

WEBVTT – This file was automatically generated by VIMEO

0

00:38:36.180 --> 00:38:41.100

0'clock. Uh, and this pre preliminary meeting, uh, is now opening, uh,

1

00:38:41.200 --> 00:38:43.780

can I confirm that everybody in the room can clearly hear me?

2

00:38:47.880 --> 00:38:51.620

Uh, can I check the case team that the live stream is functioning?

3

00:38:52.480 --> 00:38:53.313

Yeah.

4

00:39:01.190 --> 00:39:02.610

And, uh, Ms. Robinson,

5

00:39:02.610 --> 00:39:06.090

is it still the case so that we have no live participants online?

6

00:39:11.990 --> 00:39:12.823

Yep.

7

00:39:15.420 --> 00:39:19.680

Um, I'd like to welcome everyone, um, to this preliminary meeting,

8

00:39:20.860 --> 00:39:22.240

um, to, to,

9

00:39:23.060 --> 00:39:27.200

in respect to the application by associated British ports for an order granting

10

00:39:27.200 --> 00:39:30.800

development consent for the proposed Immingham East Railroad terminal.

11

00:39:31.700 --> 00:39:36.240

My name is Graham Gould. I'm a charter town planner and an examining inspector.

12

00:39:36.310 --> 00:39:37.400

With the planning inspector.

13

00:39:38.110 --> 00:39:41.600

I've been appointed by the Secretary of State as the lead member of the panel

14

00:39:41.670 --> 00:39:45.880

that comprises the examining authority that will be examining this application.

15

00:39:49.740 --> 00:39:52.800

I'm now gonna ask my fellow colleagues to introduce themselves starting Mr.

16

00:39:52.800 --> 00:39:53.633

Bradley.

17

00:39:54.790 --> 00:39:59.280

Good morning. My name is Steven Bradley. I'm an examining inspector,

18

00:39:59.700 --> 00:40:03.400

uh, with a professional background as a chartered architect and management

19

00:40:03.400 --> 00:40:04.760

consultant. Uh,

20

00:40:04.790 --> 00:40:07.640

I've been appointed as a panel member of the examining authority.

21

00:40:08.150 --> 00:40:10.720

I'll later be leading the agenda. Item two of this meeting.

22

00:40:13.940 --> 00:40:16.640

And good morning. My name is Mark Harrison.

23

00:40:17.300 --> 00:40:20.320

I'm a chartered town planner and examining inspector.

24

00:40:21.230 --> 00:40:25.760

I've been appointed as a panel member of the XA replacing Sarah

25

00:40:26.050 --> 00:40:26.883

Withy.

26

00:40:30.730 --> 00:40:32.120

Thank you. Um,

27

00:40:32.140 --> 00:40:35.600

our role is to examine the application and to report to the Secretary of State

28

00:40:36.260 --> 00:40:39.640

for transport with a recommendation as to whether or not the development consent

29

00:40:39.640 --> 00:40:43.240

order should be made. Um, at this point,

30

00:40:43.500 --> 00:40:46.440

I'd also like to introduce members of the Planning Spectras case team who are

31

00:40:46.440 --> 00:40:50.400

present here today. You may have already have spoken with them. Uh,

32

00:40:50.580 --> 00:40:55.240

that's Ms. Lily Robbins, the case manager, and SP Spencer Barman.

33

00:40:55.380 --> 00:41:00.360

Uh, who is the case officer. Could you just indicate for anybody, um,

34

00:41:01.610 --> 00:41:05.080

where you are back of the room? Thank you. Um,

35

00:41:05.580 --> 00:41:09.560

we are also joined here today by, uh, members of the, uh,

36

00:41:09.560 --> 00:41:14.480

production company who are here solely to assist with facilitating the

37

00:41:14.480 --> 00:41:19.320

event in terms of managing the sound system and the recordings and running the

38

00:41:19.320 --> 00:41:22.440

live stream. If at any time, uh,

39

00:41:22.440 --> 00:41:25.720

during the course of today you see any member of the panel speaking to them,

40

00:41:26.100 --> 00:41:30.160

it will purely be in relation to a technical matter and no other matter.

41

00:41:36.940 --> 00:41:40.880

Um, I'm now gonna cover some general sort of housekeeping mats for, uh,

42

00:41:41.290 --> 00:41:43.680

those of here in the room. Uh,

43

00:41:43.910 --> 00:41:48.200

toilets are to my right through that door, uh, out into the corridor.

44

00:41:51.170 --> 00:41:54.280

There are no scheduled fire alarm tests today.

45

00:41:54.460 --> 00:41:56.360

So if the fire alarm does sound,

46

00:41:56.500 --> 00:42:00.880

we will have to evacuate the room using the doors to my left.

47

00:42:01.420 --> 00:42:05.360

And if we can then all gather out in the car park and await instructions from

48

00:42:05.360 --> 00:42:08.360

the hotel staff as to when it's safe to return to the building.

49

00:42:18.320 --> 00:42:22.700

Uh, the format for this meeting is it, it sounding like predominantly, uh,

50

00:42:22.840 --> 00:42:24.020

an in-person event.

51

00:42:27.900 --> 00:42:31.600

Um, as we indicated earlier, the event is both being live streamed, uh,

52

00:42:31.760 --> 00:42:34.480

for anybody to view, and it's also being recorded.

53

00:42:40.410 --> 00:42:43.750

Um, in terms of any devices I would ask, um,

54

00:42:43.820 --> 00:42:47.590

that could you please ensure you've got 'em switched to silent mode, um,

55

00:42:49.170 --> 00:42:50.670

so that there is no interruption.

56

00:42:51.330 --> 00:42:52.430

Can I just check the screen?

57

00:43:07.110 --> 00:43:11.710

A recording of the preliminary meeting will be available on the website for

58

00:43:11.710 --> 00:43:12.830

this, um,

59

00:43:13.110 --> 00:43:16.830

national infrastructure project as soon as practical following the meeting's.

60

00:43:16.830 --> 00:43:20.770

Conclusion, uh, with that in mind,

61

00:43:20.900 --> 00:43:23.890

would you please ensure you speak clearly into the microphone? Uh,

62

00:43:23.890 --> 00:43:28.370

either that you have in front of you or if you don't have a microphone,

63

00:43:28.370 --> 00:43:32.450

there is a roving microphone, um, which will be made available to you.

64

00:43:34.670 --> 00:43:37.210

And at each occasion that you speak,

65

00:43:37.240 --> 00:43:41.050

when you make sure that you introduce yourself by giving your name and who you

66

00:43:41.230 --> 00:43:45.450

are, uh, representing, uh, that can, I'm afraid, become a bit repetitive,

67

00:43:45.590 --> 00:43:49.290

but it is important for the purposes of those who may be, uh,

68

00:43:49.530 --> 00:43:52.250

watching the live stream and or who then, um,

69

00:43:54.110 --> 00:43:56.090

listen to the recordings at a later time.

70

00:44:01.110 --> 00:44:03.890

If anyone wishes to use social media report,

71

00:44:03.960 --> 00:44:07.650

film or record today's meeting or any subsequent hearing,

72

00:44:08.080 --> 00:44:10.730

they are free to do so, but they must ensure, uh,

73

00:44:10.730 --> 00:44:14.850

that that's done in a responsible manner and does not interrupt the proceedings.

74

00:44:21.660 --> 00:44:25.560

Now I've got quite a long section on, um, general data protection.

75

00:44:26.700 --> 00:44:31.320

I'm presuming that most people attending this morning are familiar with the G D

76

00:44:31.360 --> 00:44:35.720

P R, um, and I suspect that in this case, um,

77

00:44:36.500 --> 00:44:41.360

we don't have any private individuals who are likely to say anything that may

78

00:44:41.360 --> 00:44:44.720

cause an issue for, um, G D P R type consideration.

79

00:44:45.260 --> 00:44:47.280

Is everybody content that I in fact,

80

00:44:47.790 --> 00:44:52.200

skip over what it would otherwise be quite a long section to go through G D R G

81

00:44:52.240 --> 00:44:56.640

D P R type matters? I'm seeing nods generally from across the room.

82

00:44:57.700 --> 00:45:01.520

If we feel at any stage we might be crossing the line, I will, uh,

83

00:45:01.540 --> 00:45:02.920

or one of the panel members, um,

84

00:45:03.590 --> 00:45:08.040

will remind everyone about what they should or shouldn't be saying

85

00:45:08.540 --> 00:45:09.373

in that regard.

86

00:45:14.860 --> 00:45:16.640

We aim to keep the proceedings focused,

87

00:45:16.950 --> 00:45:20.600

focused and as efficient as possible to assist this, uh,

88

00:45:20.620 --> 00:45:24.320

we issued annex B um, in that the rule six letter,

89

00:45:24.810 --> 00:45:27.520

which gives a, a, a basic outline, um,

90

00:45:27.820 --> 00:45:31.200

of how the preliminary meeting process runs.

91

00:45:31.900 --> 00:45:35.800

And that also there's other, uh, details about the examination process.

92

00:45:38.700 --> 00:45:42.560

So again, I don't propose to regurgitate a lot of the procedural type, um,

93

00:45:43.440 --> 00:45:46.640

considerations. And I think most people in the room will be, uh,

94

00:45:46.640 --> 00:45:51.350

cognizant of that. Um,

95

00:45:51.530 --> 00:45:55.630

you will find information about the application on the website for this

96

00:45:55.630 --> 00:45:56.550

particular application,

97

00:45:57.050 --> 00:46:01.070

and we strongly encourage you to familiar familiarize yourself with the website.

98

00:46:01.610 --> 00:46:04.830

Um, 'cause that would generally be the primary point of contact, um,

99

00:46:05.770 --> 00:46:08.110

for everyone to know what's going on, um,

100

00:46:08.210 --> 00:46:12.150

and particularly when new submissions have been made, accepted and published.

101

00:46:17.850 --> 00:46:21.560

Right. I'd now like to turn to introductions. I'm going to now ask, um,

102

00:46:22.810 --> 00:46:26.160

those of you who are planning to speak, uh, to introduce yourselves.

103

00:46:28.020 --> 00:46:29.480

Um, in introducing yourselves,

104

00:46:29.480 --> 00:46:32.920

could you please ensure that you state your name, who you are representing,

105

00:46:33.700 --> 00:46:36.320

um, and what agenda items you intend to speak to.

106

00:46:39.210 --> 00:46:43.230

Um, would you also indicate, uh, whether you wish, what,

107

00:46:43.230 --> 00:46:48.190

what title you prefer to be Mr. Miss, miss, or anything else?

108

00:46:49.370 --> 00:46:51.870

Um, turning with the, turning to the applicant first please.

109

00:46:53.080 --> 00:46:55.790

Thank you, sir. Good morning, sir, and good morning. Members of the panel.

110

00:46:56.410 --> 00:47:00.310

My name is Brian Greenwood. I'm a solicitor and partner of the firm,

111

00:47:00.540 --> 00:47:04.190

Clayden co representing Associated British Ports.

112

00:47:04.930 --> 00:47:08.110

So I have a host of people as far as introductions are concerned,

113

00:47:08.110 --> 00:47:10.470

but I think for preliminary meeting I'll save you that.

114

00:47:10.470 --> 00:47:14.710

Just two very important members of my team. To my left is Raj Pel,

115

00:47:14.710 --> 00:47:17.030

who will be helping me today for both,

116

00:47:17.100 --> 00:47:20.070

both hearings and to my far left.

117

00:47:20.070 --> 00:47:22.310

And next door to Raj is Matthew Cocker,

118

00:47:22.610 --> 00:47:27.350

who is the person who is going to be controlling the production of the, um,

119

00:47:28.210 --> 00:47:32.400

screen and making sure that the documents you've asked appear on the screen do

120

00:47:32.720 --> 00:47:33.720

actually appear on the screen.

121

00:47:35.970 --> 00:47:39.560

Thank you, Mr. Green. I should also have said, um,

122

00:47:39.880 --> 00:47:42.160

whenever we're using the microphones, um,

123

00:47:42.790 --> 00:47:44.440

when you are not using your microphone,

124

00:47:44.460 --> 00:47:48.800

can you please make sure it's turned off? And that equally applies to the panel,

125

00:47:48.860 --> 00:47:52.360

and it may well be that some of us will have to remind one another at the

126

00:47:52.360 --> 00:47:54.200

appropriate time to turn our mics off as well.

127

00:47:58.380 --> 00:48:00.730

Right. Turning to C L D N.

128

00:48:04.680 --> 00:48:07.690

Good morning, sir. Uh, and to other members of the panel,

129

00:48:08.470 --> 00:48:12.650

my name is Robbie Owen, I'm a partner of the firm Pinton Masons,

130

00:48:13.230 --> 00:48:17.210

and I'm here representing C L D N Ports Killing Home Limited.

131

00:48:17.940 --> 00:48:18.773

Thank you.

132

00:48:25.170 --> 00:48:26.480

Thank you. Mr. Owen. Uh,

133

00:48:26.580 --> 00:48:29.600

are you intending literally to lead everything this morning?

134

00:48:31.180 --> 00:48:32.600

Uh, Robbie Owen? Yes, sir.

135

00:48:32.600 --> 00:48:34.280

I'll be leading everything this morning throughout the meeting.

136

00:48:35.610 --> 00:48:39.120

Thank you. And in, in terms of describing your client's company,

137

00:48:40.020 --> 00:48:44.360

is there a preference in terms of using the full title or a shorter handle?

138

00:48:48.520 --> 00:48:50.700

So I think we're content with, with C L D N,

139

00:48:50.700 --> 00:48:55.700

if I can just make a small point in that. Uh, it is uppercase C, uppercase L,

140

00:48:56.330 --> 00:49:01.060

lowercase D, but uppercase n um, I only mention that because the,

141

00:49:01.060 --> 00:49:03.420

the name label is, is incorrect. But, uh, we,

142

00:49:03.420 --> 00:49:06.220

we ought to just start off trying to get these things correct. Thank you.

143

00:49:08.120 --> 00:49:09.700

You'll be pleased to hear that. My notes,

144

00:49:09.700 --> 00:49:13.060

certainly I've got you that with those initials in that format.

145

00:49:15.590 --> 00:49:17.980

Thank you. Uh, turning to D f d Ss.

146

00:49:19.250 --> 00:49:22.500

Good morning, Sarah. Good morning everyone. My name is Angus Walker.

147

00:49:22.640 --> 00:49:24.620

I'm a partner at B D B Pitmans,

148

00:49:25.320 --> 00:49:29.140

and I'm here representing D F D S, seaway's, P L C,

149

00:49:29.270 --> 00:49:33.020

which we are happy to abbreviate as D F D S. Um,

150

00:49:33.780 --> 00:49:37.380

I think I'll be the only one speaking today. And we will,

151

00:49:37.540 --> 00:49:42.100

I will principally be speaking under agenda item four with one very small item

152

00:49:42.220 --> 00:49:44.820

under item five. Thank you.

153

00:49:53.340 --> 00:49:55.150

Turning next to iot,

154

00:50:07.580 --> 00:50:10.280

my, my understanding was that there would be somebody for iot,

155

00:50:10.340 --> 00:50:12.080

but I we don't have

156

00:50:14.760 --> 00:50:19.650

n Northeast Link Council. Uh, yes, good morning,

157

00:50:19.750 --> 00:50:22.770

sir. Um, Richard Limmer from Northeast Links, um, council,

158

00:50:26.060 --> 00:50:27.010

thank you Mr. Limmer.

159

00:50:31.450 --> 00:50:33.990

And we have, um,

160

00:50:35.540 --> 00:50:37.910

another person, uh,

161

00:50:37.970 --> 00:50:40.630

in the guise of the Harbor Master for the Humber.

162

00:50:42.410 --> 00:50:45.350

So yes, good morning. My name is Victoria Hutten,

163

00:50:45.710 --> 00:50:49.510

H u o n of council. Uh,

164

00:50:49.650 --> 00:50:52.990

I'm instructed by Jane Wakeham, who sits to my left,

165

00:50:53.280 --> 00:50:55.230

who's a partner at Winkworth Sherwood.

166

00:50:56.730 --> 00:51:01.310

And to Jane's left is Captain Furman, who is the Harbor master for the Humber.

167

00:51:05.930 --> 00:51:09.840

Thank you. And should we, what, what would you like in front of Ms.

168

00:51:10.120 --> 00:51:13.160

I, Ms. Or miss? I'm not bothered,

169

00:51:43.380 --> 00:51:48.370

Right? In terms of the attendees that notified us of a, a desire to speak.

170

00:51:48.370 --> 00:51:51.490

This one, I think we've, we've got everybody. Is there anybody else, however,

171

00:51:51.630 --> 00:51:56.090

in the room that wishes to, uh, speak at the preliminary meeting?

172

00:51:57.230 --> 00:52:01.890

I'm not seeing any indications from the rear. Okay, thank you.

173

00:52:03.120 --> 00:52:04.010

There's nobody on

174

00:52:21.190 --> 00:52:23.800

This meeting will follow the agenda, um,

175

00:52:23.940 --> 00:52:26.400

as set out in an XA of the Rule six letter.

176

00:52:28.220 --> 00:52:31.880

It would be helpful if you have a copy of that in front of you. Um,

177

00:52:31.900 --> 00:52:33.960

but I'd now like to ask for, um,

178

00:52:35.960 --> 00:52:40.000

appendix A or annex A of the rule six, uh, to be shown on the, the screen,

179

00:52:40.000 --> 00:52:40.833

please.

180

00:52:46.170 --> 00:52:47.003

Thank you.

181

00:52:52.900 --> 00:52:54.640

The purpose of today's meeting

182

00:52:58.420 --> 00:53:02.920

is to focus on the way that the application will be examined. On that basis,

183

00:53:03.130 --> 00:53:07.160

we'll only be inviting a discussion about the procedural aspects of this

184

00:53:07.400 --> 00:53:08.233

examination.

185

00:53:08.700 --> 00:53:13.560

The purpose of the meeting is not to discuss either items or matters of merit

186

00:53:13.940 --> 00:53:16.760

or any concerns that you may have regarding the,

187

00:53:16.900 --> 00:53:21.560

the application merits or concerns concerning any aspects of the

188

00:53:21.560 --> 00:53:25.040
application, uh, will be considered once the examination has commenced.

189
00:53:30.240 --> 00:53:33.360
I e following, um, the close of the preliminary meeting

190
00:53:39.440 --> 00:53:43.610
with respect to timings for this meeting, um, will take a short,

191
00:53:44.670 --> 00:53:48.170
um, mid-morning break at a, at, at a convenient point

192
00:53:50.960 --> 00:53:53.220
in terms of agenda item one.

193
00:53:53.840 --> 00:53:57.740
Are there any matters that anybody wishes to raise before we turn to agenda Item

194
00:53:57.880 --> 00:53:58.713
two?

195
00:54:03.220 --> 00:54:04.400
Not say anything. Mr. Bradley?

196
00:54:08.490 --> 00:54:13.280
Thank you. Item two. In order to streamline the running of the event,

197
00:54:13.540 --> 00:54:18.160
we provided an introduction to the preliminary meeting and an outline of the

198
00:54:18.360 --> 00:54:21.760
examination process in annex B of our Rule six letter,

199
00:54:22.580 --> 00:54:26.280
and that explains how it'll be conducted and how you can participate.

200
00:54:26.900 --> 00:54:29.840

I'd like to take the Rule six letter as read. Um,

201

00:54:30.260 --> 00:54:32.600

but is there anybody present, uh,

202

00:54:32.820 --> 00:54:37.800

who would particularly like to have elements explained at this meeting?

203

00:54:38.380 --> 00:54:41.920

Um, I'm thinking particularly Captain Furman, uh, may not be familiar,

204

00:54:41.980 --> 00:54:45.920

but I'm hoping that perhaps he can have a brief from his advisors.

205

00:54:46.460 --> 00:54:48.360

So yes, we, we've read the letter. Thank you very

206

00:54:48.360 --> 00:54:52.400

Much. Thank you. Uh, is there anybody else that feels that, uh,

207

00:54:52.630 --> 00:54:57.040

there's any reason why we shouldn't move on? Thank you. Um, however,

208

00:54:57.410 --> 00:55:01.400

there are some particular observations and formalities that I'd like to

209

00:55:01.470 --> 00:55:04.320

emphasize about the process. Uh,

210

00:55:04.900 --> 00:55:09.720

and essentially this is about the interest of ensuring it's as fair,

211

00:55:09.770 --> 00:55:14.160

productive, and efficient as possible. Uh,

212

00:55:14.550 --> 00:55:16.000

firstly, uh,

213

00:55:16.340 --> 00:55:21.200
to emphasize that the process is primarily written and it's
supplemented

214
00:55:21.200 --> 00:55:23.160
only when necessary by hearings.

215
00:55:26.420 --> 00:55:30.720
Timely written representations and responses to those
representations are of

216
00:55:31.040 --> 00:55:31.873
critical importance.

