anything before the close of the examination.

What I would hope to be able to do before the close of examination, so is to tell you that we've reached agreement on all matters and our representations or objection to the compulsory purchase and also compulsory acquisition and temporary position powers in the order is withdrawn. So I think that's you wouldn't see any plans or anything like that. You just know that we were satisfied. But all the matters that have been raised in our relevant representations have been dealt with.

And it's perhaps the point we can come back to in the transport here. And there might be one to take away, but the council's made a representation. I don't know whether it's an objection or just an observation about the reduction in capacity, and tied that to the statement in the NPS, particularly NPS

2024 about the need to provide sufficient LORRY PARKING. How would the XA be able to deal with that comment if we haven't seen any information as to the prospective capacity of the lorry Park?

Yes, that's a very reasonable question.

Is that something you'd like to take away and come back? Yes, the issue specific hearing

certainly yes.

Thank you. We'll take that down as an action point. Thank you.

We have the issue specific hearing on transport tomorrow morning. So that's just to let you know when that is we barely will raise that with you at that stage. Thank you. Thank you.

So yes, I mean, as I say, we in principle, seems clear that an agreement can be reached. There's some details to be gone into, but we do need quicker movement, I would say, from from national highways to to progress the agreement. If that takes place, then I see no reason why we won't have reached an agreement before the end of the examination.

Okay, so in terms of the lorry part, do you think that there is a forward momentum? There is a way in which the matter can be resolved which will lead you to potentially withdrawing your objection pending the appropriate conclusion of agreements.

That's correct, but it's subject to to both parties engaging, yeah, perhaps a bit more swiftly than they have done so far,

and can I just ask the applicant if that's a position that they are reasonably content with? And again, given Mr. Gupta's comments there about concluding matters within the time frame of the examination, where you would anticipate this being concluded, how quickly

Jonathan Bauer for the applicant. I'll pass to colleagues in a moment to pick up any on any specific points. But in relation to the agreement, as Mr. Gupta said, part of the sort of matrix for an agreement has been supplied, and obviously that they will be able to respond on that point in relation to the wider agreement, in relation to land acquisition, etc, perhaps I can pass to Mr. Pierce to update on that, and

then Mr. Sutton might pick upon some specific aspects, particularly in relation to a point raised by Mr. Gupta about temporary possession, I'll pass to Mr. Peart in relation to negotiations.

Simon Peart from the evaluation office agency on behalf of the applicant. Yes, we've had a number of discussions around the land and rights required in respect to the Lowy Park. We did, as Mr. Gupta referred to a meeting on the 11th of November, which is a positive meeting around the outline agreement that covered several parts, including, as mentioned, the detailed design and also the temporary rights and land acquisition as well as compensation. We followed that meeting with a site inspection on the 20th of November, just to practically look at the situation on the ground. The two valuers for the parties walk the site had a discussion over the land and rights required, agreed that we would progress it by agreement in terms of acquisition of land and rights, and that's with the value as now to produce heads of terms and to get that agreement into some finalized position that would also referring to the concern Mr. Gupta around the temporary possession plot, 314, H, obviously, by agreement, that does give the council some control and some ability to kind of have a say in how that process is used that intended to be a license by agreement. So. So hopefully that's positive progress, and we'll look to get this head to terms agreed as soon as possible. Thank you.

Mark Sutton, Project technical director with Skanska on behalf of National Highways, yeah. Mark

Sutton, Sutton,

and also, just to raise a point that was made on temporary possession for plot free 14 H further to Mr. Perth's response, in regard to the agreement, there's also an area of temporary land that's going to be used as part of the traffic management process and delivery of the works on the Great North Road, therefore controlled under R, E, p3, 026, the outline traffic management plan, and specific to maintaining access to businesses during the works. Applause,

okay. Thank you very much.

Mr. Gupta, have you that's dealt with the lorry Park and some of the access to the site? Have you any other issues that you want to continue with?

No, I think we've, we've covered everything, and I just hope you can make progress over the next 114,

Okay, excellent. Thank you, applicant. Have you got anything you would like to say in terms of a final right of reply.

Jonathan Bauer, for the applicant, no nothing further. Thank you, sir.

David,

okay. Thank you very much. In that case, we'll move on. Mr. Miller, can I ask you to come back on your points, and if you can just refresh yourself about those points on the screen and just confirm to us the plots that you're interested in and the various issues there that I've said, but

yes, John Miller,

affected person regarding the farm and West and farmed and East flood compensation area. Forgive me, I've not got the all the plot details, but I will put that in my written application.