217
00:55:34.500 --> 00:55:39.440
Second hearings may be held when the XA decides its necessary for

218
00:55:39.440 --> 00:55:44.080
it to examine an issue orally or to provide an interested party with
an

219
00:55:44.080 --> 00:55:48.880
opportunity to elaborate its case orally. And for any hearing,

220
00:55:49.780 --> 00:55:52.120
an agenda will be published about a week in advance.

221
00:55:53.140 --> 00:55:57.120
The XA will lead the questioning and the questions may be either
broad or

222
00:55:57.560 --> 00:55:58.393
specific.

223
00:56:00.460 --> 00:56:04.800
If exceptionally the XA considers that cross cresting

224
00:56:05.340 --> 00:56:06.240
may be appropriate,

225
00:56:06.450 --> 00:56:11.440
discretion may be exercised and the relevant parties will be

notified of this

226

00:56:11.440 --> 00:56:12.273

in advance.

227

00:56:15.900 --> 00:56:20.760

The draft timetable includes time allocated for further issue specific

228

00:56:20.760 --> 00:56:25.480

hearings in the week of 25th of September, and further on into the, uh,

229

00:56:25.800 --> 00:56:26.920

examination if needed

230

00:56:28.700 --> 00:56:32.720

And the subject matter and content of further hearings will depend on the

231

00:56:32.720 --> 00:56:37.680

written re submissions made at deadlines one, two, and three in particular.

232

00:56:38.460 --> 00:56:42.880

And that includes the local impact report and the written representations.

233

00:56:44.220 --> 00:56:48.920

And we'll be notifying the dates and specific subject matter for any future

234

00:56:49.700 --> 00:56:53.000

IHS at least 21 days in advance of them taking place.

235

00:56:54.280 --> 00:56:59.200

I think it's reasonable to say that we do anticipate that the IHS in

236

00:56:59.200 --> 00:57:01.920

the week of 25th of September will be needed.

237

00:57:06.290 --> 00:57:10.640

We've reserved time for a compulsory acquisition hearing to be held during that

238

00:57:10.640 --> 00:57:12.840
week of 25th September, uh,

239

00:57:13.020 --> 00:57:17.440
and requests for any affected persons to be heard at A C A H

240

00:57:17.960 --> 00:57:21.640
R to be made by deadline one, which is, uh,

241

00:57:21.900 --> 00:57:25.880
on the draft timetable set for 14th of August, uh,

242

00:57:25.980 --> 00:57:27.800
in Annex D of the Rule six letter

243

00:57:30.330 --> 00:57:32.160
third deadlines. Um,

244

00:57:32.650 --> 00:57:36.520
we'll come on to talk about the examination timetable in more detail shortly,

245

00:57:37.300 --> 00:57:41.920
but I think it's right to just highlight now the importance of ensuring

246

00:57:42.030 --> 00:57:45.800
that information is submitted in accordance with the set deadlines

247

00:57:49.060 --> 00:57:54.040
are timetable can only be delivered really effectively if all parties meet

248

00:57:54.040 --> 00:57:58.320
the deadlines with submissions that are as comprehensive as possible at that

249

00:57:58.350 --> 00:58:00.400
time. Um,

250

00:58:00.670 --> 00:58:04.520

late submissions restrict the ability of other parties to, uh,

251

00:58:05.030 --> 00:58:09.120

respond in a timely way themselves, which can lead to unfairness in the process.

252

00:58:12.480 --> 00:58:16.220

Uh, it's also worth me just emphasizing that if uh,

253

00:58:17.140 --> 00:58:19.380

material is submitted late after deadline,

254

00:58:19.680 --> 00:58:23.340

it may not be accepted into the examination by the Xa.

255

00:58:25.800 --> 00:58:26.633

And fourth,

256

00:58:26.900 --> 00:58:31.100

resolving disagreement where there is disagreement between the parties on

257

00:58:31.100 --> 00:58:33.780

matters. And we are aware there is some of that.

258

00:58:35.040 --> 00:58:37.940

We ask that all sides engage in a

259

00:58:39.500 --> 00:58:44.500

positive and timely manner to endeavor to seek resolution as soon as

260

00:58:44.700 --> 00:58:47.740

possible. Don't leave this to the second half of the examination.

261

00:58:53.040 --> 00:58:55.060

Mr. Gould, is there anything you'd like to add at that point?

262

00:58:56.000 --> 00:58:58.220

Uh, thank you Mr. Bradley. Uh, yes,

263

00:58:59.200 --> 00:59:02.860

if the examining authority gets the sense that there's any stonewalling going

264

00:59:02.860 --> 00:59:03.693

on,

265

00:59:03.920 --> 00:59:08.060

I'm afraid you will receive procedural decisions requiring parties to get round

266

00:59:08.060 --> 00:59:12.220

the table, in effect, to break log jams. Um,

267

00:59:13.780 --> 00:59:18.240

So I hope everybody takes that message on board,

268

00:59:18.580 --> 00:59:23.520

um, because this member of the panel, um, has done it in the past and,

269

00:59:23.700 --> 00:59:28.480

uh, will if necessary, make sure it happens. As far as this case is concerned,

270

00:59:29.180 --> 00:59:32.080

uh, it is important that there is a dialogue. Uh,

271

00:59:32.100 --> 00:59:35.240

we are not expecting everything to be agreed, um,

272

00:59:35.300 --> 00:59:40.040

but there are certain matters that we would expect, say on methodologies where,

273

00:59:40.380 --> 00:59:44.400

um, certain aspects may be capable of being resolved.

274

00:59:45.330 --> 00:59:49.480

There may be methodological differences and it might well mean, um,

275

00:59:49.480 --> 00:59:51.920

that if there are methodological differences,

276

00:59:52.670 --> 00:59:54.960

both scenarios will have to be run, um,

277

00:59:55.300 --> 00:59:59.960

so that we can at least see the results of both sets being run. Um,

278

01:00:02.140 --> 01:00:02.973

so

279

01:00:04.300 --> 01:00:08.120

we are basically giving a very early indication that we do expect there to be

280

01:00:08.400 --> 01:00:09.760

dialogue. Um,

281

01:00:10.710 --> 01:00:14.720

that may mean that for certain topics there will need to be in effect group

282

01:00:15.120 --> 01:00:17.880

workshops, maybe to to address matters.

283

01:00:23.030 --> 01:00:27.460

Thank you, Mr. Gould. And fifth, uh, just reiterating that, um,

284

01:00:27.680 --> 01:00:32.500

the focus of communications for the examination is the, uh, website,

285

01:00:33.000 --> 01:00:37.620

uh, for the project, uh, on the planning inspector.

286

01:00:37.730 --> 01:00:41.500

It's national infrastructure, uh, section. And

287

01:00:44.060 --> 01:00:47.340

I think it's just worth mentioning that after each deadline,

288

01:00:47.340 --> 01:00:51.620

the documents will be added to the examination library as soon as possible. But,

289

01:00:52.000 --> 01:00:52.833

uh,

290

01:00:53.160 --> 01:00:57.700

one of the things to mention is that current standing orders for the back

291

01:00:57.700 --> 01:01:02.140

office, uh, pins, uh, is to redact all hyperlinks in documents,

292

01:01:02.140 --> 01:01:04.420

which does take time. So, uh,

293

01:01:04.700 --> 01:01:09.060

I think it's right to encourage hyperlinks to be minimized or

294

01:01:09.290 --> 01:01:12.180

avoided. Um,

295

01:01:14.780 --> 01:01:16.190

finally, uh,

296

01:01:16.810 --> 01:01:21.030

I'm obliged to make a comment on the statutory nature of the process. Uh,

297

01:01:21.100 --> 01:01:25.150

it's important that the examination is treated with due regard to the, the, the,

298

01:01:25.570 --> 01:01:26.403

the status.

299

01:01:26.650 --> 01:01:31.430

And there is potential for the XA to award costs if a party's

300

01:01:31.710 --> 01:01:35.710

unreasonable behavior causes another party to incur wasted expenditure.

301

01:01:36.220 --> 01:01:40.390

There's guidance about this on the Planning Inspector Web website, uh,

302

01:01:40.450 --> 01:01:43.790

and this does include examples of potentially unreasonable behavior.

303

01:01:48.070 --> 01:01:50.430

I don't want to overstate the issue,

304

01:01:50.570 --> 01:01:54.710

but please treat the examination process with due respect and bear in mind at

305

01:01:54.850 --> 01:01:59.390

all times that the XA has a duty to ensure that the examination is fair

306

01:01:59.650 --> 01:02:03.110

and open. Uh,

307

01:02:03.810 --> 01:02:08.550

if there are any questions now on the generalities of the examination process,

308

01:02:08.970 --> 01:02:10.710

uh, please raise them. Now. Um,

309

01:02:10.910 --> 01:02:14.990

I just ask that if you have specific points on the draft timetable,

310

01:02:15.130 --> 01:02:18.270

can I ask if you wait till item four of the agenda?

311

01:02:19.300 --> 01:02:22.720

So any questions Mr. Walker?

312

01:02:24.100 --> 01:02:28.800

Uh, thank you Mr. Bradley. Mr. Angus Walker for, um, D F D S. Um,

313

01:02:28.990 --> 01:02:32.080

well, this is my small item that was going to be under item five,

314

01:02:32.080 --> 01:02:34.120

but since you mentioned it now about hyperlinks,

315

01:02:34.680 --> 01:02:39.560

I think it is helpful if you are allowed to have hyperlinks to documents that

316

01:02:39.560 --> 01:02:41.640

are in the examination library already.

317

01:02:42.400 --> 01:02:45.920

I can understand the rationale for the no, no external ones.

318

01:02:46.000 --> 01:02:50.480

I think that would be helpful. So if, if you could just perhaps agree to that,

319

01:02:50.480 --> 01:02:51.400

hopefully. Thank you.

320

01:02:52.180 --> 01:02:56.240

Um, I think the examining authority would very much like to do that.

321

01:02:57.380 --> 01:03:00.760

Um, but there is an issue as Mr. Bradley touched on. Um,

322

01:03:00.910 --> 01:03:05.560

what is happening at the moment is the team that is responsible for action,

323

01:03:06.500 --> 01:03:09.720

um, because they have got so much work, uh,

324

01:03:09.720 --> 01:03:13.920

going their way at the moment with the various cases that are in examination,

325

01:03:15.060 --> 01:03:20.040
um, they are literally, um, just removing everything. It's causing,

326

01:03:20.780 --> 01:03:24.960
uh, this examining authority, uh, uh, and this inspector in particular,

327

01:03:25.230 --> 01:03:29.520
huge frustration about what is being redacted versus what should be redacted.

328

01:03:30.500 --> 01:03:33.680
Um, but as Mr. Bradley highlighted,

329

01:03:33.840 --> 01:03:37.320
I think that really just avoid it, otherwise they will do it.

330

01:03:37.320 --> 01:03:41.520
You may have already seen an awful lot of redaction amongst the applicant's

331

01:03:41.680 --> 01:03:45.840
documents, some of the other interested parties documents. Um,

332

01:03:46.030 --> 01:03:48.560
it's almost second nature just because, uh,

333

01:03:48.560 --> 01:03:52.360
colleagues don't have the time to pick out what they think,

334

01:03:53.380 --> 01:03:57.040
uh, should be left unredacted versus what is being redacted.

335

01:04:00.340 --> 01:04:03.320
Mr. Walker does that, it doesn't really resolve your query,

336

01:04:03.420 --> 01:04:05.000
but it at least sets the ground rules.

337

01:04:05.410 --> 01:04:07.840
Thank you. Angus Walker? Yeah, well, so be it.

338

01:04:11.270 --> 01:04:15.550

I mean, if generally redaction is a con concern to anybody involved with this

339

01:04:15.750 --> 01:04:20.190

examination, I would implore you to write to the inspector.

340

01:04:21.370 --> 01:04:26.110

Um, it, it is a matter that I have raised on a number of occasions, um,

341

01:04:26.220 --> 01:04:28.830

working on other casework, um,

342

01:04:29.410 --> 01:04:32.110

and it is proven quite difficult to deal with.

343

01:04:33.370 --> 01:04:38.230

So if anybody is concerned by it, please write, um, to the chief executive,

344

01:04:39.290 --> 01:04:39.610

um,

345

01:04:39.610 --> 01:04:42.990

and see whether or not you can have any more joy than inspectors are having at

346

01:04:42.990 --> 01:04:43.823

the moment with it.

347

01:04:46.890 --> 01:04:49.800

Thank you Mr. Gold. Thank you Mr. Walk for the question. Uh,

348

01:04:50.080 --> 01:04:54.560

I think the practical, uh, way forward in the meantime is,

349

01:04:54.980 --> 01:04:59.320

uh, we're referring to documents that are in the app in the examination library.

350

01:04:59.940 --> 01:05:03.200

Use the, uh, examination library reference, for instance,

351

01:05:03.700 --> 01:05:05.800

app 0 0 1, uh,

352

01:05:06.890 --> 01:05:11.360

which will actually make sure it's not striped out

353

01:05:11.790 --> 01:05:14.800

unnecessarily. Vigorously. Thank you.

354

01:05:16.220 --> 01:05:18.520

On a general point in terms of using the library,

355

01:05:18.820 --> 01:05:23.040

it is critical that everybody does use the library reference number when they're

356

01:05:23.040 --> 01:05:24.520

available. Um,

357

01:05:25.500 --> 01:05:30.000

and if we see long submissions and parties have not been using library

358

01:05:30.320 --> 01:05:31.110

references,

359

01:05:31.110 --> 01:05:34.960

they will be returned to you and you will be asked to insert the references.

360

01:05:35.230 --> 01:05:36.760

I've done that before, I'm afraid.

361

01:05:40.530 --> 01:05:43.960

Thank you. If there are no more questions,

362

01:05:43.960 --> 01:05:48.360

that concludes item two of the agenda. We'll now move on to item three,

363

01:05:48.360 --> 01:05:53.360

which is the, uh, examining authorities initial assessment of principle issues.

364

01:05:53.580 --> 01:05:56.360

I'm gonna hand back to Mr. Gould to lead on that.

365

01:05:58.480 --> 01:06:02.150

Thank you, Mr. Bradley. Uh, for this item,

366

01:06:02.290 --> 01:06:06.990

it would be useful if annex C of the Rule six letter could be displayed, please.

367

01:06:20.570 --> 01:06:23.790

The, the list in N X C uh, provides our,

368

01:06:24.650 --> 01:06:28.390

and I would stress our initial framework, uh,

369

01:06:28.450 --> 01:06:31.790

for the consideration of the principle issues, uh, for the examination.

370

01:06:32.900 --> 01:06:37.390

It's based upon the examining author's reading of the application documents and

371

01:06:37.530 --> 01:06:42.310

the IPS relevant representations, as well as our, uh,

372

01:06:42.630 --> 01:06:46.590

consideration of any other important and relevant matters. And in that,

373

01:06:46.650 --> 01:06:50.270

I'd include, uh, the submissions that were made at procedural deadline. A,

374

01:06:52.880 --> 01:06:56.530

it's not necessarily a comprehensive or exhaustive list,

375

01:06:57.790 --> 01:07:00.930

uh, in respect of each relevant matter. Rather,

376

01:07:01.040 --> 01:07:05.490

it's a broad list within which specific matters are likely to be covered.

377

01:07:05.960 --> 01:07:10.570

Further issues not listed May's result of subsequent submissions

378

01:07:11.550 --> 01:07:15.690

and the examination of the application, uh, in effect be added to that list.

379

01:07:17.510 --> 01:07:22.370

The purpose of this agenda item is to hear any comments parties may have about

380

01:07:22.390 --> 01:07:25.800

the list. However, by inviting you to speak,

381

01:07:25.800 --> 01:07:29.400

please remember that we are not looking for submissions on the merits of the

382

01:07:29.400 --> 01:07:34.360

scheme that will form part of the detailed examination, uh, once it commences.

383

01:07:36.040 --> 01:07:40.220

We are only considering comments on the broad principle issues that we have

384

01:07:40.460 --> 01:07:45.300

identified at this stage. Um, firstly,

385

01:07:45.680 --> 01:07:46.240

um,

386

01:07:46.240 --> 01:07:51.180

I'm aware we've received written submissions from C L D N about the

list

387

01:07:51.180 --> 01:07:54.500

of principle issues, most particularly project need alternatives,

388

01:07:55.040 --> 01:07:59.500

IMP implications for the integrity of the Humber Estuary's designated

389

01:07:59.790 --> 01:08:04.620

sites, climate change and air quality and noise and vibration impacts.

390

01:08:06.320 --> 01:08:10.490

Uh, Mr. Owen, uh,

391

01:08:10.490 --> 01:08:13.690

do you want to elaborate on the points that you've made on your,

392

01:08:13.690 --> 01:08:14.610

your client's behalf?

393

01:08:17.920 --> 01:08:22.540

Uh, Rob Owen for C L D N. Uh, thank you, sir. Uh,

394

01:08:22.920 --> 01:08:27.780

you, you referred to the five points we made, uh, in our response,

395

01:08:28.000 --> 01:08:32.660

um, at pre examination procedure deadline. A, uh, and for reference, uh,

396

01:08:32.720 --> 01:08:36.860

for everybody that is document P D A 0 0 5,

397

01:08:37.120 --> 01:08:41.500

namely CLD N'S response. And, uh, I don't think I need to elaborate on them,

398

01:08:41.920 --> 01:08:43.660

uh, except, and to say that, uh,

399

01:08:43.770 --> 01:08:48.420

that the five issues we referred to we do think are important, um,

400

01:08:48.960 --> 01:08:52.540

uh, particularly in terms of, um, project need and alternatives,

401

01:08:53.080 --> 01:08:55.300

but also then in terms of impacts. Um,

402

01:08:55.360 --> 01:08:58.260

so the first two issues were on project need and alternatives,

403

01:08:58.260 --> 01:09:01.660

but then the third, fourth, and fifth were, uh, as you mentioned,

404

01:09:01.660 --> 01:09:06.100

implications for the integrity of the H r a designated sites,
climate change,

405

01:09:06.360 --> 01:09:10.100

and, uh, finally air quality, uh, noise and vibration impacts.

406

01:09:10.120 --> 01:09:13.460

And we think all of those are important, um,

407

01:09:13.720 --> 01:09:18.340

and indeed principle issues that should be treated as such. And,
and, uh,

408

01:09:18.800 --> 01:09:21.660

uh, you have our more detailed submissions in writing,

409

01:09:21.680 --> 01:09:24.660

so I don't think I need to elaborate on them other than to say what
I've just

410

01:09:24.660 --> 01:09:25.940

said. Thank you.

411

01:09:34.530 --> 01:09:35.363

Yeah,

412

01:09:36.590 --> 01:09:41.520

Thank you, Mr. Owen. Uh,

413

01:09:41.660 --> 01:09:46.520

we will certainly be taking, uh, your comments on board, uh, for your,

414

01:09:46.980 --> 01:09:50.400

um, on your client's behalf. And of course,

415

01:09:50.400 --> 01:09:53.000

written representations will provide an opportunity, uh,

416

01:09:53.000 --> 01:09:56.200

for you to make more detailed representations on the various matters.

417

01:09:59.170 --> 01:10:03.950

Um, it should be remembered that the examining author's identification, uh,

418

01:10:03.970 --> 01:10:05.670

of those initial, um, issues,

419

01:10:07.930 --> 01:10:08.763

Uh,

420

01:10:09.330 --> 01:10:12.110

As I say, I'm not a comprehensive or exhaustive list.

421

01:10:13.810 --> 01:10:15.510

So example, so for example,

422

01:10:15.510 --> 01:10:19.870

with respect to the matter of need of the proposed development, uh, the,

423

01:10:19.870 --> 01:10:22.790

the examining authority con considers that just because, um,

424

01:10:22.850 --> 01:10:27.750
we haven't in effect added heading as a separate entity,

425
01:10:28.250 --> 01:10:31.350
and that that matter will not be considered. Um,

426
01:10:31.530 --> 01:10:35.150
and part of the reason why we've structured the list in the way we
have done,

427
01:10:35.890 --> 01:10:40.390
um, largely from past experiences, things end up tending to move
around.

428
01:10:41.250 --> 01:10:45.710
And ultimately, when we come to write our report some way down the
line,

429
01:10:45.710 --> 01:10:50.270
we've also got to stop things in, in appropriate places. Uh,

430
01:10:50.500 --> 01:10:51.300
that, that,

431
01:10:51.300 --> 01:10:55.110
that will be logical for the ultimate reader that I e the Secretary
of State.

432
01:10:55.970 --> 01:10:56.530
Um,

433
01:10:56.530 --> 01:11:00.470
and sometimes compiling the list and where you put things and how
you describe

434
01:11:00.470 --> 01:11:04.470
them, um, from our perspective can be a bit tricky.

435
01:11:05.370 --> 01:11:06.203
Um,

436
01:11:06.990 --> 01:11:11.350

I would suggest there is no slight in the way that we've compiled that list and

437

01:11:11.350 --> 01:11:16.120

or how we might ultimately resolve. And I think when we, for example,

438

01:11:16.300 --> 01:11:21.240

get to look at matters in an issue specific to the hearing on Thursday,

439

01:11:21.900 --> 01:11:26.160

you'll see there are, there is coverage of a number of the matters that you,

440

01:11:26.160 --> 01:11:26.993

you've pointed out,

441

01:11:27.380 --> 01:11:32.320

but not necessarily amongst the tags that we've put down in

442

01:11:32.320 --> 01:11:37.240

that initial list of principle issues. Um, in some ways that is a bit of a, a,

443

01:11:37.320 --> 01:11:41.560

a moving feast, but we, we, we certainly have taken note of,

444

01:11:41.620 --> 01:11:43.000

of your representations,

445

01:11:44.880 --> 01:11:48.900

Uh, Robbie Aaron, c r d N. Thank you. So that, that's, that's helpful. Um, and,

446

01:11:48.900 --> 01:11:51.300

and I, I take on board what you say, if,

447

01:11:51.320 --> 01:11:53.780

if I could just say this by way of response. Um,

448

01:11:54.780 --> 01:11:57.660

I think in particular in relation to project need and alternatives,

449

01:11:58.770 --> 01:12:02.020

that is always, I would suggest a natural starting point.

450

01:12:02.180 --> 01:12:06.260

I can understand how in relation to the third, fourth, and fifth issues,

451

01:12:07.080 --> 01:12:10.500

uh, in terms of environmental impact, essentially. Um,

452

01:12:10.590 --> 01:12:13.860

there are lots of different ways of cutting those,

453

01:12:14.000 --> 01:12:18.140

but I think in relation to need and alternatives, um, it,

454

01:12:18.160 --> 01:12:23.100

it is important we feel to treat them as separate subjects in their

455

01:12:23.100 --> 01:12:24.980

own right, not least because of

456

01:12:26.480 --> 01:12:29.700

the decision at the end of this process. You know, the,

457

01:12:29.700 --> 01:12:32.100

the determination of the application, um,

458

01:12:32.170 --> 01:12:36.380

because the national policy statement ports has effect,

459

01:12:36.840 --> 01:12:41.420

the decision will need to be taken under section 104 of the Planning Act.

460

01:12:41.920 --> 01:12:46.700

And that will require a consideration of whether the benefits of the

461

01:12:47.570 --> 01:12:52.260

project, uh, and obviously benefits and need are,

462

01:12:52.720 --> 01:12:55.340

uh, issues to be dealt with together, um,

463

01:12:55.340 --> 01:13:00.060

whether they outweigh or don't outweigh the impacts. And therefore,

464

01:13:00.060 --> 01:13:04.580

that's why we feel that need alternatives do need to be,

465

01:13:05.160 --> 01:13:05.390

uh,

466

01:13:05.390 --> 01:13:10.300

given a separate treatment by way of being considered to be a principal

467

01:13:10.300 --> 01:13:12.780

issue. Thank you.

468

01:13:22.340 --> 01:13:27.080

Thank you, Mr. Australian. Um, the,

469

01:13:27.220 --> 01:13:32.200

uh, examine authority certainly will take those comments on board,

470

01:13:32.940 --> 01:13:37.880

and when we issue the Rule eight letter sometime during the course of

471

01:13:37.880 --> 01:13:42.160

next week, uh, we'll be able to, uh, give a, a formal response as,

472

01:13:42.380 --> 01:13:47.080

as to how we, um, address your concerns in that regard.

473

01:13:47.740 --> 01:13:52.680

Um, I'd now like to turn to Mr. Walker on behalf of D F D S.

474

01:13:55.100 --> 01:13:58.080

Um, thank you sir. Angus Walker, D F D Ss, um, we,

475

01:13:58.140 --> 01:14:00.000

we don't have any comments under item three.

476

01:14:00.050 --> 01:14:01.880

We're happy with your list of principle issues

477

01:14:10.400 --> 01:14:13.000

For the applicant. Any, any, any observations?

478

01:14:13.000 --> 01:14:16.480

Thank you, sir. Brian Greenwood for Associated British Ports, and sir,

479

01:14:16.500 --> 01:14:20.680

for future reference and for writing, I will shorten that to a b p, uh,

480

01:14:20.680 --> 01:14:25.480

for written representations, sir, uh, we have indicated that we are, uh,

481

01:14:25.660 --> 01:14:28.360

as with Mr. Walker, uh, happy with the, uh, schedule.

482

01:14:28.360 --> 01:14:32.720

Could I just say that we did have correspondence earlier that, uh,

483

01:14:32.910 --> 01:14:35.880

landscape and visual effects, I think has been,

484

01:14:35.980 --> 01:14:40.000

you've agreed to remove that because it was scoped out and, uh,

485

01:14:41.260 --> 01:14:43.360

is is not considered an issue? Uh,

486

01:14:45.060 --> 01:14:46.600

Not quite. I think what, what

487

01:14:46.620 --> 01:14:47.480
Not quite, what

488
01:14:47.510 --> 01:14:51.400
What we said in the response to the submission that you made in that respect in

489
01:14:51.400 --> 01:14:54.360
writing was that we felt at this stage,

490
01:14:54.720 --> 01:14:57.880
'cause we've not had the opportunity to see the site and its its context,

491
01:14:58.700 --> 01:15:01.080
we leave that in. Um,

492
01:15:01.310 --> 01:15:04.840
that does not mean that it that there's any particular concern there.

493
01:15:04.980 --> 01:15:09.560
It is just because we have not seen the site and we are therefore at the moment

494
01:15:09.560 --> 01:15:11.920
flying somewhat blind. Um,

495
01:15:12.320 --> 01:15:16.480
tomorrow of course we will have the opportunity to see the site, um,

496
01:15:16.540 --> 01:15:18.240
and therefore in, um,

497
01:15:20.820 --> 01:15:22.470
producing the Rule eight. Um,

498
01:15:22.730 --> 01:15:27.550
in the same way that we'll be reviewing the observations that C L D N have made,

499
01:15:28.010 --> 01:15:31.190

we can have the opportunity to have another look at that particular matter.

500

01:15:31.700 --> 01:15:35.950

Even if it remains on the list, it doesn't necessarily mean, uh,

501

01:15:35.950 --> 01:15:39.830

we're suddenly going to turn around and say there's an awful lot more work. Um,

502

01:15:40.490 --> 01:15:41.150

but it, it,

503

01:15:41.150 --> 01:15:45.910

it's the sort of topic that for virtually every project we're gonna have to

504

01:15:45.910 --> 01:15:50.830

cover to a degree within our recommendation report at the end of the

505

01:15:50.830 --> 01:15:54.390

process. Does, does that satisfy your point? Yeah.

506

01:15:54.390 --> 01:15:58.270

Brian Greenwood for a b p certainly, sir. It, it seems, if I say so, uh,

507

01:15:58.590 --> 01:16:02.310

entirely logical and, uh, I hope we have a good trip tomorrow, sir,

508

01:16:15.050 --> 01:16:19.870

Are there any other observations, uh, with respect to the initial, um,

509

01:16:19.940 --> 01:16:24.910

list of issues that we've identified? Uh, looking towards the council, Mr.

510

01:16:25.100 --> 01:16:30.070

Lier, uh, Richard Limmer Northeastern's Council, uh, no comments to make.

511

01:16:30.070 --> 01:16:32.310
Thank you, sir. And for the Harbor Authority,

512
01:16:33.990 --> 01:16:34.490
Victoria Hudson

513
01:16:34.490 --> 01:16:36.150
For the Harbor Master? No, sir, no comment.

514
01:16:49.120 --> 01:16:52.170
Okay. Well, that then takes us onto agenda item four,

515
01:16:59.020 --> 01:17:03.610
which is the draft examination timetable. Um, could I ask that,

516
01:17:03.950 --> 01:17:05.450
uh, that's displayed on screen.

517
01:17:31.630 --> 01:17:34.540
Annex Annex D sets out the draft deadlines, uh,

518
01:17:34.560 --> 01:17:37.940
for written submissions and dates for hearings, et cetera.

519
01:17:38.960 --> 01:17:42.700
It also includes dates for the examine authority to issue documents
such as our

520
01:17:42.700 --> 01:17:43.533
written questions.

521
01:17:44.160 --> 01:17:48.780
Please note that the latest time for making submissions at each
deadline,

522
01:17:49.040 --> 01:17:49.650
uh,

523
01:17:49.650 --> 01:17:54.620
will be 2359 or 11:59 PM or one minute before midnight,

524

01:17:54.620 --> 01:17:55.820
whichever you prefer.

525
01:17:58.300 --> 01:17:59.660
Although with wellbeing in mind,

526
01:17:59.720 --> 01:18:03.940
the examining authority would not want or encourage late evening
working and or

527
01:18:04.220 --> 01:18:05.100
weekend working,

528
01:18:05.910 --> 01:18:10.660
given the intention for many of the deadlines to be on Mondays. Uh,

529
01:18:10.660 --> 01:18:14.140
the examining authority would remind you what we said about
deadlines in Rule

530
01:18:14.200 --> 01:18:16.700
six. Letter of page six, namely,

531
01:18:17.090 --> 01:18:19.780
each deadline within the timetable should, however,

532
01:18:19.880 --> 01:18:23.580
be treated as being not later than time and date.

533
01:18:24.310 --> 01:18:27.980
There is therefore no reason why submissions relating to a
particular deadline

534
01:18:28.240 --> 01:18:32.540
cannot be made to the planning inspector in advance of the stated
deadline.

535
01:18:35.280 --> 01:18:39.790
There would therefore be no compulsion on any party participating in
this

536
01:18:39.990 --> 01:18:44.870

examination to work over weekends and leave the making of its submissions to any

537

01:18:44.870 --> 01:18:48.270

of the Monday deadlines included in the draft timetable.

538

01:18:53.800 --> 01:18:55.300

In the interest of efficiency,

539

01:18:55.340 --> 01:18:58.460

I don't intend to go through the draft timetable in its entirety,

540

01:18:59.560 --> 01:19:01.620

but would highlight some key points.

541

01:19:05.560 --> 01:19:10.500

Um, we have decided to hold two issue specific hearings at a very early stage,

542

01:19:11.680 --> 01:19:15.940

um, to allow parties to make oral submissions relating to the drafting of the,

543

01:19:16.120 --> 01:19:18.820

uh, draft of development consent order. Uh,

544

01:19:18.820 --> 01:19:22.860

that will be issue specific hearing one, which will commence, uh,

545

01:19:22.970 --> 01:19:27.900

this afternoon at half past two. Um, the second, um,

546

01:19:28.070 --> 01:19:31.660

early issue specific hearing is issue specific hearing two,

547

01:19:32.270 --> 01:19:37.220

which we heard Thursday of this week. Um, and that's gonna cover, um,

548

01:19:37.440 --> 01:19:42.340

at least initially matters of need for the development marine ecology and

549

01:19:42.340 --> 01:19:46.340

effects on the integrity of the, uh, designated sites,

550

01:19:47.860 --> 01:19:48.980

landside transportation

551

01:19:52.510 --> 01:19:56.570

and any effects on the lands landside operations of the occupiers of the Port of

552

01:19:56.570 --> 01:20:01.290

Immingham, and then effects on navigation and shipping

553

01:20:06.120 --> 01:20:09.120

tomorrow as we've already portrayed, uh,

554

01:20:09.340 --> 01:20:13.880

we will be undertaking what we've termed a familiarization

555

01:20:14.070 --> 01:20:19.000

site inspection, which is a bespoke inspection for this particular, uh,

556

01:20:19.030 --> 01:20:22.120

application. The full reasoning, um,

557

01:20:22.260 --> 01:20:25.920

and arrangements for that inspection have been explained, um,

558

01:20:26.140 --> 01:20:28.200

in Annex F of the Rule six letter,

559

01:20:29.540 --> 01:20:33.240

and we published an itinerary for that site inspection on the

560

01:20:33.800 --> 01:20:34.720

20th of July.

561

01:20:37.350 --> 01:20:40.120

Provision has been made within the examination, um,

562

01:20:40.350 --> 01:20:44.920

timetable or at least the draft timetable for the holding of a full

563

01:20:44.920 --> 01:20:49.120

accompanied site inspection during the week commencing the 25th of September.

564

01:20:59.420 --> 01:21:00.253

Can do,

565

01:21:03.810 --> 01:21:04.643

Um,

566

01:21:06.600 --> 01:21:10.990

there was originally an open floor hearing scheduled for this evening

567

01:21:12.820 --> 01:21:17.310

that has been canceled because there were no requests from any interested party

568

01:21:17.890 --> 01:21:22.750

to attend such a hearing. There is, however,

569

01:21:22.880 --> 01:21:25.470

still scope within the draft timetable, uh,

570

01:21:25.610 --> 01:21:28.510

for an open floor hearing to be held, uh,

571

01:21:28.510 --> 01:21:32.550

during the week of the 25th of September, should any, uh,

572

01:21:32.550 --> 01:21:35.230

request subsequently be made to be heard at such a hearing

573

01:21:44.030 --> 01:21:48.410

as soon as practical. Um, following this week's, um, preliminary,

574

01:21:48.800 --> 01:21:53.770

preliminary meeting, um, and the, the issue specific hearings,

575

01:21:53.830 --> 01:21:56.170

um, we will be publishing the Rule eight letter,

576

01:21:56.420 --> 01:21:59.090

which will formalize the examination timetable.

577

01:22:01.670 --> 01:22:04.610

Um, and shortly after that, uh, we're proposing, uh,

578

01:22:04.710 --> 01:22:06.810

to issue our first written questions.

579

01:22:09.590 --> 01:22:12.250

The draft timetable currently, um,

580

01:22:12.470 --> 01:22:16.610

has as deadline one Monday the 14th of August.

581

01:22:19.230 --> 01:22:22.370

Um, most of the, um,

582

01:22:22.410 --> 01:22:26.250

requirements in that deadline are largely upon the applicant.

583

01:22:27.350 --> 01:22:27.700

Um,

584

01:22:27.700 --> 01:22:32.490

there are some other bits and pieces for interested parties and perhaps of most

585

01:22:32.490 --> 01:22:36.090

significance, uh, is in that deadline. There is the,

586

01:22:37.310 --> 01:22:41.970

uh, requirement for the local authority or authorities because, um,

587

01:22:43.100 --> 01:22:47.530

north Lincolnshire Council might also decide to submit a local

impact report,

588

01:22:47.530 --> 01:22:50.970

but particularly for North East Lincolnshire Council, um,

589

01:22:52.100 --> 01:22:56.050

there is a requirement to submit the local a impact report for your authority.

590

01:23:01.590 --> 01:23:05.540

Deadline two, which is currently in the draft timetable, 31st of August.

591

01:23:06.420 --> 01:23:09.120

Um, that amongst other things, uh,

592

01:23:09.900 --> 01:23:14.320

has the deadline for the receipt of written representations from any interested

593

01:23:14.370 --> 01:23:18.720

party and, uh, written responses to first written questions.

594

01:23:20.380 --> 01:23:23.800

And then at deadline three, uh, 11th of September

595

01:23:25.340 --> 01:23:25.940

and the,

596

01:23:25.940 --> 01:23:29.920

the opportunity for the applicant and other ips to submit comments on the

597

01:23:29.920 --> 01:23:34.360

written representations and the responses to the first written questions.

598

01:23:36.670 --> 01:23:38.960

Then, um, if required, um,

599

01:23:39.260 --> 01:23:44.120

the examining authority will issue its second written questions on

the, um,

600

01:23:44.460 --> 01:23:46.360

or no later than the 15th of September,

601

01:23:54.740 --> 01:23:59.160

uh, the fourth deadline, Monday the 9th of October. Um,

602

01:23:59.350 --> 01:24:04.120

that is the opportunity for parties to respond to our

603

01:24:04.120 --> 01:24:07.160

second written questions if there is a need to issue any

604

01:24:12.650 --> 01:24:17.370

deadline. Five 23rd of October, amongst other things includes,

605

01:24:17.710 --> 01:24:18.543

um,

606

01:24:18.930 --> 01:24:23.810

a requirement that final and signed statement of common ground are submitted.

607

01:24:25.080 --> 01:24:28.170

That would be around halfway mark in the examination.

608

01:24:32.550 --> 01:24:35.090

The examining authority considers important that, uh,

609

01:24:35.090 --> 01:24:39.370

the statement of common ground in their final forms are submitted at around that

610

01:24:39.770 --> 01:24:43.570

point, um, that will ensure that, um,

611

01:24:43.860 --> 01:24:48.290

there is work done on the state of common ground and they don't become,

612

01:24:48.430 --> 01:24:52.010
in effect what often is the case afterthoughts, uh,

613
01:24:52.010 --> 01:24:55.530
that are quite uninformative documents. Um,

614
01:24:56.390 --> 01:25:00.410
the examine authority considers important that we do have fairly
early sight,

615
01:25:00.570 --> 01:25:02.690
a statement of common ground, um,

616
01:25:02.690 --> 01:25:05.490
because that will enable us to see where there may be, um,

617
01:25:05.490 --> 01:25:08.450
particular areas of disagreement. Um,

618
01:25:08.670 --> 01:25:12.690
and it might be at that point that we need to flex in effect
metaphorically our

619
01:25:12.690 --> 01:25:17.570
muscle to see whether or there are matters, um, that we can
possibly,

620
01:25:18.430 --> 01:25:22.930
um, push, push along, um, to get things moving. If, if there has
been,

621
01:25:22.950 --> 01:25:26.210
for whatever reason, any sort of stalemates,

622
01:25:26.310 --> 01:25:29.970
at least on some of the procedural or methodological type matters.

623
01:25:30.350 --> 01:25:33.770
As I said earlier, we're not expecting everybody to agree, um,

624
01:25:34.590 --> 01:25:38.730
on every matter of principle, particularly whether there is

interpretation,

625

01:25:38.750 --> 01:25:42.770

but we would expect that where there are basic ground rules for assessing

626

01:25:42.770 --> 01:25:46.970

things, that there has at least been progress, uh, in, in,

627

01:25:46.990 --> 01:25:49.810

in addressing those sort of housekeeping type matters.

628

01:25:57.830 --> 01:25:58.430

Um,

629

01:25:58.430 --> 01:26:03.280

the submission of the statement of common ground at midpoint does not mean

630

01:26:03.350 --> 01:26:08.000

that parties cannot continue to discuss matters and potentially

631

01:26:08.520 --> 01:26:12.440

continue, uh, to hone down on areas of difference.

632

01:26:13.420 --> 01:26:18.360

Um, and there is a requirement on the applicant to produce in effect what if is

633

01:26:18.640 --> 01:26:23.080

referred to as the principle areas of difference tracker, uh,

634

01:26:23.170 --> 01:26:26.880

where we will be able to see whether any progress is being made, uh,

635

01:26:26.980 --> 01:26:30.560

in respect of certain matters. And again, whether we need to flex our muscle,

636

01:26:31.260 --> 01:26:35.480

uh, because we think there might be, um, slow progress, uh,

637

01:26:35.480 --> 01:26:36.313
in dealing with things,

638

01:26:36.420 --> 01:26:39.480
but without the statement of common ground being available early,

639

01:26:40.380 --> 01:26:45.320
we have less of an opportunity to, as a flex muscle at this end, uh,

640

01:26:45.320 --> 01:26:46.520
to try and get things moving.

641

01:26:52.010 --> 01:26:53.470
Uh, and of course, in that context,

642

01:26:53.940 --> 01:26:58.070
I'll remind everybody that with the six month period commencing
tomorrow

643

01:26:58.850 --> 01:27:00.350
for the examination, um,

644

01:27:00.610 --> 01:27:04.670
the examination at its latest would close on the 26th of January,

645

01:27:04.670 --> 01:27:06.910
2024. Um,

646

01:27:08.040 --> 01:27:11.710
hence the reason why I say we think it very important that statement
of common

647

01:27:11.710 --> 01:27:16.070
ground are available to us around the midpoint of the examination,

648

01:27:20.930 --> 01:27:25.510
but I'm aware that representations have been made about some of
those

649

01:27:25.580 --> 01:27:29.230
timetabling points. So I'd now like to turn, uh, first Mr. Owen,

650

01:27:30.170 --> 01:27:32.870

for any observations, you've got 'em on timetabling.

651

01:27:36.130 --> 01:27:39.030

Robbie Owen for C L D N. Uh, thank you, sir.