Thank you very much,

but it refers to sheet one, and it is sort of a large plot of land, sort of about 44 hectares in size. Most of that is to be permanently acquired. I think there's a small bit of it is temporary use with permanent rights thereafter. Um, we'd been sort of exploring the idea of maybe it being, sort of having, like a temporary sort of rights on it. But I think after sort of further investigation and confirmation that an s, 253, would be for 99 years. I think we'd be sort of happy now to sort of go down the route of it being permanently acquired. We asked for some of the GI survey data, which we've received now. So thank you for the applicant for that, we had an offer from the applicant on the 25th of the ninth, 2024 we've sort of taken that on board, and we've commissioned some of our own papers to look at mineral rights and look at biodiversity net gain. We've got those back now, and I also have my solicitor in place, so we're all sort of set, really, to sort of continue the negotiation with the the applicant. So I'm going to be meeting the district valuer on site tomorrow, so hopefully, you know, we can reach a conclusion before the end of the examination period, but also on that block of land if it's going to be permanently acquired, we will need access to our fishing rights on the river Trent, and we also will need Access to retain piece of land in that parcel, I guess during the construction, and course, after the project or the construction, because this is the only access we have. There's no other access to this block of land than they're not the a 46 Yeah, the applicant is aware of that. And also we just need to source out the compensation for the cricket bat willows. There's some 250 of them on the land that be permanently acquired, and they will be basically sort of ripped up during the construction of the conference flood compensation area, just regarding one of the piece of land I have an interest in. It's parcel three, 2k, and 315, a. I'm a sort of tenant on this land, and I think we've virtually, well, we've got a heads of terms in place now with the applicant. So, yeah, negotiations are progressing. Well, there. That's all I wish to say. Thank you.



Okay, can I just confirm two points? Firstly, as I said, the level of compensation, or the nature of compensation, or other matters in relation to direct compensation, is not a matter that we become involved in. That's a matter for you to negotiate with the applicant. I just wanted to understand what the nature of your objection to the compulsory acquisition of that land would be, notwithstanding a compensation level that you arrive at, which is, as I say, not within our remit, but in terms of how that may affect you, or what the issue is that you're raising as to why the compensate the compulsory acquisition is inappropriate. Yeah.

I mean, some of the land is going to be used for environmental, environmental mitigation for the project. And I guess, sort of biodiversity net gain is a revenue stream that is, I guess, becoming available to landowners, now, relatively new market. And it was sort of something that I've expressed an interest in prior to this that these hearings have sort of registered the land with the local authority, Newark, insurer District Council, as a sort of potential area for biodiversity net gain. So it's kind of perhaps losing that opportunity that with maybe, rather going down the route of being having it permanently acquired, would just be like, maybe acquired further a period of a lease. I think now we're talking about the lease being nine to nine years. Yeah, I think I would sort of pull away from that and say, have it permanently acquired,

and in terms of your resolution to the matter, then you're moving back towards, rather than having some form of lease or management agreement, you're saying compulsory acquisition, and the removal of your objection will be based on your discussion with the applicant around that compulsory acquisition, yeah, we

just look at permanent acquisition. Yeah. We wouldn't go for a management agreement, okay,

thank you. Thank you very much for those submissions. Could

I just get the applicant's comments on that

mark? Sutton on behalf of the applicant. Thank you to Mr. Miller, and just to advise that in the previous update to the outline traffic management plan, document number R, E, p3, 026,

Mr. You get an EI reference. Sorry, the

oh, sorry, r E, P, R E, 02, 6r,

E, p3, 3026,

and in that document, we have updated it to put into a specific mention to Mr. Miller's access of the a 46 and how that will be maintained during construction, and reference the works number that provides the access up to the residual field system. So hopefully that can provide some certainty of Have you

got the paragraph number where that's been added? You might be able to come back to that.

Can I get back to you after the break this morning? Come back to us on that I can give you the page numbers. Document, document, page number, 21

thank you. 21 and that's that's in relation to the construction access to this. That is correct. Yes, during construction works, and was Mr. Miller referencing a different area of land where he needs to retain access or get access once construction has undertaken, there is,

indeed, there is a the field system to the north is accessed via the access. Maintenance access track that the applicant is constructing that provides access to both the infrastructure asset and to the residual field system.

And will that facilitate access? For Mr. Miller, that will facilitate access? Is there an agreement required to allow that? Or how is that going to be secured that

would be included in part of the agreement under discussion at the moment.

So just to be clear, and this might be more for Mr. Miller, do you have any outstanding access issues? I

It sounds like the applicant has addressed my concerns.

And just one other point, when you came to the preliminary meeting, I think this was before the discussions had progressed, you said that you had a concern that it might affect the viability of your business. Does that concern still stand?

No, okay,

it'd be helpful if you could tell us that when you provide your summary of your appearance today.

Okay, yep, I will do that. Thank you.

Yeah. Mr. Miller, you mentioned the retention of fishing rights and and this given, given you're here today, I

would rather

ask the question now, instead of balancing it into Thursday's issue Pacific hearing on the environment, does that involve the retention of fishing rights? Does that involve any physical works, or is that just retaining as it is,

it would just be maintaining an access, I guess, on a track for vehicles to sort of get down to the river.  
Trend

is that track currently in place? No, okay. Thank you for that. And if I can come to the applicant, please on that point and again, it might be something we want to bounce into Thursday so I can take a note of it and we'll come back to it. Is that compatible, and has it been considered with respect to the environmental master

plan? I mark Sutton, on behalf of the applicant, would you mind if we come back to you on that one later? Absolutely this week, and we can have

it. I'll take note of Mr. Sutton, and we'll come back to on Thursday to have discussion. Thank you, Mr. Miller, that was that was useful. Thank you for that, for your answer on that one. No more questions from me.

Okay. Thank you very much. In that case, Mr. Miller, is that everything that you wish to say to us?

Yes, that's all wish to say. Thank

you very much. And applicant, do you have anything that you wish to come back with as a final right of reply?

That's Simon Peter from the evaluation office agency. On behalf of the applicant, I just Thanks, Mr. Miller for confirming the way forward. We have got a meeting tomorrow where we can look at the practical issues on site that can include the access the willow back plantation, as Mr. Miller mentioned, there were a number of reports that Mr. Miller's agent wanted to produce, which are now available. Once I've had a chance to look at those, digest those, and we'll look to get an agreement as soon as possible in respect of the acquisition by agreement that land.

Thank you very much. And obviously, if you get to a position where you do agree, then it would be very helpful, Mr. Miller, if you can confirm in writing your withdrawal of your objection, if that's where we get to. Thank you very much if we next move to Mr. Thompson.

My name is James Thompson. I'm representing Langford Hall and its associated land holdings. That's land plot six, six A,

so can you just say that again?

That's land plot six A, six A, six A, one, six b6, c6, c1, six d6, d1, 6e and part of six to a which isn't actually within our curtilage At the moment, they can all be found on sheet six of the work, 2.3

I've got quite a bit to go through. I'd give the preamble, if I may, my wife and I hold the freehold to Langford Hall, serves as a family home and also has commercial offices, short hold tenancies, Airbnb properties and grazed grassland. We absolutely recognize the necessity of the project, and therefore. Supportive of the scheme for the good of Newark and the people transiting through it. However, I do find myself here objecting to the position I find myself in Lanford Hall is a grade two star property. I believe it to be the most senior heritage asset impacted by the scheme. Grade two star buildings are defined officially as particularly important buildings, buildings of more than special interest, and represent 5.8% of buildings that are listed as custodians of Langford Hall. We recently celebrated its 250th anniversary this year, with the event that attracted about 400 people. And I'm very committed to preserving its its heritage and historical integrity for the for the next quarter of a millennia, national highways seek to permanently acquire part of our land for the purpose of the project and to temporarily occupy certain parts for the purpose of carrying out the work to construct the project. The applicant