652

01:27:40.190 --> 01:27:44.710

I wanted just to draw our attention again to our response at pre

653

01:27:44.870 --> 01:27:47.190

examination procedure deadline. A uh,

654

01:27:47.550 --> 01:27:51.270

reference again is P D a 0 0 5, and in our letter,

655

01:27:52.450 --> 01:27:56.910

uh, of, of the 6th of July, we did make a number of comments on the,
um,

656

01:27:57.000 --> 01:27:59.790

draft examination program and

657

01:28:01.970 --> 01:28:06.750

The, the detail is there available to you. I, I would just want to,
um,

658

01:28:07.620 --> 01:28:11.470

deal particularly with the wellbeing issue that you picked up on,
um,

659

01:28:11.470 --> 01:28:16.150

because we did suggest both in relation to deadline one, but also,

660

01:28:16.850 --> 01:28:21.550

uh, subsequent deadlines 4, 5, 6, 7,

661

01:28:22.330 --> 01:28:23.163

and eight,

662

01:28:23.260 --> 01:28:28.150

that the Monday deadline should be pushed back to the

663

01:28:28.150 --> 01:28:29.910

Tuesday of the same week in each case.

664

01:28:31.130 --> 01:28:36.110

And we say that because even though where the

665

01:28:36.270 --> 01:28:40.590

deadlines remain on the Monday, that gives, um,

666

01:28:42.160 --> 01:28:46.310

eight or so hours of the working day, uh, on that day to complete,

667

01:28:46.630 --> 01:28:50.710

complete a submission that the reality is, and I speak from, uh,

668

01:28:50.710 --> 01:28:53.550

experience of a lot of written examinations, um, uh,

669

01:28:53.930 --> 01:28:56.430

as to others in the room that, uh, that does,

670

01:28:56.650 --> 01:29:00.310

I'm afraid lead to weekend working, especially where, uh,

671

01:29:00.370 --> 01:29:01.960

as the examination progresses,

672

01:29:02.580 --> 01:29:07.520

the gap between deadlines shortens and therefore we do feel that,
um,

673

01:29:08.100 --> 01:29:12.640

uh, it would be conducive to wellbeing, uh,

674

01:29:12.710 --> 01:29:17.040

more conducive to, uh, wellbeing for the deadlines to be on a
Tuesday,

675

01:29:17.390 --> 01:29:22.080

because that should certainly reduce the need for weekend working.
Uh,

676

01:29:22.080 --> 01:29:26.120

it may not totally avoid it, but, um, with two working days, uh,

677

01:29:26.120 --> 01:29:29.680

the Monday and the Tuesday of each week concerned available for
working on the

678

01:29:29.880 --> 01:29:33.840

deadline submissions that would materially help, um,

679

01:29:34.750 --> 01:29:39.000

clearly it's a matter for the panel ultimately, but I, I, um, uh,

680

01:29:39.660 --> 01:29:42.640

having been through a lot of examinations, I think it's incumbent
on,

681

01:29:42.660 --> 01:29:46.120

on everyone to try to do what they can to, uh,

682

01:29:46.310 --> 01:29:49.080

improve the wellbeing of those involved in the examinations.

683

01:29:49.080 --> 01:29:51.360

And we feel that that suggestion of ours, um,

684

01:29:51.420 --> 01:29:55.280

in relation to those deadlines I mentioned would, would, would
assist

685

01:29:58.140 --> 01:30:02.080

The, uh, um, related, uh, uh,

686

01:30:02.890 --> 01:30:07.280

issue on deadlines, um, was the submission we made in relation to,
um,

687

01:30:07.670 --> 01:30:10.200

item nine, that's deadline two. Um,

688

01:30:10.450 --> 01:30:15.360

given the amount involved in that, we, um,

689

01:30:15.710 --> 01:30:20.400

were asking for that to be moved back, uh, to, um, the following week,

690

01:30:20.620 --> 01:30:23.000

the 6th of September, uh,

691

01:30:23.070 --> 01:30:28.040

just to give further time for what is, um, you know, quite a major deadline. Uh,

692

01:30:28.140 --> 01:30:31.800

and we, we felt from our own perspective, and we thought from yours too,

693

01:30:31.800 --> 01:30:36.720

that that could be done without disrupting the later stages in the

694

01:30:36.720 --> 01:30:41.040

timetable. And it was also, again, having regard to the fact that, um, Monday,

695

01:30:41.040 --> 01:30:44.320

the 28th of August is the summer bank holiday in England, uh,

696

01:30:44.500 --> 01:30:47.160

and that there may be reduced availability during this week,

697

01:30:47.930 --> 01:30:52.880

given it's the final week of the English, uh, school summer holidays.

698

01:30:56.300 --> 01:30:58.740

I think the other submissions we made were all,

699

01:30:58.740 --> 01:31:01.940

were all related to what I've said, so I don't need to go over those. Thank you.

700

01:31:15.660 --> 01:31:18.400

Uh, thank you Mr. Owen. Um, Mr.

701

01:31:18.400 --> 01:31:22.920

Walker on behalf of D F T S U have made some similar representations.

702

01:31:23.460 --> 01:31:28.400

Is there anything particularly on one deadline, 1, 2, 3, um,

703

01:31:28.830 --> 01:31:31.880

that you wish to add to what Mr. Owen has said,

704

01:31:32.020 --> 01:31:34.920

or are you generally of the same camp?

705

01:31:36.100 --> 01:31:40.800

Um, Angus Walker for D F D S, uh, uh,

706

01:31:40.870 --> 01:31:42.360

generally of the same camp.

707

01:31:42.380 --> 01:31:46.280

And I note that in each deadline the applicant is required to submit a new draft

708

01:31:46.300 --> 01:31:50.880

of the D C O, which does seem a little too frequent for not only the applicant,

709

01:31:50.880 --> 01:31:55.280

but everyone else to respond to it. Um, perhaps that could be one of the,

710

01:31:55.660 --> 01:31:57.200

or two of those could be weeded out.

711

01:32:00.480 --> 01:32:03.320

I will come back to the, the draft d c o point,

712

01:32:03.520 --> 01:32:05.760
'cause I've had a specific issue for Mr.

713
01:32:05.760 --> 01:32:09.640
Greenwood on behalf of his client about that and how they intend to

714
01:32:10.630 --> 01:32:14.320
produce, uh, drafts and or the frequency. Um,

715
01:32:15.500 --> 01:32:17.760
Mr. Greenwood, for your client,

716
01:32:18.060 --> 01:32:22.000
do you have any observations on timetabling and

717
01:32:22.900 --> 01:32:24.120
the, the view from, if you like,

718
01:32:24.120 --> 01:32:29.000
the other side of the room about tightness of deadline? One, two in particular,

719
01:32:29.220 --> 01:32:30.360
and three if that matter?

720
01:32:31.180 --> 01:32:36.120
Uh, sir Brian Greenwood, A B P, uh, to a certain extent, sir, uh,

721
01:32:36.340 --> 01:32:40.080
on our side, we view this with resignation in that,

722
01:32:40.260 --> 01:32:42.560
as you have said yourself, sir, the promoter,

723
01:32:42.560 --> 01:32:46.560
the applicant is going to bear the brunt. So, uh, I I,

724
01:32:46.680 --> 01:32:51.240
I understand where Mr. Owen and Mr. Walker are coming from, but, uh,

725
01:32:51.240 --> 01:32:54.480

as far as a v p is concerned, we will be working throughout.

726

01:32:54.740 --> 01:32:56.960

So we will fit in with your timetable, sir,

727

01:32:57.980 --> 01:33:02.040

And from the, the applicant's perspective in terms of the resourcing,

728

01:33:02.040 --> 01:33:03.960

because of course, you've got to respond to

729

01:33:05.470 --> 01:33:09.280

various interested parties concerns. Um,

730

01:33:09.990 --> 01:33:11.480

putting it bluntly,

731

01:33:12.220 --> 01:33:17.200

is the team on your side sufficiently scaled up to

732

01:33:17.200 --> 01:33:22.000

be able to deal potentially with concurrent, uh, matters,

733

01:33:22.420 --> 01:33:26.120

um, such that, uh, you can keep, if you like,

734

01:33:26.120 --> 01:33:29.440

the dialogue going between the IEPs, um,

735

01:33:29.900 --> 01:33:34.760

so that they are able to work at a, uh, a reasonable pace.

736

01:33:34.760 --> 01:33:39.640

They're not in effect having to wait for you because, um, there's,

737

01:33:39.640 --> 01:33:41.040

there's a log jam on your side,

738

01:33:41.350 --> 01:33:45.880

whereas let's say C L D and are ready to roll with a, a meeting at

some stage,

739

01:33:46.540 --> 01:33:48.200

but you haven't got, um,

740

01:33:48.560 --> 01:33:52.680

somebody re relevant or available to deal with their particular interests.

741

01:33:54.100 --> 01:33:58.640

So Brian Greenwood, uh, a B p, uh, famous last words,

742

01:33:58.700 --> 01:34:01.520

but I'm confident that we have a team that, uh,

743

01:34:01.630 --> 01:34:05.400

will meet your requirements and certainly I'm also very conscious of the

744

01:34:05.400 --> 01:34:10.080

warnings you gave earlier about, uh, not complying with timetables.

745

01:34:10.220 --> 01:34:13.320

Uh, we have a good, uh, internal A b P team.

746

01:34:13.500 --> 01:34:16.160

We have a very good team of consultants,

747

01:34:16.300 --> 01:34:18.600

and I'm confident that we can meet the requirements. So

748

01:34:23.410 --> 01:34:27.970

I think on the, if you like, on the more detailed aspects of what day, uh,

749

01:34:28.090 --> 01:34:29.250

certain deadlines are set,

750

01:34:29.670 --> 01:34:34.170

the examiner authority is gonna have to go on way and have a think, um,

751

01:34:34.280 --> 01:34:37.090

what I can say at this. What, sorry,

752

01:34:37.410 --> 01:34:42.170

I should turn to the Harbor Master. Is there anything, Ms. Hutton,

753

01:34:42.170 --> 01:34:43.003

from your perspective?

754

01:34:44.590 --> 01:34:47.450

Uh, Victoria Hutton, the Harbor Master? No, sir, no comment.

755

01:34:50.440 --> 01:34:51.120

Um,

756

01:34:51.120 --> 01:34:55.980

the other thing that we have to in part juggle with is that this is

757

01:34:56.000 --> 01:35:00.320

not the only examination that is running at the moment. Um,

758

01:35:01.870 --> 01:35:06.320

when documents are being submitted, as we've touched on earlier, um,

759

01:35:06.370 --> 01:35:09.520

those documents have to be reviewed by the team that does The redaction.

760

01:35:10.270 --> 01:35:14.280

They will not only be working on this case at any given time,

761

01:35:14.280 --> 01:35:16.480

they'll be working on others. Uh,

762

01:35:16.540 --> 01:35:20.800

and what we did with the timetable was we asked for it to be reviewed internally

763

01:35:21.620 --> 01:35:25.760

to make sure that there weren't any obvious clashes with any of the other

764

01:35:26.280 --> 01:35:30.120
examinations, some of which are, um,

765

01:35:31.110 --> 01:35:34.080
proving to be quite controversial, I'll put it that way.

766

01:35:34.100 --> 01:35:39.080
And therefore generating lots of relevant reps likely to generate
lots of

767

01:35:39.080 --> 01:35:44.040
written reps, likely to generate lots of written questions from, uh,
panels,

768

01:35:44.040 --> 01:35:47.600
and therefore lots of responses there is behind the scenes,

769

01:35:48.050 --> 01:35:52.960
quite a lot of juggling that has to go on within I spectra to try
and service,

770

01:35:54.020 --> 01:35:57.600
um, currently what is quite a bulge in applications going through
the process.

771

01:35:58.380 --> 01:35:59.320
But certainly we,

772

01:35:59.340 --> 01:36:03.520
we have heard particularly what D F D S and C L D N have have said
about

773

01:36:03.520 --> 01:36:07.400
timetable. Um, and we, we will review,

774

01:36:08.020 --> 01:36:12.800
if we don't feel able, uh, to change significantly this deadline,

775

01:36:13.020 --> 01:36:14.480
we will try and explain why.

776

01:36:15.260 --> 01:36:19.680

But it will in some degree be against that context of what I've just said about,

777

01:36:20.380 --> 01:36:21.213

uh,

778

01:36:21.620 --> 01:36:24.840

it being quite congested behind the scenes in terms of what is coming through

779

01:36:24.840 --> 01:36:27.480

the inspector at the moment. Um,

780

01:36:31.020 --> 01:36:31.780

If I'm mad,

781

01:36:31.780 --> 01:36:36.760

I'd just like to add that I probably appreciate that the XA is

782

01:36:36.760 --> 01:36:41.600

extremely keen to get onto the material submitted at the deadlines as early

783

01:36:41.600 --> 01:36:44.520

in the week as is, is reasonable. So it's a, it's a,

784

01:36:44.710 --> 01:36:45.840

it's a balance to be struck,

785

01:36:47.860 --> 01:36:48.693

Mr.

786

01:36:48.820 --> 01:36:53.320

Uh, Robio and C L D N. So I can't help but note the certain irony in that, um,

787

01:36:54.300 --> 01:36:56.840

uh, we, we were discussing earlier the, um,

788

01:36:57.680 --> 01:37:00.760

practice of redaction the growing practice of Greater redaction,

789

01:37:00.760 --> 01:37:02.560

and perhaps I should say, which, um,

790

01:37:03.380 --> 01:37:07.920

is not entirely clear to us, uh, why that's necessary, but,

791

01:37:07.920 --> 01:37:09.760

but you seem to be saying now that in,

792

01:37:09.780 --> 01:37:14.600

in effect examination timetables are in part being dictated by the redaction

793

01:37:14.600 --> 01:37:18.600

process, which, um, just seems rather, rather strange to us,

794

01:37:18.740 --> 01:37:19.573

if I can put it that way.

795

01:37:19.900 --> 01:37:23.360

It, it's unfortunate. It, it is something, um,

796

01:37:23.870 --> 01:37:28.840

when I've been trying to raise that issue with other colleagues have

797

01:37:28.840 --> 01:37:31.360

highlighted that, uh, yes,

798

01:37:31.420 --> 01:37:36.000

it is ca it is in part causing the pressure. Uh, the other thing, um,

799

01:37:36.380 --> 01:37:37.213

is also,

800

01:37:37.310 --> 01:37:42.120

it's not just redaction it is the resourcing of other events that other panels

801

01:37:42.340 --> 01:37:47.080
are, um, involved in. Um, this,

802
01:37:47.080 --> 01:37:51.640
for example, is not the only case that Ms. Robins is working on. Um,

803
01:37:52.260 --> 01:37:54.880
and likewise other cases. Um,

804
01:37:55.220 --> 01:37:58.520
so there is also juggling amongst the case teams in terms of what they're having

805
01:37:58.520 --> 01:38:02.000
to service and or issues, uh,

806
01:38:02.180 --> 01:38:07.040
if suddenly members of case team are unavailable 'cause of sickness they

807
01:38:07.040 --> 01:38:08.120
have to pick up. Um,

808
01:38:08.260 --> 01:38:13.040
so there are all sorts of logistical issues behind the scenes. Um,

809
01:38:13.860 --> 01:38:18.360
is making things a little bit more difficult at the moment, not least, uh,

810
01:38:18.380 --> 01:38:19.760
as you may or may not be aware,

811
01:38:19.760 --> 01:38:24.160
the inspector has had to move out of Temple Key House, uh,

812
01:38:24.300 --> 01:38:27.360
and gone back to remote working because there are building works that are

813
01:38:27.360 --> 01:38:31.120
affecting the ability of full staff to actually work in those

premises at the

814

01:38:31.120 --> 01:38:31.953

moment.

815

01:38:32.580 --> 01:38:36.680

And that is causing a further logistical issue behind the scenes.

816

01:38:50.240 --> 01:38:53.300

Uh, Mr. Lamar should have asked on timetable,

817

01:38:53.560 --> 01:38:57.540

are there any concerns that you may have from the council's perspective?

818

01:39:00.120 --> 01:39:00.340

Uh,

819

01:39:00.340 --> 01:39:04.900

Richard Liman, Northeast Links Council? Um, no, not entirely. Um,

820

01:39:04.900 --> 01:39:06.620

obviously in terms of the local impact report,

821

01:39:06.720 --> 01:39:09.500

that's something that we run through with our planning committee, um,

822

01:39:09.620 --> 01:39:13.980

which sits, uh, early August. So it's just a key matter to get that on the, uh,

823

01:39:14.000 --> 01:39:18.860

on the agenda for that planning committee. Thank you. Thank you.

824

01:39:20.920 --> 01:39:24.940

Um, a point has been readed about the frequency of, um,

825

01:39:26.280 --> 01:39:29.180

the submission of draft development consent orders.

826

01:39:29.810 --> 01:39:34.580

Part of the reason why there is an opportunity to submit one at every deadline

827

01:39:34.760 --> 01:39:38.180

is because it's captured in the timetable. Um,

828

01:39:38.480 --> 01:39:42.220

and it therefore makes it easier if the applicant feels at a particular deadline

829

01:39:42.220 --> 01:39:46.540

necessary to submit. Doesn't necessarily mean that you have to,

830

01:39:47.720 --> 01:39:49.660

um, but it might be,

831

01:39:49.790 --> 01:39:54.300

let's say in terms of protective provisions that at a particular deadline,

832

01:39:54.580 --> 01:39:59.420

progress has been made with a number of ips that have resolved some protective p

833

01:40:00.080 --> 01:40:02.580

uh, protective provisions,

834

01:40:03.210 --> 01:40:07.740

perhaps amongst ips who are less engaged in the examination.

835

01:40:08.600 --> 01:40:09.500

Um, and again,

836

01:40:09.500 --> 01:40:12.500

that would give certainly the examine authorities to see the opportunity, uh,

837

01:40:12.720 --> 01:40:16.220

or have the opportunity to see what's going on. Um,

838

01:40:16.440 --> 01:40:21.140

and it might well be that progress is being made, um, in that regard.

839

01:40:21.320 --> 01:40:24.460

But Mr. Greenman, are you able to give an indication of what,

840

01:40:24.570 --> 01:40:29.220

what you think the applicant's likely intentions are with submitting, um,

841

01:40:30.900 --> 01:40:31.780

revised draft orders?

842

01:40:33.280 --> 01:40:37.140

Yes. Uh, Brian Greenwood for a b p, uh, to,

843

01:40:37.160 --> 01:40:38.980

to start on a positive note.

844

01:40:38.980 --> 01:40:41.700

So without preempting what I'm going to be saying this afternoon,

845

01:40:42.140 --> 01:40:47.060

I am going to offer to circulate a track change version of the draft

846

01:40:47.180 --> 01:40:51.620

d c o next week, uh, which immediately puts your timetable out. But, uh,

847

01:40:51.760 --> 01:40:53.440

you're quite right, sir. The, uh,

848

01:40:53.440 --> 01:40:57.960

I'll obviously give you a full summary of where we are at the moment. Uh,

849

01:40:58.940 --> 01:41:01.560

we can circulate a track change if you think that would be positive,

850

01:41:01.580 --> 01:41:04.200

and I suspect that would be the case. Um,

851

01:41:05.100 --> 01:41:09.600

as far as the body of the order, and again, I will take you through this,

852

01:41:09.670 --> 01:41:14.360

this afternoon, uh, there isn't a great deal of work to do,

853

01:41:14.420 --> 01:41:17.240

but you are quite correct, sir. The protective provisions, uh,

854

01:41:17.660 --> 01:41:22.440

are not in a final state with regard to one or two of the, uh, parties.

855

01:41:23.140 --> 01:41:23.973

And, uh,

856

01:41:24.180 --> 01:41:28.800

it would actually be quite useful if we could let you see where we are on,

857

01:41:28.940 --> 01:41:33.760

on the, uh, draft D C O and if no progress is made,

858

01:41:34.100 --> 01:41:38.960

rather than circulate exactly the same draft d c O as

859

01:41:39.400 --> 01:41:39.900

previously,

860

01:41:39.900 --> 01:41:43.920

we would actually give you a note to explain why it hasn't moved on and where

861

01:41:43.920 --> 01:41:47.080

there are any blocks, if that is acceptable, sir,

862

01:41:49.870 --> 01:41:53.080

That, that certainly would assist. And I've certainly come across that, uh,

863

01:41:53.150 --> 01:41:57.520
with National Highways who do have a habit of quite

864
01:41:57.920 --> 01:42:01.720
frequently submitting, uh, draft dcos. Um,

865
01:42:02.140 --> 01:42:05.440
but certainly on, on the cases where I've, I've been involved, they,

866
01:42:05.830 --> 01:42:07.200
like you have suggested,

867
01:42:07.200 --> 01:42:11.840
indicated where they say at deadline two decide that we are not
gonna submit a

868
01:42:11.960 --> 01:42:16.600
revised draft, they will put a note in explaining why they're not
gonna do that,

869
01:42:16.600 --> 01:42:18.560
and then they're gonna save everything for deadline three,

870
01:42:18.720 --> 01:42:22.320
deadline four or whatever. And equally that may, may well apply in
this case.