proposes to close existing access point to our private drive on the a 46 east bound and put in place a new access drive from the realigned a double one, double three. I've seen to engage early, positively and actively from the outset, although there's a number of topics that I think I definitely need to speak to which sent through. They relate to professional representation, land allocation, heritage conservation needs an absolute statement of common ground, footpath and accessibility and the lodge. I'll take the first point, if I made the professional representation, my understanding was that we were going to pull together some heads of terms, and they were going to be supported by a detailed design with the third of December. Now I discovered just last month from the highways that the detailed design would not be available until spring, which concludes on the 21st of June. That's That's considerably after the eighth of April, and this process itself is due to conclude. So that gives me some concern, and then there is no statement of common ground for me to rely upon. Yet we find there's a number of open ended questions and issues. I'm here today because I think there's a misunderstanding between my legal representative and the applicants, where the lawyers, BDP, Pitmans now ballfield, thought they were engaged in the process and had an understanding that the they were funded to be able to to act on my behalf, and that that's now been a road back on and my land agent also isn't able to represent me in this part of the process, in charge for so apologies for not getting the written representations in on time. I wasn't aware that it was going to be incumbent on me to do that. That's the point on that professional representation. The next point is about the land allocation. The we in the first written representations, we objected to the extent of the compulsory acquisition of the land and the access drive. That is number 61 we do not believe is in the public interest to be permanently acquired. And I believe the applicants has agreed with that point and has stated that we they're redrawing the land plans. However, we're not in receipt of anything, and time marches on. So that's a concern with that. My understanding is the there's another query that district valuer has escalated, and again, we don't yet have a decision on but this, if I could try and explain it, the a double one, double three, is being realigned. So this is land plot six, 3c as shown on that picture, that is being swung to the left ever so slightly. And what that would do is it would create, arguably, a triangle of no man's land between the end of my curtain edge and the road. And our request is that to maintain the integrity of the estate, to make sure. We have no no man's land that serves no purpose for highways, but that is married up to the to the other land fields, and goes to offset some of the permanent land acquisition that is undoubtedly necessary. That's a request the big one for me, I think, is the heritage conservation needs. Originally, the applicant had proposed a entrance gate that wasn't commensurate with the hall. The entrance gate, at the moment, is attached to a lodge, and it gives a foretaste of what one can expect before they go to the hall, because the original entrance gate is being stopped up and closed. New entrance gate will no longer have a lodge next to it, but it needs to be, needs to speak to the design of the hall after Historic England got involved at my request, the applicant has agreed with their recommendation, but they wish to design this themselves, which gives me cause for concern, and I think that we should definitely have some independent heritage architects on the project team to ensure the design is this speaks to the architectural narrative of Langford Hall. This would this would move to mitigate the risk of the entrance appearing out of place or diminishing the estate's historical value, a risk that cannot be taken when dealing with a property that I guess has stood for 250 years and hopefully be there for another 250 years. The next point, if I may, is about footpath and accessibility. And I don't know whether this is relevant to this hearing or the issue specific hearing, but this is in relation to foot way F 6c to F 6e we put a request in to to ask that to be extended to the hall itself, and so that we could enable people walking over to the show grounds, which is what the Airbnb is quite often do. We can enable the occupants of the Dodge to walk their children to

school. I myself, will be able to walk out of the property. And the applicant has come back and say the footpath could be extended, but again, that that isn't will be extended. So I guess I've got some confusion as to the position that they're in. And again, an absent a statement of common ground, there seems to be a lot of loose ends. And then my final point is quite a lot to go through here, sorry, is the the lodge in the previous representations under section four six. I don't think that we got a response on that the lodge entrance has been stopped up so it effectively becomes a cul de sac, but we will need turning areas in there to accommodate oil deliveries, refuse trucks, septic tank disposal lorries and visitors so that they can go up to the lodge safety turn around without having to reverse all the way down a single track drive. And then my final point on the Dodge is one about noise mitigation, where I think we have not reached agreements with the applicants, the lodge is less

than 100 meters from the designated construction noise study area, and within the operational noise study area, the lodge itself is literally less than six meters from the edge of the road, which is in the 70 to 75 DB banding, there's a young family that even there, one of their children go to the local primary school. The other one is preschool, and the father works knights. And what I'm requesting is some discretionary consideration for noise mitigation measures on the lodge. I acknowledge that the environmental statement has classified the predicted noise impact is negligible, both in the short and the long term, but given the close proximity to the construction and operational areas, there's concerns that. By me and by them, about the real world impact on their on their quality of life, the we believe the the construction, operational impacts, have been assessed separately and not in combination. We understand there is some precedent for discretionary measures, and I guess what we're what we're doing, is hoping that that there'll be a kind of proactive commitment to address this concern and to ensure that short term and long term liveability of the of the property. And the request there is that there's double glazing put in on the first four children's bedroom and sitting room and breakfast room that face the construction area. Those, those are my points that that I've raised. My huge emphasis, I think, is on, for me personally, is making sure that the entrance gates are commensurate with the architectural significance of the whole

Thank you, Mr. Steinme, thank

you very much. As I said, said to the other parties, if you can confirm in terms of your written submissions as well, then we can pick those up at that but can I turn to the applicant, and in terms of the matters that have been raised there, get your response to a number of those points, and I think in particular, to some of the areas where Mr. Thompson has identified there is either a lack of understanding, lack of understanding of what the intention might be, or that there is resolution has not yet been arrived at as to what the method of achieving a resolution would be. And Mr. Simpson has, on a couple of occasions, mentioned a statement of common ground, whether or not you think that that would actually be helpful, or whether or not some form of agreement or other document between you and he would be helpful, and what that might be.

Thank you, sir Jonathan Bauer, for the applicant. Thank you, Mr. Thompson, for the list of points that you've set out so clearly. And perhaps if I pass to Mr. Piert To start with, to address where we are from an agreement perspective. But I have made a note of a few points terms of practical points. And I may need to just refer to Mr. Sutton as well to pick up on some of the those practical points that Mr. Thompson made.

Okay, thank you very much. That seems to take a way forward. And if at the end of that, I still have a couple of points that you've got, I'll come back to you.

Simon valuation office, agency on behalf of the applicant, I think in terms of acquisition by agreement discussions, then they've been quite positive, in the sense that we've managed to reduce the permanent land acquisition by agreement substantially from some 6.85 acres to 1.4 acres. So I think we've progressed that positively. The by agreement discussions also related to the remainder of the land, and we are progressing that under license, and also a section 253, agreement, because the landowner wishes to retain as much as much as much land as possible. So I think in that sense, the by green discussions have been reasonably positive. Heads of terms was substantially updated and issued to Mr. Thompson's agent on the 17th of September. Obviously, that was before the issue was raised by BDP in terms of the land between the the existing boundary and new highway. So if that point can be picked up with your agent, we can certainly incorporate that into the heads of terms to give you some confidence that we as the applicant have looked at that issue and can come to some resolution on that point. So it has been looked at internally. But if we can have a separate discussion, we can include that those in the heads of terms. I think that would cover that point off. Appreciating the detailed design is the key thing that we need to get agreed in terms of finalized agreement. Obviously, that doesn't come from me, but at the point we've got that, and you're content with the access to either, I think we can, we can reach agreement. I think if your agent could confirm, as I have, that we have made here, we have a lot of meetings. We have got, as it turns into a good place, it's just these points around detailed design seem to be the main, the main issues outstanding. You,

Jonathan Bauer for the applicant. So in addition to that, so I think I made a note of eight points, and some of which have just been covered, and if I just run through them in a point that I then refer to Mr. Sutton and then again. So obviously, if there are points that I haven't addressed so detailed design has just been picked up by Mr. Pitt, but I'll ask Mr. Sutton just to give an update on that point.

Yeah, sorry, I wasn't particularly clear about the detailed design because I think assumptions point is that because detailed design won't progress until much later in the process, that he's at a disadvantage because he won't understand or know what that detailed design is, and How can he have the confidence that matters that he's concerned with will be addressed in that detailed design, if there's no clarity around what matters might be there, which, I think is back to his statement of common ground or some agreement of matters that will be addressed. So I suppose it's Is there a method by which he can

get some clarity or satisfaction that the issues that he's concerned about will be addressed within that detailed design.

Mark Sutton, on behalf of the applicant, yes, I understand the point on that the view would be in as we responded to in the response to the relevant representation and to historic England's statement of common ground is the fundamental principle that the gentleman clearly said, is getting those points of principle, that approval, in principle of, as it were, within the heads of terms document that Mr. Pert is referencing in having a section in there that is basically a commodity accommodation works agreement that covers those main principles of the access track that, sorry, the access road that runs up from the realigned a double one, double three, the boundary conditions to that the planting that's detailed on the environmental master plan, and indeed covering areas such as the gate design and pillar design would also incorporate within that the reference To the turning circle for the lodge house. I think in previous during statutory consultation, there was an area that had been identified, but I think they'd been removed following discussion. But that does not prevent that from being re looked at and ensure that we've got correct turning circles for the service vehicles that need to access that property.

Okay, thank you.

Jonathan Bauer, for the applicant, the other points that I made a note of were in relation to the access drive, and that's been picked up as part of proposals in relation to an agreement, the also the realignment with the a trouble one three, and the triangular piece of land that Mr. Thompson referred to, again, it's proposed that would be picked up as part of discussions with from an agreement perspective. Mr. Sutton has also referred to the design for the gate being proposed as part of a the heads of terms for the accommodation works agreement the next point in relation to the footpath and the proposed extension. I don't know whether, Mr. Sutton, you wish to pick up on that point.