871
01:42:23.020 --> 01:42:26.280
Um, Mr. Walker, does that assist, uh,

872
01:42:26.280 --> 01:42:30.920
with your concern in terms of frequency or otherwise of draft of

873
01:42:31.310 --> 01:42:33.160
consent orders coming into the examination?

874
01:42:33.930 --> 01:42:38.280
Angus Walker for D F T S? Yes, it does. If if they're essentially
optional,

875
01:42:38.280 --> 01:42:40.400
then that, that does assist. Thank you.

876

01:42:40.740 --> 01:42:45.080

And, and part of the reason why we've asked for particularly core documents like

877

01:42:45.110 --> 01:42:46.720

that, um,

878

01:42:48.620 --> 01:42:53.080

to be tracked as well as submitted in clinging form is tracking does help

879

01:42:53.110 --> 01:42:57.960

everybody work out where changes may have been made from deadline to deadline.

880

01:42:57.960 --> 01:42:58.840

And I know in, in,

881

01:42:58.840 --> 01:43:03.640

in the past particularly that assists local authorities who may not have a

882

01:43:03.640 --> 01:43:07.640

large team and or allotted team to work on a particular case. Uh,

883

01:43:07.660 --> 01:43:12.000

but if they know particular target areas, um,

884

01:43:12.140 --> 01:43:15.440

to look at that, that that does assist their involvement with the,

885

01:43:15.470 --> 01:43:16.840

with the scheme. Um,

886

01:43:18.860 --> 01:43:22.640

so I think that may well have covered the draft D c o point, Mr. Owen,

887

01:43:23.660 --> 01:43:28.520

Uh, Robbie Owen, c l d n. Sir, may I just check one point through you? Um, uh,

888

01:43:28.690 --> 01:43:30.840
check, I haven't missed it, but the,

889

01:43:30.980 --> 01:43:35.080
the applicant's letter at procedural deadline A um,

890

01:43:35.340 --> 01:43:40.200
did refer at 2.1 A to the intention to submit an

891

01:43:40.200 --> 01:43:44.480
updated track change version of the draft E C O prior to this
meeting,

892

01:43:45.060 --> 01:43:48.880
um, uh, so that it could then be referenced during I s H one. I I,

893

01:43:49.000 --> 01:43:50.760
I don't think I've seen that. Um,

894

01:43:51.120 --> 01:43:54.360
I, I dunno if you have or whether we can just ask the applicant.

895

01:43:55.750 --> 01:43:58.640
Well, certainly the examining authority hasn't, but Mr. Greenwood,

896

01:43:59.820 --> 01:44:03.760
Uh, Brian Greenwood, uh, a b p, uh, Mr. Ern is of course, uh,

897

01:44:04.030 --> 01:44:08.720
exactly correct. Um, I had hoped to send a draft, uh, in advance,

898

01:44:09.140 --> 01:44:13.720
and as you'll hear this afternoon, sir, we are well on the way, but,

899

01:44:13.940 --> 01:44:14.740
uh,

900

01:44:14.740 --> 01:44:19.680
we just needed to refine some of the drafting in particular and just
to tap the

901

01:44:19.680 --> 01:44:22.240

point going forward with regard to requirement 18,

902

01:44:22.510 --> 01:44:24.600

that involves the impact protection barrier.

903

01:44:24.940 --> 01:44:28.560

So we weren't quite in the position, I'm afraid, and I apologize sir,

904

01:44:28.940 --> 01:44:33.840

for not circulating in advance, but you will get it, uh, early next week, sir.

905

01:44:34.570 --> 01:44:36.480

Thank you, Mr. Green Greenwood,

906

01:44:36.620 --> 01:44:41.560

no aps needed because I think we would've actually taken the view that,

907

01:44:41.580 --> 01:44:44.640

uh, we would not wish to have had it published. Um,

908

01:44:44.640 --> 01:44:48.160

because I think probably there may be some bits and pieces that come out of the

909

01:44:48.160 --> 01:44:52.160

hearing this afternoon where you would've wanted to make revisions anyway.

910

01:44:52.220 --> 01:44:55.720

Thanks. And therefore, that might have been aborted work, had it,

911

01:44:55.740 --> 01:44:58.960

had it come in. Mr.

912

01:44:59.190 --> 01:45:01.240

Does that address the point?

913

01:45:02.890 --> 01:45:03.320

Thank you.

914

01:45:03.320 --> 01:45:04.153

Thank you, sir. It does,

915

01:45:17.070 --> 01:45:19.930

Um, it, it's, it's only right and proper, um,

916

01:45:20.040 --> 01:45:24.650

that I also draw attention to the submissions that the marine management

917

01:45:24.650 --> 01:45:29.650

organization made in respect of the submission of statement of Common

918

01:45:29.650 --> 01:45:32.810

Ground. At around the halfway mark of the examination,

919

01:45:33.400 --> 01:45:37.810

they raised a concern about, uh, that being too early. Um,

920

01:45:38.390 --> 01:45:43.370

and they, they took the view that maybe it would be more adept advantageous,

921

01:45:44.470 --> 01:45:45.303

um,

922

01:45:45.470 --> 01:45:50.090

in effect for revised versions of a draft to be submitted at various,

923

01:45:50.390 --> 01:45:54.570

uh, deadlines. And then the final version, um, to be submitted, uh,

924

01:45:54.720 --> 01:45:58.410

towards the end of the examination, I think at deadline seven, um,

925

01:46:00.170 --> 01:46:02.290

I think the examining authorities view, as I expressed earlier,

926

01:46:02.390 --> 01:46:06.930

is actually we are very keen to see the statement of common ground around the

927

01:46:06.930 --> 01:46:09.890

halfway mark for the reasons that I explained earlier,

928

01:46:09.960 --> 01:46:13.490

that that gives us sight of what is going on. Um,

929

01:46:13.630 --> 01:46:15.530

and as I use the, um,

930

01:46:17.730 --> 01:46:21.290

euphemism that we can flex muscle if we have to, um,

931

01:46:21.290 --> 01:46:25.890

to try and move things along. Um, and that the, the pads tracker, the,

932

01:46:25.950 --> 01:46:30.850

the principal area of different tracker is the opportunity for the applicant to

933

01:46:30.880 --> 01:46:34.690

keep up to date with what's going on, let everybody know what's going on,

934

01:46:34.690 --> 01:46:35.890

particularly the examining authority.

935

01:46:36.430 --> 01:46:38.290

And I say we will have advanced warning of,

936

01:46:38.390 --> 01:46:43.330

of if there are any particular delays where we might have to come in a little

937

01:46:43.330 --> 01:46:47.810

bit more heavily, uh, to get things moving. Um,

938

01:46:48.200 --> 01:46:52.440

does anybody, um, looking at particularly C L D N, um,

939

01:46:53.200 --> 01:46:55.200

D F D S, the council and or the,

940

01:46:55.220 --> 01:46:59.760

the Harbor Master have any observations to make about statement
common ground

941

01:46:59.760 --> 01:47:04.650

and where we think they should be submitted? Mr. Walker?

942

01:47:05.830 --> 01:47:09.530

Um, thank you Angus Walker. D F fts. Um, well,

943

01:47:09.710 --> 01:47:11.690

as you will have seen in our written submission, we,

944

01:47:11.830 --> 01:47:16.290

we did find it strange that the final SOGs were to be halfway
through.

945

01:47:16.290 --> 01:47:21.050

We don't mind having an interim one. And it is even, uh,

946

01:47:21.530 --> 01:47:24.890

compounded by the fact that you are asking for updates to the
statement of

947

01:47:25.000 --> 01:47:28.930

commonality between the state and of grand at further deadlines,

948

01:47:29.220 --> 01:47:34.090

which sort of implies there will be progress on them after that
final deadline.

949

01:47:34.830 --> 01:47:35.663

Um,

950

01:47:36.510 --> 01:47:40.770
it is surely in everyone's interest to seek to

951
01:47:41.730 --> 01:47:46.490
minimize the YA issues that are still at large. Um,

952
01:47:47.390 --> 01:47:50.690
but perhaps this is an indication of a general trend to,

953
01:47:51.310 --> 01:47:54.930
for pads becoming the norm rather than the statements of common ground.

954
01:47:58.140 --> 01:48:02.650
Thank you, Mr. Walker. Uh, yeah, there is a general view in, in part,

955
01:48:02.650 --> 01:48:07.410
coming from the appeals side of what the Inspectorate does. Um, I,

956
01:48:07.570 --> 01:48:10.850
I spend a good amount of my time on the appeals side as well as,

957
01:48:11.390 --> 01:48:14.210
and the national infrastructure side. Um,

958
01:48:14.210 --> 01:48:18.370
some of the practice actually are working reverse, uh, in terms of some of the,

959
01:48:18.370 --> 01:48:22.490
what's been done on the appeal front is influencing maybe this particular

960
01:48:22.490 --> 01:48:24.130
element, um,

961
01:48:24.130 --> 01:48:28.370
statement of common ground actually is becoming a bit of an outdated, uh,

962
01:48:28.380 --> 01:48:31.690

descriptor for, for these documents because we're,

963

01:48:31.690 --> 01:48:35.970

we're not really helped by knowing a lot about what's, what is agreed. We,

964

01:48:35.990 --> 01:48:38.130

we are more assisted by what is not agreed,

965

01:48:38.910 --> 01:48:43.770

and that that helps focus everybody's minds on what needs to be addressed.

966

01:48:44.470 --> 01:48:47.610

Um, and if disagreement can be addressed through, um,

967

01:48:48.770 --> 01:48:52.050

constructive dialogue all well and good. If it can't, well it can't,

968

01:48:52.050 --> 01:48:56.650

but at least, uh, examining authorities or inspectors on the appeal front,

969

01:48:57.390 --> 01:49:00.250

uh, know what they've potentially got to do, um,

970

01:49:00.560 --> 01:49:03.930

when they're conducting hearings and or inquiries. Um,

971

01:49:08.510 --> 01:49:12.170

As I think I've indicated earlier, the fact that the statement of common ground,

972

01:49:12.350 --> 01:49:16.450

um, should be submitted in our view around halfway, um,

973

01:49:16.830 --> 01:49:21.250

in the examination, does not close the door to ongoing dialogue.

974

01:49:21.590 --> 01:49:25.450

And that's an important principle that I hope everybody appreciates this

975

01:49:25.450 --> 01:49:26.283
morning.

976

01:49:27.080 --> 01:49:30.890
It's just a way of making sure that the examining authority knows fairly early

977

01:49:30.910 --> 01:49:31.743
on in the,

978

01:49:31.830 --> 01:49:35.850
in the examin or at least halfway through the examination where the lie of the

979

01:49:35.850 --> 01:49:40.370
land is, um, and what we might need to do to assist,

980

01:49:40.990 --> 01:49:43.930
um, moving things on, if there are any log jams.

981

01:49:49.420 --> 01:49:51.800
Mr. Walker, any further observation on that matter?

982

01:49:53.660 --> 01:49:56.480
Do you mean just on SOGs or on item four in

983

01:49:56.480 --> 01:49:57.960
General on statement. Common ground. No,

984

01:49:58.370 --> 01:49:59.203
Thank you, sir.

985

01:50:11.350 --> 01:50:15.300
Right on, on, um, timetabling in general,

986

01:50:15.960 --> 01:50:20.220
are there any observations from any interested parties first and then I'll turn

987

01:50:20.220 --> 01:50:25.180

to the applicant. Mr. Owen, anything further on timetable? Uh, Rob,

988

01:50:25.260 --> 01:50:27.660

O C R D N? No, thank you sir. Mr. Walker

989

01:50:28.830 --> 01:50:32.660

Angus Walker for D F D S one further, um, point is,

990

01:50:32.710 --> 01:50:35.580

which you have already ind hinted at,

991

01:50:35.840 --> 01:50:40.580

is that we consider that I s H two is very packed with

992

01:50:41.170 --> 01:50:45.620

essentially all the principal issues being dealt with in a quarter of a day

993

01:50:45.620 --> 01:50:49.660

each. And we consider that that is not enough time to examine them at a hearing,

994

01:50:49.680 --> 01:50:54.340

and there should be particularly on, um, marine navigation,

995

01:50:54.780 --> 01:50:59.380

a further issue specific hearing in September on that issue, at least one.

996

01:51:01.590 --> 01:51:05.900

Thank you, Mr. Walker. Uh, Mr. Bradley has kind of alluded to the fact that we,

997

01:51:06.120 --> 01:51:09.740

we very much expect that there will be a need, uh,

998

01:51:09.740 --> 01:51:14.180

for further issue specific hearings. Um, I think it's appropriate at this point.

999

01:51:14.300 --> 01:51:16.140

I also explain, uh, that Mr.

1000

01:51:16.500 --> 01:51:20.460

Harrison will not be available on Thursday, um,

1001

01:51:20.460 --> 01:51:24.820

because of the recent change in the structure of the examining, um,

1002

01:51:24.820 --> 01:51:28.940

authority with, uh, Ms. Weatherly having resigned from the panel.

1003

01:51:29.720 --> 01:51:33.260

Uh, and Mr. Harrison, um, having joined the panel very recently,

1004

01:51:33.720 --> 01:51:38.420

he had a diary commitment, which meant that he can cannot be here this Thursday.

1005

01:51:39.360 --> 01:51:44.220

Um, but really the purpose of holding that early issue specific to hearing,

1006

01:51:45.040 --> 01:51:48.780

um, is for us to hear in effect summary positions on certain matters.

1007

01:51:49.440 --> 01:51:50.460

And for us, in effect,

1008

01:51:50.460 --> 01:51:54.860

to give some direction where we think the parties need to go away and get into

1009

01:51:54.860 --> 01:51:57.300

some active dialogue. Um,

1010

01:51:58.400 --> 01:52:02.940

so certain items on the agenda on Thursday will receive quite a light

1011

01:52:03.070 --> 01:52:06.460

touch, um, just because, uh,

1012

01:52:06.760 --> 01:52:10.020

we in effect wanna hear some opening submissions from you get, as I say,

1013

01:52:10.020 --> 01:52:15.020

give some direction and then send you away to, uh,

1014

01:52:15.630 --> 01:52:19.460

enter into further dialogue as necessary with, uh, one another.

1015

01:52:20.280 --> 01:52:21.260

But it, I think it, it,

1016

01:52:21.320 --> 01:52:25.260

it will be useful for us to at least give some unfortunate,

1017

01:52:25.840 --> 01:52:30.140

an unfortunate pun, but steer, um, in, in certain areas.

1018

01:52:33.880 --> 01:52:37.060

Mr. Walker. Does, does that assist with your, your point and, and the,

1019

01:52:37.060 --> 01:52:37.980

the matter that you raised

1020

01:52:38.150 --> 01:52:40.620

Angus Walker for D F D S? Uh, yes it does. Thank you.

1021

01:52:40.760 --> 01:52:44.420

And I look forward to further navigational puns throughout the examination.

1022

01:52:44.560 --> 01:52:48.120

We shall try and keep away from it. Sometimes it, uh, it's almost impossible.

1023

01:52:53.750 --> 01:52:58.570

Mr. Mr. Limmer, anything from the council's perspective on timetabling, uh,

1024

01:52:58.600 --> 01:53:01.570

Richard Liman office Links Council, uh, nothing to add, sir. Thank you.

1025

01:53:02.730 --> 01:53:03.810

Anything from the Harbor Master

1026

01:53:05.170 --> 01:53:07.810

Victoria Huston on behalf of the hub? Master? No, sir. Nothing to add

1027

01:53:08.390 --> 01:53:12.050

And applicant anything from your Mr. Greenwood? Brian Greenwood,

1028

01:53:12.170 --> 01:53:13.170

a b P and nothing to

1029

01:53:13.170 --> 01:53:14.003

Add. Okay.

1030

01:53:17.980 --> 01:53:21.210

Right. Well, that, that concludes item four.

1031

01:53:21.290 --> 01:53:25.330

I think this might be a convenient time to take a more mid-morning break.

1032

01:53:25.910 --> 01:53:30.410

Before we, we, we embark on the agenda item five and matters thereafter.

1033

01:53:31.390 --> 01:53:33.850

Is there a general agreement that we take 15 minutes?

1034

01:53:34.000 --> 01:53:38.930

Does that sound reasonable? Um, that then brings us back, um,

1035

01:53:40.040 --> 01:53:40.890

half past 11.

1036

01:53:42.710 --> 01:53:47.610

Is it possible to get half past 11 up on screen for those who are

off on, sorry,

1037

01:53:47.710 --> 01:53:48.610

who are online?

1038

01:53:52.600 --> 01:53:56.570

Okay. The, the preliminary meeting, therefore is adjourned until 1130.

1039

01:53:56.580 --> 01:53:57.413

Thank you.

1040

02:09:29.710 --> 02:09:34.120

It's just gone half past 11. Uh, the meeting is resuming.

1041

02:09:34.370 --> 02:09:37.760

Sorry for the slight late start, but we've been having a, uh,

1042

02:09:37.760 --> 02:09:41.280

quiet discussion amongst ourselves about timetable.

1043

02:09:41.340 --> 02:09:43.880

So before we move on to item five,

1044

02:09:44.530 --> 02:09:48.600

we're gonna quickly nip back to item four timetable.

1045

02:09:49.340 --> 02:09:53.840

Um, what we, we've been looking at during the resu, uh,

1046

02:09:54.380 --> 02:09:56.240

the adjournment, um,

1047

02:09:56.520 --> 02:09:59.800

particularly picking up on the points that have been raised this morning,

1048

02:10:01.100 --> 02:10:05.080

is that whether, um, in respect of deadline two in particular,

1049

02:10:06.510 --> 02:10:11.000

that is moved, um, to, I think we,

1050

02:10:11.060 --> 02:10:14.040

we were talking about the 4th of September, um,

1051

02:10:14.930 --> 02:10:16.720

which relieves a bit of pressure.

1052

02:10:17.300 --> 02:10:21.280

The knock on effect to that is that gives a little less time,

1053

02:10:22.140 --> 02:10:26.560

um, for the submissions to be made in res, uh, deadline three,

1054

02:10:26.620 --> 02:10:30.040

we should comments on written reps, uh,

1055

02:10:30.400 --> 02:10:34.640

comments on responses to examining authority. First written question. Um,

1056

02:10:35.020 --> 02:10:39.760

now we don't think there is much scope to move that deadline.

1057

02:10:39.890 --> 02:10:40.723

Three,

1058

02:10:40.990 --> 02:10:45.680

because we need as the examining authority to have sight of the

1059

02:10:45.680 --> 02:10:49.920

submissions because we will potentially be issuing, um,

1060

02:10:50.060 --> 02:10:52.800

second round written questions on Friday the 15th.

1061

02:10:53.540 --> 02:10:58.400

And also be starting to prepare for what we inevitably think

1062

02:10:58.400 --> 02:11:02.480

will be hearings during the week commencing the 25th of September.

1063

02:11:03.860 --> 02:11:08.800

Um, but certainly we think there may be scope, uh, to move deadline to,

1064

02:11:08.820 --> 02:11:12.480

in effect by a few days. Um,

1065

02:11:13.060 --> 02:11:17.760

I'm going to look to the applicant first. Uh, Mr.

1066

02:11:17.760 --> 02:11:18.593

Greenwood,

1067

02:11:18.970 --> 02:11:23.400

would that tightening between deadline two and deadline three?

1068

02:11:24.170 --> 02:11:26.480

Cause your side any particular concern?

1069

02:11:28.870 --> 02:11:33.720

Ryan Greenwood for a b p? Uh, to extent,

1070

02:11:33.720 --> 02:11:35.840

sir, I'm almost repeating what I said earlier,

1071

02:11:35.870 --> 02:11:39.280

that we're going to be under pressure, whichever way we go. So, uh,

1072

02:11:39.350 --> 02:11:41.840

certainly sir, if, if that is agreeable with everybody,

1073

02:11:41.870 --> 02:11:43.800

then we will fit in with that timetable.

1074

02:11:44.800 --> 02:11:49.400

I, I think we thought that's how you would respond, but as, as you said earlier,

1075

02:11:50.220 --> 02:11:53.760

the applicant has usually got the most to do. So we thought we'd,

we'd,

1076

02:11:53.790 --> 02:11:57.120

we'd start with yourselves. Um, Mr. Walker,

1077

02:11:57.420 --> 02:11:59.960

any observations on that possible tweak

1078

02:12:00.890 --> 02:12:02.240

Angus Walker for D F T Ss? I,

1079

02:12:02.320 --> 02:12:05.480

I think we would welcome a slight delay to deadline too,

1080

02:12:05.580 --> 02:12:10.480

as we will be preparing our written representation in particular and more

1081

02:12:10.480 --> 02:12:15.320

time would be of benefit. And we can probably cope with deadline three,

1082

02:12:15.320 --> 02:12:16.400

still staying the same.