Mark Sutton, for the applicant, I can confirm now that that that could be is a will be so the footpath can be extended from its current termination point up to the bell mouth of the new access track.

Sorry, just to clarify on this, is it up to the new track, or is it up to the lodge to the new access track?

Assumption the end the new access track

and do the works plans need to be met.

There will be, yes, it's a couple of meters extension, but we'll update those two points.



Thank you. Applause.

Jonathan bow, for the applicant. Thank you, Mr. Sutton. The next point I had was in relation to the turning circle. So that's been addressed by Mr. Sutton in the update he just provided in relation to the accommodation works agreement. And then the final point was Mr. Thompson's request in relation to discretionary noise mitigation. I don't know whether Mr. Sutton was anything you wish to update on, as we've not got any acoustic people here today. It's something that we'll need to pick up and revert on, but certainly a point that can then be a further discussion with Mr. Thompson, if agreement could be reached on that.

Right? So you think you're taking taking that one away, as it were, and considering what your options are,

we'll take that as an action.

Just to be clear, that's the is that the child's bedroom you were referring to? Yeah? James

Thompson, yes, that's correct. Thank you,

Mr. Thompson, are you intending to come along to issue Pacific hearing four on Thursday morning, because we're going to be discussing the matters of noise and impacts on cultural heritage in more detail.

Sadly, I'm obligated already on that day, so won't be able to attend. No

problem. Just to give the applicant a heads up, impacts on the lodge and Langford hauler will be discussed on Thursday morning. So if we the action point, if we could pick up those points on Thursday, that'd be ideal. Thank you.

Jonathan Bower, for the applicant, those were all the points that I made so that mr. Duncan helpfully went through. But if there's any others that we need you'd like us to address, then please do let us know.

To turning your discretion. No, those are the points that I've got. Mr. Assumption, do you have anything you would like to come back to us on? Yes,

I'd just like to come back on one point, I may have not articulated the number the issue fully with the entrance gates. But my request, very simply, is to have some independent, professional representation for the design.

I think the suggestion that I'd taken from the applicant was that that would be addressed in some form of heads of terms that the agreement is being undertaken, which will address a number of points. It's not for me to design what the nature of those heads of terms are, but I would have thought that part of that would have been an approval process or a methodology or a process for how that design will be agreed between the parties. So I would expect that that's a side agreement between you, and whether or not that is they will provide a design, or whether they will seek some form of agreement with you, with that design or something, or whether or not there is an agreement as to Who is creating that design. But to me that from what I took from the applicant, that would be part of the discussion that you would have around the heads of terms.

Thank you. And just to help me reconcile the process, given that the detailed design will likely arrive after this process is finished, how does one reconcile the

I would assume that in terms of the heads of terms agreement that you arrive at an agreement, that you sign an agreement with the applicant that addresses the issues that you have, you therefore withdraw your objection to the compulsory acquisition, but the matters are then addressed within the agreement, the side agreement between you and the applicant as to what further actions or agreements are set between you. But maybe the applicant can.

Jonathan Bower, for the applicant, missed assumption in terms of the way structure, the structure can deal with this. It is possible for matters to be dealt with subsequent to an agreement being put in place in terms of if it's consultation or agreement in relation to design, but it's not necessary for matters to be agreed up front, but to have in place a process for future engagement with you as part of the design. I can't, as we sit here today, confirm what, what, what that will be, but it's a matter for discussion between the party. As the XA have, have said. But certainly the point that you, you've you've raised, is something that we've, we've noted, and it'll be for Mr. Peer to pick up with, with your agent as well, and yourself, obviously, to make sure that you are, you know, hopefully the parties can reach agreement on that point and the other points that we've discussed.

James Sumption, thank you. No further questions or points from my side. Thank you. Mr. Steng,

thank you very much. In terms of the applicant, have you got any final comments that you wish to make on final right of the plan? Relation to Mr. Thompson?

Jonathan Bauer, for the applicant? No sir. Thank you. Apart from to thank Mr. Mrs. Sumption, for the points that they've been making this morning. Thank

you very much. I note the time is now half 11, and I did suggest that we would take a short break at that stage for a comfort break, and we're making reasonable progress. So if I can say, if we can take a 15 minutes, so it's now half past 11 and we can return at quarter two. Thank you very much. Applause.