1083

02:12:17.220 --> 02:12:18.053

Mr. Rowen,

1084

02:12:19.300 --> 02:12:22.960

Uh, Robbie, O c r d n. So a couple of points if I may. First,

1085

02:12:22.980 --> 02:12:24.880

we also would welcome that, uh,

1086

02:12:24.900 --> 02:12:28.520

we would welcome it even more if it were not to be a Monday,

1087

02:12:29.900 --> 02:12:31.200

We, we, we guest out.

1088

02:12:32.740 --> 02:12:37.520

So if it could be the Tuesday, the, um, fifth, that would be wonderful.

1089

02:12:37.860 --> 02:12:42.480

Um, but I'll leave that one with you if I may. The second point is, um, you,

1090

02:12:42.480 --> 02:12:46.200

you refer just now to the hearings of the week commencing 25th of September.

1091

02:12:46.490 --> 02:12:51.200

Would it be your intention in the Rule eight letter to set out in more detail

1092

02:12:51.930 --> 02:12:55.080

which hearings will be held on which days and in relation to which matters?

1093

02:12:55.080 --> 02:12:59.120

Because again, that really would assist certainly C L D M,

1094

02:12:59.120 --> 02:13:03.160

but I anticipate other parties to, so that we can organize diaries, um,

1095

02:13:03.270 --> 02:13:05.720

well in advance of that week, um,

1096

02:13:05.860 --> 02:13:08.240

and make sure we've got the right people available for the right days.

1097

02:13:10.330 --> 02:13:13.320

Thank you, Mr. And on that that point, I think we,

1098

02:13:13.460 --> 02:13:17.000

we will do our best endeavors to be able to indicate in the Rule eight. Um,

1099

02:13:17.270 --> 02:13:19.920

part of that will course we will be informed by, uh,

1100

02:13:20.230 --> 02:13:24.640

what we hear this afternoon and what we hear on Thursday and

1101

02:13:24.750 --> 02:13:26.560

potentially particularly on Thursday,

1102

02:13:26.630 --> 02:13:31.000

what might flow from action points at the end of, um,

1103

02:13:31.970 --> 02:13:34.600

issue specific hearing two. Um,

1104

02:13:35.550 --> 02:13:38.080

when we get to talk about action points, uh,

1105

02:13:38.320 --> 02:13:42.400

I suspect we will have a better handle on how, um,

1106

02:13:42.700 --> 02:13:45.640

the applicant thinks it's going to be able to entertain dialogue between the

1107

02:13:45.640 --> 02:13:50.040

various ips. So yeah, we will, we will endeavor, uh,

1108

02:13:50.100 --> 02:13:52.040

to give a firmer, um,

1109

02:13:52.270 --> 02:13:56.920

lead on what we think will be the, the certainly the broad topic areas,

1110

02:13:57.340 --> 02:14:01.600

uh, for that second round of hearings. Thank you, sir. That'd be really helpful.

1111

02:14:03.860 --> 02:14:04.693

Mr. Limmer,

1112

02:14:04.760 --> 02:14:08.160

anything from the council's perspective in terms of possible

tweaking,

1113

02:14:08.860 --> 02:14:10.600

at least deadline two, um,

1114

02:14:12.100 --> 02:14:15.080

to shorten the turnaround between deadline two and deadline three,

1115

02:14:16.700 --> 02:14:20.520

Uh, Richard Liman Northeast Links Council, uh, no comment to make, but again,

1116

02:14:20.590 --> 02:14:21.423

just, um,

1117

02:14:21.890 --> 02:14:25.440

supporting what was just being said there in terms of identifying in on that

1118

02:14:25.440 --> 02:14:29.960

week of the 25th, um, on which days which bits would be heard.

1119

02:14:29.960 --> 02:14:33.200

Just so we can organize people if we need to. Thank you.

1120

02:14:35.700 --> 02:14:40.320

And, and it may be unfair to ask you, do you know whether your,

1121

02:14:40.340 --> 02:14:41.680

the neighboring authority,

1122

02:14:41.850 --> 02:14:46.800

north Thinking Council is likely to be an active

1123

02:14:47.030 --> 02:14:49.920

participant, as, I mean,

1124

02:14:50.740 --> 02:14:54.800

we get the feel that may be in terms of transportation, landside transportation,

1125

02:14:54.930 --> 02:14:58.360
right? That authority may have some interest,

1126
02:14:59.100 --> 02:15:00.680
but from your dealings with them,

1127
02:15:01.020 --> 02:15:04.600
do you have any feel as to whether or not they might become a bit more of an

1128
02:15:04.600 --> 02:15:07.360
active participant? Uh,

1129
02:15:07.360 --> 02:15:10.840
Richard Leman, Northeast Links Council? We've not had any contact with them, um,

1130
02:15:10.980 --> 02:15:14.120
on this application at all, so, I dunno. Okay.

1131
02:15:14.120 --> 02:15:17.120
Thank you. And from the Harbor Master's perspective,

1132
02:15:17.260 --> 02:15:20.520
any thoughts about a possible tweaking, uh,

1133
02:15:20.520 --> 02:15:24.080
to shorten in effect the time between deadline two and deadline three?

1134
02:15:24.740 --> 02:15:28.400
Um, Victoria Haren for the Harbor Master? Um, no sir, no comment. Thank you.

1135
02:15:33.470 --> 02:15:38.190
I think going back to deadline, sorry, uh, item four might've been useful,

1136
02:15:38.190 --> 02:15:41.750
but I think we can now move on to agenda item five, Mr. Harrison.

1137
02:15:45.440 --> 02:15:47.110

Thank you, Mr. Gould. Um,

1138

02:15:47.170 --> 02:15:51.590

so agenda item five is procedural decisions taken by the

1139

02:15:52.050 --> 02:15:54.430

xa. Um, as you know,

1140

02:15:54.430 --> 02:15:58.550

several procedural decisions about the management of the examination, uh,

1141

02:15:58.550 --> 02:16:01.230

have been made by the, the examining authority.

1142

02:16:02.240 --> 02:16:06.110

These are set out in the X a's letter of

1143

02:16:06.110 --> 02:16:08.830

26th of May, 2023,

1144

02:16:09.340 --> 02:16:12.030

library reference PD 0 0 5,

1145

02:16:12.930 --> 02:16:17.270

and annex F of our Rule six letter, uh,

1146

02:16:17.450 --> 02:16:20.310

PD 0 0 6. Um,

1147

02:16:20.510 --> 02:16:24.550

I will now go on to comment on these and any related matters,

1148

02:16:25.270 --> 02:16:29.920

inviting any questions or comments as I proceed. Um,

1149

02:16:30.020 --> 02:16:34.560

so firstly, uh, statements of common ground and principle areas of difference.

1150

02:16:35.740 --> 02:16:40.720

Um, our letter of, uh, 26th of May set out, um,

1151

02:16:41.140 --> 02:16:45.880

our request for statements of common ground between the applicant

1152

02:16:46.100 --> 02:16:50.160

and various ips on different topics. Uh,

1153

02:16:50.160 --> 02:16:54.840

these are important documents in the examination process by providing

1154

02:16:54.850 --> 02:16:59.760

focus on the matters where there is disagreement between parties, uh,

1155

02:16:59.760 --> 02:17:00.240

statements.

1156

02:17:00.240 --> 02:17:05.240

Common ground should help identify matters which are not in dispute or need

1157

02:17:05.420 --> 02:17:08.640

not be subject to further evidence. Uh,

1158

02:17:08.700 --> 02:17:12.360

but also importantly should set out the matters, uh,

1159

02:17:12.500 --> 02:17:16.800

why there is disagreement along with a summary justifying the

1160

02:17:17.400 --> 02:17:19.160

position of either party,

1161

02:17:20.050 --> 02:17:23.360

where appropriate tables can be used, um,

1162

02:17:23.590 --> 02:17:27.360

with a statement of common ground to clearly set out the relevant matters.

1163

02:17:28.500 --> 02:17:32.080

Um, as previously noted and discussed earlier, uh,

1164

02:17:32.080 --> 02:17:34.920

the deadline for the submission, a final, uh,

1165

02:17:35.180 --> 02:17:38.040

signed statements of common ground, um,

1166

02:17:38.380 --> 02:17:42.520

set out in the draft examination timetable is deadline five,

1167

02:17:42.900 --> 02:17:46.840

the 23rd of October. Um,

1168

02:17:47.350 --> 02:17:49.480

with respect to the, uh,

1169

02:17:49.530 --> 02:17:52.680

submission of pad summary statements,

1170

02:17:53.500 --> 02:17:57.920

the following IPS submitted summary statements at

1171

02:17:58.380 --> 02:18:00.160

PD A, uh,

1172

02:18:00.260 --> 02:18:04.400

six by the 6th of July, 2023. Uh,

1173

02:18:04.400 --> 02:18:07.000

that's Northeast Lincoln Council, uh,

1174

02:18:07.360 --> 02:18:11.960

reference PDA A 0 0 1 I 0 t operators,

1175

02:18:12.540 --> 02:18:17.280

uh, p d a 0 0 3, uh, Cadent Gas Limited,

1176

02:18:17.920 --> 02:18:22.840

p d a 0 0 4 C l d n p

1177

02:18:22.920 --> 02:18:24.360

D a 0 0 5

1178

02:18:25.880 --> 02:18:28.920

D F D S S p d a 0 0 7,

1179

02:18:29.780 --> 02:18:33.480

the Environment Agency p d a, uh, zero 10,

1180

02:18:34.180 --> 02:18:38.680

and the Marine Management Organization P d a zero 13.

1181

02:18:40.380 --> 02:18:44.160

Um, in, in addition to statements of common ground,

1182

02:18:44.700 --> 02:18:49.440

the draft examination timetable requires the applicant to submit

1183

02:18:50.080 --> 02:18:54.960

a pads tracker regularly from deadline one onwards, uh,

1184

02:18:54.960 --> 02:18:59.680

with a final statements of commonality to be submitted at

1185

02:19:00.000 --> 02:19:04.280

deadline seven, uh, the 11th of December, 2023.

1186

02:19:05.580 --> 02:19:09.280

Um, perhaps at this time, could, could I, um, ask Mr.

1187

02:19:09.430 --> 02:19:12.640

Greenwood for the applicant, um, to just give us a,

1188

02:19:12.760 --> 02:19:17.080

a brief update on the progress being made with the, uh,

1189

02:19:17.080 --> 02:19:19.440

preparation of statements of common ground, please?

1190

02:19:20.590 --> 02:19:24.240

Certainly, sir. Uh, thank you Brian Greenwood for a b p.

1191

02:19:25.780 --> 02:19:29.320

Sir, I can tell you that, uh,

1192

02:19:29.540 --> 02:19:34.000

the majority of statements of common ground have been drafted and circulated.

1193

02:19:34.620 --> 02:19:39.040

Um, you probably will not be surprised to hear that we have, uh,

1194

02:19:39.300 --> 02:19:43.440

not as yet, uh, entered into, uh, close,

1195

02:19:44.140 --> 02:19:44.550

uh,

1196

02:19:44.550 --> 02:19:49.360

discussions with either C L D N or D F D S on statements of

1197

02:19:49.360 --> 02:19:50.720

common ground. Uh,

1198

02:19:51.310 --> 02:19:56.280

both parties have in fact also requested protective provisions, and, uh,

1199

02:19:57.480 --> 02:20:02.120

I have written to the solicitors, Mr. Owen and, uh, Mr. Walker,

1200

02:20:02.820 --> 02:20:03.450

uh,

1201

02:20:03.450 --> 02:20:07.400

indicating that we are not convinced that protective provisions are required,

1202

02:20:07.700 --> 02:20:10.920

but that we are more than happy to, uh,

1203

02:20:11.550 --> 02:20:15.760

meet with both parties to sit down and discuss the way forward.

1204

02:20:16.260 --> 02:20:20.600

And it would be my intention next week actually to, uh, follow up, uh,

1205

02:20:20.830 --> 02:20:24.560

with that and see whether we can make progress, uh, in that respect.

1206

02:20:25.420 --> 02:20:29.920

The statements of common ground will, to a certain extent, uh,

1207

02:20:31.440 --> 02:20:36.000

derive from how those conversations go. And what I will do, sir,

1208

02:20:36.140 --> 02:20:40.960

is give you a, an indication, uh, for deadline one as to, uh,

1209

02:20:41.140 --> 02:20:46.080

how, how that matter is proceeding. The other points I should just make, sir,

1210

02:20:46.180 --> 02:20:50.800

uh, positive points. Um, the corporation of Trinity House,

1211

02:20:50.900 --> 02:20:55.040

for example, uh, we have been discussing with them, they've, uh,

1212

02:20:55.150 --> 02:20:57.920

suggested some amendments to the draft D C O. Uh,

1213

02:20:57.920 --> 02:21:01.960

we've accepted those amendments. Uh, you will see them next week,

1214

02:21:02.340 --> 02:21:05.640

and they are happy not to participate any further. Uh,

1215

02:21:08.180 --> 02:21:12.320

the important, uh, other, uh, statements of common ground,

1216

02:21:12.320 --> 02:21:16.440

which you will wish to hear more about in due course are, uh,

1217

02:21:16.650 --> 02:21:20.320

those with the M M O and, uh, natural England.

1218

02:21:22.260 --> 02:21:25.760

We are having constructive conversations with both of those bodies.

1219

02:21:27.100 --> 02:21:30.920

Uh, I do rather hope so that they may be in attendance on Thursday,

1220

02:21:31.060 --> 02:21:33.480

but I don't know if that that is actually going to be the case.

1221

02:21:34.620 --> 02:21:39.080

The Maritime and Coast Guard Agency, of course, uh, no, sorry, the man,

1222

02:21:39.260 --> 02:21:42.680

the Marine Management Organization, I apologize if I said M C A,

1223

02:21:42.720 --> 02:21:44.560

I meant the Marine Management Organization.

1224

02:21:45.010 --> 02:21:49.360

We're having positive negotiations with them. They have suggested, uh,

1225

02:21:49.360 --> 02:21:52.680

various amendments to the Draft Marine license, which I'll discuss, uh,

1226

02:21:52.680 --> 02:21:56.280

this afternoon. We, we are accepting, accepting them. Uh,

1227

02:21:56.280 --> 02:22:00.040

they have the latest draft, and I'm waiting to hear whether, uh, we,

1228

02:22:00.060 --> 02:22:01.520

we can put that to bed.

1229

02:22:01.520 --> 02:22:06.360

There are some marine environmental issues that our consultant team are still

1230

02:22:06.360 --> 02:22:11.120

discussing. And the same is the case with Natural England. There will be a,

1231

02:22:11.420 --> 02:22:14.760

uh, statement of common ground that is in draft, uh,

1232

02:22:14.860 --> 02:22:19.160

and will be with Natural England. And I'll keep you informed. The other,

1233

02:22:20.100 --> 02:22:21.360

the other bodies, sir,

1234

02:22:21.360 --> 02:22:25.800

either we are negotiating protective provisions or we're negotiating

1235

02:22:25.850 --> 02:22:29.680

protective provisions and statements of common ground. Uh,

1236

02:22:30.110 --> 02:22:34.080

some have made better progress than others. And again, for deadline one,

1237

02:22:34.200 --> 02:22:37.760

I will give you a detailed summary of where we stand on both, both sides.

1238

02:22:56.610 --> 02:23:00.640

Great. Thank, thank you for that, Mr. Greenwood. Um, really, really helpful. Um,

1239

02:23:01.150 --> 02:23:05.920

perhaps could, could I just ask, um, uh, um, uh, Mr. Walker and Mr.

1240

02:23:05.920 --> 02:23:09.120

Owen, um, regard from D F D SS and, uh,

1241

02:23:09.700 --> 02:23:14.000

CLD N'S point of view, um, you know, on, um,

1242

02:23:14.420 --> 02:23:18.800

on what you've just, uh, heard from Mr. Mr. Greenwood, uh, perhaps Mr. Walker?

1243

02:23:19.980 --> 02:23:23.120

Yes. Um, Angus Walker for D F T S? Well, what Mr.

1244

02:23:23.120 --> 02:23:26.720

Greenwood has said is certainly correct that we have received a letter about

1245

02:23:27.710 --> 02:23:31.000

tell us your protected provisions, even though we don't think you need any. And,

1246

02:23:31.180 --> 02:23:34.800

um, we have not received a draft statement of common ground as of yet.

1247

02:23:35.210 --> 02:23:36.043

Thank you.

1248

02:23:37.560 --> 02:23:39.590

Thank you, Mr. Walker. Uh, Mr. Owen.

1249

02:23:40.650 --> 02:23:42.190

Robbie Owen, c r d n? Yes.

1250

02:23:42.310 --> 02:23:46.590

I can confirm that we had the same letter by the sounds of it that Mr.

1251

02:23:46.590 --> 02:23:51.390

Walker had in relation to protective provisions. Uh, that was, uh, last week.

1252

02:23:52.130 --> 02:23:56.430

Uh, we will be responding, uh, after issue specific hearing.

1253

02:23:56.930 --> 02:24:00.070

Two, we think it makes sense to wait for that. Um,

1254

02:24:00.770 --> 02:24:02.030

and I welcome what Mr.

1255

02:24:02.030 --> 02:24:07.030

Green was said about following up next week to see what progress can be made in

1256

02:24:07.230 --> 02:24:11.230

relation to protective provisions. We also did receive, um,

1257

02:24:11.840 --> 02:24:16.190

right at the end of June, a draft statement to common ground, uh, which, uh,

1258

02:24:16.190 --> 02:24:21.070

anticipate we would be able to hopefully progress at the same time as

1259

02:24:21.070 --> 02:24:26.030

the discussion on protective provisions. So we have, um, received the S O C G.

1260

02:24:26.070 --> 02:24:27.590

I can confirm that. Thank you.

1261

02:24:29.840 --> 02:24:34.430

Great. Thank you, Mr. Rowan. Mr.

1262

02:24:34.660 --> 02:24:35.493

Gold.

1263

02:24:36.840 --> 02:24:41.510

Thank you. Uh, Mr. Green, in terms of I o OT who are not here this morning,

1264

02:24:42.010 --> 02:24:46.430

um, what's the state of play with, um, statement of common ground

and or,

1265

02:24:46.850 --> 02:24:48.670

uh, protective provisions in that regard,

1266

02:24:50.290 --> 02:24:55.270

Sir? Uh, Brian Greenwood, a b p as far as i o t, sir, uh,

1267

02:24:55.410 --> 02:25:00.190

or H o t t o r a p t, uh, they, they run under different guise,

1268

02:25:00.690 --> 02:25:01.290

uh,

1269

02:25:01.290 --> 02:25:06.070

but I think we will be offering a protective provision to H O T T.

1270

02:25:06.330 --> 02:25:11.150

Yes, check, just checking. Um, we have sent,

1271

02:25:11.250 --> 02:25:13.950

uh, we've drafted protective provisions, sir,

1272

02:25:14.210 --> 02:25:18.190

and we have sent the protective provisions back to their lawyers.

1273

02:25:19.050 --> 02:25:23.800

Uh, within the last 10 days or so, we did receive a heavily amended,

1274

02:25:24.220 --> 02:25:28.920

uh, draft protective provision, uh, which we have not as yet taken further.

1275

02:25:29.420 --> 02:25:30.253

Um,

1276

02:25:33.260 --> 02:25:36.720

it is in its current state of play unacceptable, uh,

1277

02:25:37.460 --> 02:25:41.600

for my client for reasons that we will no doubt be discussing going

forward.

1278

02:25:41.900 --> 02:25:46.440

But on the other hand, uh, I o ot, uh, are present on the port.

1279

02:25:46.550 --> 02:25:49.080

They are tenants of a B P, and, uh,

1280

02:25:49.380 --> 02:25:52.480

it is not the wish of a B P to be, uh,

1281

02:25:54.460 --> 02:25:56.440

having issues with its tenants.

1282

02:25:56.620 --> 02:26:01.040

So that is going to be a conversation that it will have to be had

1283

02:26:01.260 --> 02:26:06.040

within the next week, 10 days with i o OT to get us moving.

1284

02:26:06.380 --> 02:26:10.040

And I will be responding to their draft protective provision. Again,

1285

02:26:10.560 --> 02:26:12.840

deadline one. I will give you full details of that, sir.

1286

02:26:14.450 --> 02:26:14.800

Thank

1287

02:26:14.800 --> 02:26:15.633

You, Mr. Greenman.

1288

02:26:16.830 --> 02:26:17.170

Yeah,

1289

02:26:17.170 --> 02:26:21.680

Thank you. Um, before I move on from this item,

1290

02:26:22.180 --> 02:26:23.560

uh, does anyone else,

1291

02:26:23.620 --> 02:26:28.560

do any of the other interested parties have any comments to make or

1292

02:26:28.560 --> 02:26:31.120

further comments in respect of, um,

1293

02:26:31.220 --> 02:26:35.560

the x a's procedural decision concerning the preparation of statements of common

1294

02:26:35.560 --> 02:26:37.600

ground or pads?

1295

02:26:41.350 --> 02:26:45.760

Okay, I'm not, not seeing any hands up, so thank you. I'll move on to the,

1296

02:26:46.380 --> 02:26:51.120

uh, second item, um, which we've, we've already mentioned earlier today.

1297

02:26:51.420 --> 02:26:55.640

Um, the examining authorities, familiarization site inspection,

1298

02:26:56.820 --> 02:26:58.560

um, the need for,

1299

02:26:58.740 --> 02:27:03.080

and the means by which the familiarization site inspection,

1300

02:27:03.780 --> 02:27:08.160

uh, or F s s i, for short, um, will be conducted tomorrow.

1301

02:27:08.460 --> 02:27:13.360

The 26th of July are covered in item one, um,

1302

02:27:13.540 --> 02:27:18.400

of annex f of the Rule six letter. Uh, and,

1303

02:27:18.900 --> 02:27:23.760

uh, the x a's subsequent procedural decision of

1304

02:27:24.360 --> 02:27:27.880
20th of July, 2023, uh,

1305

02:27:27.880 --> 02:27:31.520
library reference PD 0 0 8, uh,

1306

02:27:31.600 --> 02:27:35.560
relating to that inspections itinerary.

1307

02:27:36.500 --> 02:27:37.270
Um,

1308

02:27:37.270 --> 02:27:42.120
does any interested party have any questions or comments to

1309

02:27:42.120 --> 02:27:45.040
make concerning the f ss? I,

1310

02:27:48.930 --> 02:27:51.640
Again, not, not seeing any hands up. Um,

1311

02:27:52.140 --> 02:27:56.720
so logically I will move on to the accompanied site

1312

02:27:56.720 --> 02:27:58.760
inspection. Um,

1313

02:27:59.100 --> 02:28:03.840
the XA has reserved time for an accompanied site inspection,

1314

02:28:04.360 --> 02:28:08.280
a ss i to be held during the week commencing

1315

02:28:08.300 --> 02:28:11.840
25th of September. Um,

1316

02:28:12.410 --> 02:28:16.840
apart from IOT's request that the XA visit

1317

02:28:17.260 --> 02:28:22.200
the landside part of the I o t as part of

1318
02:28:22.520 --> 02:28:25.120
tomorrow's F ss, I, um,

1319
02:28:25.300 --> 02:28:29.680
the only other request to inspect a site, um,

1320
02:28:30.270 --> 02:28:34.160
made at p d a concerns, uh,

1321
02:28:35.110 --> 02:28:36.880
CDNs request, um,

1322
02:28:37.180 --> 02:28:41.240
for us to inspect the Port of killing home, uh,

1323
02:28:41.240 --> 02:28:45.720
it's library reference PDA 0 0 5, um,

1324
02:28:46.540 --> 02:28:51.080
having regard to the locations that the XA intends to

1325
02:28:51.080 --> 02:28:54.920
inspect as part of, uh, tomorrow's F ss i, uh,

1326
02:28:54.920 --> 02:28:59.680
and apart from the request for us to inspect the port of killing

1327
02:28:59.790 --> 02:29:00.640
home, um,

1328
02:29:01.020 --> 02:29:06.000
do any other ips wish to make a request that a site

1329
02:29:06.340 --> 02:29:10.600
should be inspected as part of an a s i,

1330
02:29:14.130 --> 02:29:18.710
again, not seeing any hands up. Okay.

1331

02:29:19.090 --> 02:29:21.110

Um, oh, uh, Mr. Walker,

1332

02:29:21.440 --> 02:29:23.430

Sorry. To Angus Walker for D F T S,

1333

02:29:23.510 --> 02:29:25.750

I thought we had made some submissions on the site visit.

1334

02:29:25.800 --> 02:29:28.990

We're just looking for them. Um, I apologize if we didn't.

1335

02:29:32.210 --> 02:29:36.890

I, I'm not sure that you did. C D N did. And in fact,

1336

02:29:36.890 --> 02:29:41.850

there was a further request if we could visit killing home as part of

1337

02:29:41.870 --> 02:29:46.690

the familiarization site inspection. We, we declined that. We, we,

1338

02:29:46.710 --> 02:29:51.490

we feel tomorrow potentially could be quite a busy day. Um, um,

1339

02:29:51.690 --> 02:29:55.290

'cause we are going on the river, and then we've gotta come landside also,

1340

02:29:55.430 --> 02:30:00.010

we are flexing what can be done, um,

1341

02:30:00.280 --> 02:30:03.250

with a site inspection before we've actually got into the, in, uh,

1342

02:30:03.250 --> 02:30:05.210

the examination. The,

1343

02:30:05.390 --> 02:30:10.330

the fa familiarization tag that we've got is a bit of a workaround,

uh,

1344

02:30:10.530 --> 02:30:14.810

'cause ordinary, we would've done an site inspection, but in this instance,

1345

02:30:14.810 --> 02:30:18.970

we just didn't feel there would've been anything that we could have seen, um,

1346

02:30:19.050 --> 02:30:22.770

particularly of the application site. Um,

1347

02:30:23.710 --> 02:30:28.530

the examining authority has had to take some guidance internally in terms of

1348

02:30:28.630 --> 02:30:32.170

the flexing that we've done to come up with, in effect, what is a hybridized,

1349

02:30:33.230 --> 02:30:37.410

um, inspection regime for, for, for tomorrow. Um,

1350

02:30:37.990 --> 02:30:42.090

but we do fully expect, um, that as part of the full,

1351

02:30:43.230 --> 02:30:46.970

um, accompanied site inspection, that we will go, uh, to killing home.

1352

02:30:47.180 --> 02:30:51.610

There are some logistical issues also with what we doing tomorrow in terms of,

1353

02:30:52.150 --> 02:30:54.850

uh, what vehicle we're traveling on,

1354

02:30:54.870 --> 02:30:58.490

how we're getting around safety inductions, because, um,

1355

02:30:59.130 --> 02:31:02.170

I think if we'd had to leave the, the,

1356

02:31:02.310 --> 02:31:06.450

the mini bus that the applicant is laying on to then join, um,

1357

02:31:06.590 --> 02:31:11.050

an IOT mini bus, we would've had to gone through a safety induction.
Um,

1358

02:31:11.310 --> 02:31:13.850

so logistics were getting a little bit difficult.

1359

02:31:13.990 --> 02:31:18.330

So to try then and add yet another site, um,

1360

02:31:18.620 --> 02:31:22.280

where other parties, um, other than the local authority, who is,

1361

02:31:22.430 --> 02:31:26.680

they're purely in an observing capacity to act as if you like,

1362

02:31:26.680 --> 02:31:30.920

the honest broker for all other ips, so that nothing untoward,

1363

02:31:31.580 --> 02:31:35.000

uh, might go on between the examining authority, uh,

1364

02:31:35.060 --> 02:31:39.880

and the applicant. Um, we, we, we were starting to chart, sorry,

1365

02:31:39.880 --> 02:31:44.640

that's another pun. Um, slightly tricky waters. Um, so,

1366

02:31:45.300 --> 02:31:50.160

uh, yeah, we, we, we didn't want to, um, you know, just car,

1367

02:31:50.220 --> 02:31:54.320

uh, here we go, another one, cast the CD's request off likely,

1368

02:31:54.980 --> 02:31:55.700

but we've, we,

1369

02:31:55.700 --> 02:31:59.640

we did feel that it might just be pushing things a little bit too far. Uh, Mr.

1370

02:31:59.710 --> 02:32:00.543

Owen,

1371

02:32:01.260 --> 02:32:05.560

Uh, Robbie Owen for C r D N, uh, thank you sir for those comments and,

1372

02:32:05.560 --> 02:32:08.800

and indeed for considering our request, uh, yesterday. Uh,

1373

02:32:08.800 --> 02:32:12.680

that's all appreciated and understood. Um, the,

1374

02:32:12.700 --> 02:32:15.920

the primary submission we made, uh, uh,

1375

02:32:15.980 --> 02:32:18.880

in PD 0 0 5 as mentioned by Mr. Harrison,

1376

02:32:19.540 --> 02:32:22.280

was regarding the accompanied site inspection, uh,

1377

02:32:22.280 --> 02:32:24.640

scheduled for the week of commencing 25th of September.

1378

02:32:24.760 --> 02:32:28.880

I think the only point we would, uh, make, uh, uh,

1379

02:32:29.820 --> 02:32:30.653

in that regard,

1380

02:32:31.250 --> 02:32:34.880

given that you're not gonna be able to visit the Porter killing home, uh,

1381

02:32:35.030 --> 02:32:35.863

this week,

1382

02:32:36.220 --> 02:32:40.840

is that in looking at the program for the whole of that week commencing

1383

02:32:40.840 --> 02:32:45.800

25th of September, we think it would really assist, um, uh,

1384

02:32:45.900 --> 02:32:50.240

the panel if the a s I could be towards the beginning of the week

1385

02:32:50.820 --> 02:32:53.760

in advance of, uh, further, uh,

1386

02:32:53.760 --> 02:32:57.000

issue specific hearings as opposed to the other way around. Uh,

1387

02:32:57.000 --> 02:33:00.880

we think it would really a, a, a assist your understanding of the, uh, issues,

1388

02:33:00.880 --> 02:33:05.000

particularly from CLD N'S point of view in terms of, um, uh,

1389

02:33:05.350 --> 02:33:09.720

need alternatives and indeed environmental impact to seed, uh,

1390

02:33:09.930 --> 02:33:13.170

north killing, uh, porter killing home, um,

1391

02:33:13.510 --> 02:33:16.530

before the hearings rather than after them. So if in,

1392

02:33:16.530 --> 02:33:18.290

in looking at that week as you said,

1393

02:33:18.290 --> 02:33:20.690

you'll be doing in putting out the Rule eight letter,

1394

02:33:20.710 --> 02:33:23.010

if you could bear that in mind, that would be appreciated.

1395

02:33:23.070 --> 02:33:25.450

And obviously we can liaise with, uh,

1396

02:33:25.470 --> 02:33:28.970

the planning spectrum and indeed the applicant in terms of the arrangements for,

1397

02:33:29.390 --> 02:33:32.730

uh, visiting, uh, the port of killing home in, in that week.

1398

02:33:34.920 --> 02:33:35.753

Thank you.

1399

02:33:37.600 --> 02:33:42.230

Thank you, Mr. Ann. Uh, Mr.

1400

02:33:42.230 --> 02:33:45.550

Annual microphones, oh know, it's not,

1401

02:33:46.280 --> 02:33:47.990

sorry about the buzzing, what that is.

1402

02:33:50.270 --> 02:33:51.670

I think in that respect,

1403

02:33:52.090 --> 02:33:56.390

it would be helpful if it's at all possible for that conversation to happen

1404

02:33:56.500 --> 02:34:01.430

between now and the end of Thursday about the logistics for,

1405

02:34:01.690 --> 02:34:02.510

uh, an A S I.

1406

02:34:02.510 --> 02:34:07.030

And I think ideally if we could hold that on perhaps the Tuesday

1407

02:34:07.420 --> 02:34:12.330

morning, uh, of that week, it would be very sensible. The question really is,

1408

02:34:12.510 --> 02:34:14.490

uh, whether it's gonna need more than a morning.

1409

02:34:15.450 --> 02:34:16.950

So could we have another conversation

1410

02:34:17.070 --> 02:34:17.903

On Thursday about it?

1411

02:34:18.900 --> 02:34:21.480

Uh, so we certainly can. Um, I, I,

1412

02:34:21.560 --> 02:34:26.040

I guess the issue is where else you'll be visiting as part of the a s i,

1413

02:34:26.100 --> 02:34:30.210

in addition to killing home in terms of how long it'll take. But we,

1414

02:34:30.210 --> 02:34:34.610

we will have a word with Mr. Greenwood and the applicant. Thank you.

1415

02:34:35.730 --> 02:34:40.450

I mean, part of what we need to see as, as an A s I will,

1416

02:34:41.050 --> 02:34:43.810

I think be determined by what we see tomorrow,

1417

02:34:44.720 --> 02:34:49.650

then our publication of our note of what we've seen on, uh,

1418

02:34:50.600 --> 02:34:51.433

that visit,

1419

02:34:51.750 --> 02:34:56.450

and then what parties views are as to whether or not we need to say,

1420

02:34:56.550 --> 02:35:01.370

go back into the Port of Immingham to see various things or whether

1421

02:35:01.470 --> 02:35:06.290

you are content from what you've seen of our note about what

1422

02:35:06.290 --> 02:35:09.810

we've seen and as to whether or not there is a need to go back to the Port of

1423

02:35:09.810 --> 02:35:14.030

Immingham. Um, there may, for instance,

1424

02:35:14.030 --> 02:35:15.710

thinking of D F D S,

1425

02:35:15.970 --> 02:35:20.310

you may take the view that we haven't seen enough of the D F D S

1426

02:35:20.380 --> 02:35:25.350

operation from, um, the minibus trip that we're going to get tomorrow.

1427

02:35:26.290 --> 02:35:30.310

Um, but I think the important part about that,

1428

02:35:30.310 --> 02:35:35.070

having dealt with hazardous substance sites, particularly in the past,

1429

02:35:36.170 --> 02:35:41.150

is arranging trips is quite difficult. Um,

1430

02:35:42.010 --> 02:35:43.910

and if we've got to use a coach,

1431

02:35:43.940 --> 02:35:46.670

because I don't think we can use a series of mini buses 'cause that thing

1432

02:35:46.700 --> 02:35:51.030

creates logistical issues about one member of the examining authority being in

1433

02:35:51.130 --> 02:35:53.430

one mini bus versus, um,

1434

02:35:53.430 --> 02:35:57.550

potentially another one being in another one with some ips and not all ipss.

1435

02:35:58.530 --> 02:36:03.230

I'm not sure how practical getting a coach around an active doc

1436

02:36:03.240 --> 02:36:04.470

might be, but I mean,

1437

02:36:04.680 --> 02:36:09.550

we'll have to be guided by all of the ips with an interest

1438

02:36:09.770 --> 02:36:14.670

in port operations as to how you think practically an a

1439

02:36:14.730 --> 02:36:19.550

an A s I can be run taking account of all the safety considerations

1440

02:36:19.580 --> 02:36:23.270

that will come into play. And in that dialogue, again, depending on what,

1441

02:36:23.270 --> 02:36:28.070

what we've seen, uh, iot will also need to be brought into that discussion.

1442

02:36:28.970 --> 02:36:33.630

Um, but I have been on at least two, not within Spectra,

1443

02:36:33.630 --> 02:36:37.950

but in a previous working existence, um, hazard as substance sites,

1444

02:36:38.410 --> 02:36:41.710

and they are tricky beasts to deal with in terms of arranging site visits.

1445

02:36:46.320 --> 02:36:51.270

Thank you, Mr. Gould. Um, I maybe, um, uh, Mr. Walker, um,

1446

02:36:51.270 --> 02:36:55.190

just coming back to you, did, did, were you able to, um, find any,

1447

02:36:55.750 --> 02:36:57.630

anything regarding the, the a s license and

1448

02:36:57.630 --> 02:37:01.790

Walker for d ft s? We have found the submission we thought we had made, and it,

1449

02:37:01.790 --> 02:37:04.910

it's not about tomorrow's, um, inspection.

1450

02:37:04.980 --> 02:37:06.990

It's more about the later one in September.

1451

02:37:07.050 --> 02:37:11.470

So I don't think we need to worry too much about it right now. Thank you.

1452

02:37:13.190 --> 02:37:17.720

I think the important thing about the a s I is if the various parties,

1453

02:37:18.220 --> 02:37:19.440

uh, can in effect,

1454

02:37:19.520 --> 02:37:23.600

I think go go to the applicant and between you work out

1455

02:37:24.030 --> 02:37:27.240

itinerary and logistics, but I would, as I said earlier,

1456

02:37:27.480 --> 02:37:32.320

I I wouldn't start that process until after we published our note of

1457

02:37:32.320 --> 02:37:34.760

what we see tomorrow. Um,

1458

02:37:34.760 --> 02:37:38.240

because you may take the view that what we have seen, uh,

1459

02:37:38.240 --> 02:37:41.680

certainly within the Port of Ingham will be sufficient, um,

1460

02:37:43.260 --> 02:37:48.200

to address all parties, um, submissions at least up to this point.

1461

02:37:48.980 --> 02:37:53.520

Uh, but yeah, we will endeavor to get our note out as promptly as possible.

1462

02:37:57.420 --> 02:38:02.170

Thank you. Um, unless any, anybody else has got anything that they want to, um,

1463

02:38:02.420 --> 02:38:07.010

raise on in regard to this item, I will move on. Oh,

1464

02:38:07.310 --> 02:38:08.850

Mr. Greenwood. Brian

1465

02:38:08.850 --> 02:38:13.610

Greenwood, a b P. So I wonder if I could just, uh, for the assistance of, uh,

1466

02:38:13.750 --> 02:38:14.850

Mr. Owen and Mr.

1467

02:38:14.850 --> 02:38:19.730

Walker just emphasize that we have been very careful plotting the,

1468

02:38:19.790 --> 02:38:23.570

uh, familiarization visit tomorrow and very helpful with,

1469

02:38:23.570 --> 02:38:24.450

with your case officer.

1470

02:38:24.830 --> 02:38:29.610

And I can assure you that the individuals who will be in the minibus

or

1471

02:38:29.630 --> 02:38:32.610

on the launch have nothing whatsoever to do with this project.

1472

02:38:33.930 --> 02:38:36.050

I just thought I should put that down for the record, sir.

1473

02:38:38.340 --> 02:38:41.130

Thank you, Mr. Greenwood. Okay.

1474

02:38:41.810 --> 02:38:45.450

I will move on to the fourth item, um,

1475

02:38:45.450 --> 02:38:49.170

which is additional submissions, um,

1476

02:38:49.630 --> 02:38:54.330

in connection with the additional submissions made by the applicant
and

1477

02:38:54.330 --> 02:38:58.690

other ips following the application's acceptance,

1478

02:38:59.310 --> 02:39:03.730

uh, library references as 0 0 1 to as

1479

02:39:04.320 --> 02:39:06.290

zero 11. Um,

1480

02:39:06.950 --> 02:39:11.890

do either the applicant or any other ips have any

1481

02:39:12.130 --> 02:39:15.090

comments to make, um, about, uh,

1482

02:39:15.190 --> 02:39:19.610

any of the submissions and acceptance of those documents?

1483

02:39:20.230 --> 02:39:24.490

Uh, any comments? Maybe start with the applicants,

1484

02:39:26.710 --> 02:39:29.610

Uh, Brian Greenwood, a b p at present, sir,

1485

02:39:29.610 --> 02:39:32.890

subject to any other comments received? I have nothing further to add.

1486

02:39:34.000 --> 02:39:34.830

Okay.

1487

02:39:34.830 --> 02:39:39.210

Uh, any of the ips? Any comments? Okay,

1488

02:39:39.350 --> 02:39:41.490

seeing shaking of heads. Um,

1489

02:39:42.270 --> 02:39:47.170

so I'll move on to the fifth item, uh, which is local impact reports.

1490

02:39:47.380 --> 02:39:49.850

Again, I know we've already touched on, um,

1491

02:39:50.080 --> 02:39:54.690

item four in Annex F sets out our request for local impact

1492

02:39:54.690 --> 02:39:58.810

reports to be submitted by any local authority by the

1493

02:39:58.810 --> 02:40:01.130

14th of August. Uh,

1494

02:40:01.190 --> 02:40:05.930

the planning inspectorates advice note one provides advice on the

1495

02:40:05.930 --> 02:40:09.370

production of local impact reports. Um,

1496

02:40:10.670 --> 02:40:15.600

are there any further comments at all from, uh, Northeast

Lincolnshire Council?

1497

02:40:16.510 --> 02:40:21.160

Well, I'll start with Northeast Lincolnshire Council. Uh, thank you sir.

1498

02:40:21.160 --> 02:40:24.400

Richard Liman, Northeast Links Council, uh, yeah, no comments make on that.

1499

02:40:24.400 --> 02:40:26.640

Thank you. Thank you. Um,

1500

02:40:26.700 --> 02:40:31.040

and any comments from any other IP concerning local impact reports?

1501

02:40:32.860 --> 02:40:33.720

Oh, Mr. Walker,

1502

02:40:36.470 --> 02:40:38.680

Very briefly in your, in Appendix F,

1503

02:40:39.020 --> 02:40:43.640

it says that there's to be submitted by dead the 14th of August, deadline two,

1504

02:40:43.660 --> 02:40:45.320

but I think that's deadline one, isn't it?

1505

02:40:48.590 --> 02:40:50.150

I think it's Walker for D fts, yes. Mr.

1506

02:40:50.150 --> 02:40:51.590

Walker? I think you are correct.

1507

02:40:55.840 --> 02:41:00.360

I think the key thing there is, Mr, are you working to the 14th of, um,

1508

02:41:00.980 --> 02:41:01.813

August? Yeah.

1509

02:41:05.870 --> 02:41:06.330

Okay,

1510

02:41:06.330 --> 02:41:10.840

Thank you. Um, the sixth item we've got is, um,

1511

02:41:11.140 --> 02:41:14.120

uh, document management by parties, uh,

1512

02:41:14.120 --> 02:41:18.440

including statements of common ground, um, uh,

1513

02:41:18.880 --> 02:41:21.840

skipping over anything about hyperlinks 'cause I think we exhausted that

1514

02:41:21.840 --> 02:41:23.160

earlier. Um,

1515

02:41:23.470 --> 02:41:28.040

item five in an XF sets out the X a's

1516

02:41:28.040 --> 02:41:31.800

requirements concerning documentation management. Uh,

1517

02:41:31.820 --> 02:41:35.520

the applicant and all other ips will be expected to follow the document

1518

02:41:35.520 --> 02:41:39.680

management principles set out in item five. Uh,

1519

02:41:39.680 --> 02:41:44.560

failure to do so will result in the XA requesting the documents in question be

1520

02:41:45.160 --> 02:41:49.400

resubmitted. Um, does anybody have any comments or questions on that?

1521

02:41:51.780 --> 02:41:56.360

No, I'm not seeing any hands up. Um, so item seven,

1522

02:41:56.750 --> 02:42:00.560

amended documents submitted into the examination, um,

1523

02:42:00.660 --> 02:42:03.160

as per item six in Ann X F,

1524

02:42:03.620 --> 02:42:08.600

if the applicant or any other IP submits an amended or

1525

02:42:08.630 --> 02:42:12.800

updated version of a previously submitted document, um,

1526

02:42:12.870 --> 02:42:17.240

they shall provide alongside it a short written explanation,

1527

02:42:17.550 --> 02:42:21.920

setting out what the differences or changes are. Uh,

1528

02:42:22.440 --> 02:42:27.360

additionally in the case of any application documents that the applicant may

1529

02:42:27.410 --> 02:42:31.440

amend during the course of the examination, uh, for example,

1530

02:42:31.620 --> 02:42:35.040

but not limited to the draft, uh, development consent order,

1531

02:42:35.660 --> 02:42:40.520

the applicant should submit clean and track changes versions of that document.

1532

02:42:41.540 --> 02:42:41.760

Uh,

1533

02:42:41.760 --> 02:42:46.680

following this practice will enable IPS and the XA to identify

1534

02:42:46.690 --> 02:42:51.440

where amendments have been made and make comparisons with earlier versions

1535

02:42:51.540 --> 02:42:54.040
of, of the same documents. Um,

1536

02:42:54.040 --> 02:42:56.720
does anybody have any comments on that?

1537

02:42:58.780 --> 02:42:59.610
No.

1538

02:42:59.610 --> 02:43:02.680
Again, no hands. Um,

1539

02:43:03.350 --> 02:43:07.480
item eight is guide to the application documents. Um,

1540

02:43:07.620 --> 02:43:11.400
so as set out in item seven of annex F,

1541

02:43:11.900 --> 02:43:12.920
at each deadline,

1542

02:43:13.060 --> 02:43:17.560
the applicant must provide an updated guide to the application

1543

02:43:17.960 --> 02:43:18.450
documents,

1544

02:43:18.450 --> 02:43:23.320
which provides a list of the most up-to-date documents put

1545

02:43:23.320 --> 02:43:25.520
before the examination. Uh,

1546

02:43:25.640 --> 02:43:30.520
a final version to be submitted by deadline seven, uh,

1547

02:43:30.580 --> 02:43:33.200
the 11th of December, 2023.

1548

02:43:33.910 --> 02:43:35.880

Does anyone have any comments on that?

1549

02:43:37.990 --> 02:43:38.370

Okay,

1550

02:43:38.370 --> 02:43:42.440

Thank you. And, um, item nine,

1551

02:43:42.830 --> 02:43:47.560

hard copies of documents and plans and drawings as referred to

1552

02:43:48.180 --> 02:43:50.880

in item eight of annex f.

1553

02:43:51.540 --> 02:43:56.440

All documents over 50 pages in length and all plans and drawings

1554

02:43:56.440 --> 02:44:01.440

submitted by either the applicant or other ips should be

1555

02:44:01.680 --> 02:44:05.520

provided in hard copy to assist the xa. Uh,

1556

02:44:05.670 --> 02:44:10.640

hard copies are to be provided to other parties at the discretion of the party,

1557

02:44:10.770 --> 02:44:15.640

submitting the documents further to a request being made by a party

1558

02:44:15.980 --> 02:44:20.520

for such hard copy documentation being made available to it.

1559

02:44:21.180 --> 02:44:24.120

Um, any comments or questions on that?

1560

02:44:26.920 --> 02:44:30.630

Again, seeing no hands. Thank you. Um,

1561

02:44:31.010 --> 02:44:34.710

so that brings us to the end of, uh,

1562

02:44:34.930 --> 02:44:39.550

of this item of the agenda. I'll hand back, back over to Mr. Gould.

1563

02:44:42.200 --> 02:44:46.190

Thank you be Before I ask any, uh, any anyone present, um,

1564

02:44:46.220 --> 02:44:49.270

with respect to any other matters, there are a couple that, um,

1565

02:44:49.410 --> 02:44:52.070

we need to bring to your attention. Um,

1566

02:44:52.490 --> 02:44:56.990

the first one is the status of North Lincoln Check Council.

1567

02:44:57.650 --> 02:45:01.790

We incorrectly identified in the procedural, uh, decision five,

1568

02:45:02.370 --> 02:45:07.030

the one about in the common ground that North Lincoln Council had not

1569

02:45:07.100 --> 02:45:09.870

made a relevant rep. They have made a relevant rep.

1570

02:45:10.140 --> 02:45:12.990

They are therefore an interested party, uh,

1571

02:45:13.050 --> 02:45:16.590

and should be treated as such throughout the course of the examination.

1572

02:45:22.770 --> 02:45:27.110

Um, and the only other matter, uh, certainly from the examining authority,

1573

02:45:27.110 --> 02:45:29.990

and I'm, I'm gonna ask Mr. Greenwood to talk to this,

1574

02:45:30.810 --> 02:45:35.190

is the examining authority has received the initial notice from

1575

02:45:35.690 --> 02:45:39.910

the applicant, uh, that it intends to make a change request,

1576

02:45:40.770 --> 02:45:44.710

uh, Mr. Greenwood for the benefit of everybody else, uh,

1577

02:45:44.730 --> 02:45:48.070

who may not have seen the correspondence yet. Can you elaborate please?

1578

02:45:50.080 --> 02:45:54.070

Thank you, sir. Brian Greenwood of a b P? Yes, sir.

1579

02:45:55.370 --> 02:45:59.990

We, we will be submitting a changes notification to you.

1580

02:46:00.090 --> 02:46:05.030

So if I could come to timescale, uh, at the end of my little, uh, explanation.

1581

02:46:06.210 --> 02:46:11.120

Sir, I should start by pointing out, uh, we're very conscious that, uh,

1582

02:46:11.530 --> 02:46:16.360

pin's advice note 16 has been amended and the difference between material

1583

02:46:16.620 --> 02:46:20.240

and non-material ha has disappeared. Uh,

1584

02:46:20.380 --> 02:46:22.080

so if I may, uh,

1585

02:46:22.240 --> 02:46:26.600

I will describe what we are proposing to change as extremely limited.

1586

02:46:27.300 --> 02:46:29.240

Um, certainly, sir, if you,

1587

02:46:29.820 --> 02:46:34.640

I'm confident that looking at the tests you as examining authority

1588

02:46:34.730 --> 02:46:37.960

would have to meet in terms of changes, uh,

1589

02:46:38.710 --> 02:46:42.120

none of those tests, uh, would cause you any, any difficulties.

1590

02:46:42.120 --> 02:46:46.360

There is no substantial change to the application as submitted.

1591

02:46:46.490 --> 02:46:49.840

There is no change to the land ownership, uh,

1592

02:46:50.100 --> 02:46:53.960

and there is no change to the environmental assessment as submitted.

1593

02:46:55.100 --> 02:46:58.440

So they, the changes really fall into three parts.

1594

02:46:59.740 --> 02:47:00.340

Change.

1595

02:47:00.340 --> 02:47:05.080

One involves the realignment of the approach jetty

1596

02:47:05.620 --> 02:47:10.160

in the marine environment within the limits of deviation.

1597

02:47:11.420 --> 02:47:16.200

Uh, the realignment does mean that we are going to have to,

1598

02:47:16.340 --> 02:47:19.720

uh, readjust the number and location of piles,

1599

02:47:20.380 --> 02:47:24.440

but in so doing, uh, the piling diameter reduces,

1600

02:47:24.490 --> 02:47:25.960

which means that, uh,

1601

02:47:26.540 --> 02:47:30.480

the impact of those changes has already been assessed by,

1602

02:47:31.900 --> 02:47:35.440

a's environmental consultants as neutral.

1603

02:47:36.260 --> 02:47:40.400

So there is no additional impact of the, uh,

1604

02:47:40.400 --> 02:47:41.840

change that is proposed.

1605

02:47:42.620 --> 02:47:46.640

The reason that we feel that this change should formally be brought to your

1606

02:47:46.640 --> 02:47:49.960

attention, of course, is that the approach Jetty does cross, uh,

1607

02:47:50.280 --> 02:47:54.960

s a c and affect s p a. Uh, so it was heavily designated, and sir,

1608

02:47:55.160 --> 02:47:57.240

I should say that as ACT today,

1609

02:47:57.240 --> 02:48:02.000

natural England are not aware of the proposal. But now that we've,

1610

02:48:02.010 --> 02:48:05.400

we've outlined what we are proposing in this preliminary meeting,

1611

02:48:05.540 --> 02:48:10.440

we will be informing Natural England next week so that they can draw that into,

1612

02:48:10.540 --> 02:48:14.320

uh, their consideration, even though, obviously, sir, uh,

1613

02:48:14.320 --> 02:48:18.760

the change has not been accepted. The second element, sir,

1614

02:48:19.460 --> 02:48:21.000

uh, is the, uh,

1615

02:48:22.040 --> 02:48:26.360

readjustment of the internal bridge within the development site.

1616

02:48:26.580 --> 02:48:31.560

So it is within the port and a decision has been made,

1617

02:48:32.020 --> 02:48:35.560

uh, for, for various reasons that obviously I will, uh,

1618

02:48:35.700 --> 02:48:40.640

detail in our notification to reduce the length of the bridge

1619

02:48:41.860 --> 02:48:45.800

and in reducing the length of the bridge, uh, internally,

1620

02:48:46.500 --> 02:48:49.440

and to ensure that it comes down safely, uh,

1621

02:48:50.180 --> 02:48:52.760

in layman's terms at right angles with the, with the ground,

1622

02:48:52.930 --> 02:48:57.600

we've had actually to take the bridge slightly out of the channel of the limits

1623

02:48:57.620 --> 02:48:58.453

of deviation.

1624

02:48:59.100 --> 02:49:03.760

So there is a change to our plans as far as the limits of

1625

02:49:03.760 --> 02:49:08.320

deviation as submitted. The, uh, changes as proposed,

1626

02:49:08.550 --> 02:49:12.120

however, sir, are entirely beneficial. They will assist, uh,

1627

02:49:13.080 --> 02:49:17.720

existing tenants and they will also assist a B P in terms of future

1628

02:49:17.910 --> 02:49:21.320

storage area for the, uh, uh,

1629

02:49:21.420 --> 02:49:26.240

the landside element of the development. And the final element,

1630

02:49:26.460 --> 02:49:27.760

sir, again,

1631

02:49:28.080 --> 02:49:33.000

entirely within the limits of deviation is there are ongoing negotiations with

1632

02:49:33.140 --> 02:49:35.440

UK border force. Indeed, uh,

1633

02:49:35.670 --> 02:49:39.320

ongoing negotiations is one of the points that is, uh,

1634

02:49:39.450 --> 02:49:42.680

noted in pin's Advice 16, um,

1635

02:49:43.260 --> 02:49:47.360

UK border force are obviously, uh, an important body. Uh,

1636

02:49:47.830 --> 02:49:51.360

they are using this development, if I may say, as, uh,

1637

02:49:53.120 --> 02:49:57.560

a wish to, if anything, get a rather special, uh,

1638

02:49:59.140 --> 02:50:01.920

set of buildings, testing buildings layout,

1639

02:50:02.210 --> 02:50:05.320

separation of unaccompanied unaccompanied traffic,

1640

02:50:06.010 --> 02:50:09.440

which does mean that as at today, uh,

1641

02:50:09.660 --> 02:50:13.480

the buildings themselves are being adjusted. For example, uh,

1642

02:50:13.920 --> 02:50:18.280

a two story building is going to be reduced to one story which will lengthen,

1643

02:50:18.300 --> 02:50:20.920

uh, and extend the, the footprint. Uh,

1644

02:50:20.980 --> 02:50:25.680

we are going to have to adjust the internal layout of how the traffic moves

1645

02:50:25.820 --> 02:50:30.480

in and out of UK border force for customs checks. Again,

1646

02:50:30.500 --> 02:50:31.800

as I emphasize, sir,

1647

02:50:32.300 --> 02:50:37.000

all within the limits of deviation negotiations are still

1648

02:50:37.230 --> 02:50:40.960

ongoing, uh, which does affect timescale. Sir,

1649

02:50:41.820 --> 02:50:46.520

the only other point I would make is as a result of these limited changes, uh,

1650

02:50:46.520 --> 02:50:48.840

there's some consequential changes, uh,

1651

02:50:48.900 --> 02:50:53.520

the obvious one being the lighting strategy in that with the change

in position

1652

02:50:53.540 --> 02:50:56.520

of buildings, there's a change in position of lights.

1653

02:50:57.060 --> 02:51:01.960

And the reason that is important is that there is a network rail track that

1654

02:51:02.190 --> 02:51:04.520

borders the site, and we just need,

1655

02:51:04.540 --> 02:51:09.360

and we are in discussions with Network Rail to ensure that the lighting does not

1656

02:51:09.460 --> 02:51:11.320

affect the drivers of the trains.

1657

02:51:11.320 --> 02:51:14.920

And we're having positive negotiations with Network Rail on that point.

1658

02:51:16.020 --> 02:51:17.880

So in terms of timescale,

1659

02:51:18.940 --> 02:51:23.920

we had hoped that I would be able to submit the change notification by

1660

02:51:24.200 --> 02:51:25.920

Deadline One. Um,

1661

02:51:26.220 --> 02:51:30.560

in view of the fact that we still have ongoing negotiations with UK Border

1662

02:51:30.560 --> 02:51:35.040

Force, uh, that may not be possible, and it may, uh,

1663

02:51:35.140 --> 02:51:39.960

it may be deadline two, the end of August or, or just adjusted, uh,

1664

02:51:40.360 --> 02:51:42.840

deadline two. So I can give you my assurance,

1665

02:51:43.020 --> 02:51:47.920

it will be no later than that because, uh, a p p, uh,

1666

02:51:48.060 --> 02:51:51.880

to ensure that, uh, even though the changes are limited, uh,

1667

02:51:52.300 --> 02:51:56.040

we cannot be accused of trying to short circuit the process.

1668

02:51:56.460 --> 02:52:00.000

We will do a formal consultation, a full 28 days plus,

1669

02:52:00.300 --> 02:52:04.200

and we will advertise in all of the necessary newspapers. But, uh,

1670

02:52:04.200 --> 02:52:06.840

that obviously extends the process, uh,

1671

02:52:06.900 --> 02:52:11.520

in between your approval of our application, the consultation,

1672

02:52:11.620 --> 02:52:15.760

and then the consequent consultation report. So, uh,

1673

02:52:16.060 --> 02:52:19.080

we cannot afford to have it any later than deadline too. So

1674

02:52:21.320 --> 02:52:22.440

I hope that assists. Uh,

1675

02:52:23.690 --> 02:52:27.560

Thank you, Mr. Greenman. And, and in terms of the dialogue with UK Border Force,

1676

02:52:27.660 --> 02:52:32.120

are they aware that there is an effective guillotine deadline for them?

1677

02:52:32.120 --> 02:52:32.953

They are,

1678

02:52:32.970 --> 02:52:37.480

Sorry, Brian Greenwood of, uh, A B P. So UK Border Force are fully aware,

1679

02:52:38.060 --> 02:52:42.840

um, whether, uh, that is influencing them is,

1680

02:52:42.900 --> 02:52:45.160

uh, entirely another thing. But we are,

1681

02:52:45.460 --> 02:52:49.000

we are getting close now to closing it down. And, uh,

1682

02:52:49.320 --> 02:52:51.400

I can say that as far as the other elements,

1683

02:52:51.570 --> 02:52:54.960

those are completed and it's just a question of formal assessment and getting

1684

02:52:54.960 --> 02:52:55.793

ready for the process.

1685

02:52:58.970 --> 02:52:59.920

Thank you. Mr. Greenman,

1686

02:53:00.580 --> 02:53:05.280

any observations from any of the other interested parties who were present this

1687

02:53:05.280 --> 02:53:09.240

morning? Mr. Walk, Mr. O, anything? No. Mr. O? No.

1688

02:53:10.940 --> 02:53:11.960

All round. Thank you very much.

1689

02:53:15.660 --> 02:53:20.160

In terms of any other matters, uh, under this agenda item,

1690

02:53:20.220 --> 02:53:25.160

any other matters or a o b, is there anything looking at Mr. Owen first?

1691

02:53:26.780 --> 02:53:28.200

No. Thank you, sir. Mr. Walker

1692

02:53:30.130 --> 02:53:31.960

Angus Walker for D F D S, I do have,

1693

02:53:32.190 --> 02:53:36.560

something has occurred to me arising from one of the previous discussions about

1694

02:53:37.940 --> 02:53:38.510

the, um,

1695

02:53:38.510 --> 02:53:42.080

site visit tomorrow that you would be producing a report of what you had seen

1696

02:53:42.140 --> 02:53:47.120

and then we would invite parties to make any further comments.

1697

02:53:47.700 --> 02:53:51.360

Um, do you know when that will be and when we, we,

1698

02:53:51.460 --> 02:53:53.120

we would be expected to respond to it

1699

02:53:58.410 --> 02:54:03.150

At, at this stage, can't be precise about when the note will be, uh, produced,

1700

02:54:03.330 --> 02:54:07.750

but we would hope early next week and probably, um,

1701

02:54:07.890 --> 02:54:11.550

as we are looking to produce the Rule eight next week, it would, um,

1702
02:54:11.730 --> 02:54:14.710
be alongside the Rule eight. Uh,

1703
02:54:14.710 --> 02:54:18.270
that also would give us the opportunity if we think there's any
procedural

1704
02:54:18.430 --> 02:54:22.630
decisions that need to be made in respect of sorting out the
logistics, uh,

1705
02:54:22.860 --> 02:54:27.510
that we can then impart that to you concurrently, which might help
all parties,

1706
02:54:28.610 --> 02:54:32.550
uh, particularly in terms of iot who are not here this morning.

1707
02:54:33.450 --> 02:54:36.150
Um, that then puts something down in writing that,

1708
02:54:36.150 --> 02:54:41.110
that they can work to with the rest of, uh, the ips who may, um,

1709
02:54:41.220 --> 02:54:45.310
have an interest in ar arrange, uh, in fact the, the,

1710
02:54:45.490 --> 02:54:48.430
the behind the scenes discussion about just how an A s I would work

1711
02:54:51.130 --> 02:54:51.963
assist

1712
02:54:56.800 --> 02:55:00.640
anything from the council in terms of anything arising this morning.
Uh,

1713
02:55:00.640 --> 02:55:01.600
Richard Liman Northeast

1714
02:55:01.600 --> 02:55:02.340

Links Council?

1715

02:55:02.340 --> 02:55:05.120

No sir, nothing to add. And anything from the Harbor Authority?

1716

02:55:06.040 --> 02:55:08.640

Victoria Hutton for the Harbor Master? No, sir. Nothing. Thank you.

1717

02:55:13.590 --> 02:55:18.320

Well, I think that then brings us to the close of the preliminary meeting.

1718

02:55:19.060 --> 02:55:22.400

Um, I'd like to thank everybody for their useful contributions this morning.

1719

02:55:25.140 --> 02:55:28.000

Uh, we look forward to working with all of you during, uh,

1720

02:55:28.000 --> 02:55:31.160

the examination for this application. Uh,

1721

02:55:31.260 --> 02:55:35.400

we will reflect on what's been discussed, uh, this morning, um,

1722

02:55:35.900 --> 02:55:39.000

and particularly with respect to the timetable, um,

1723

02:55:39.430 --> 02:55:43.440

that will be confirmed when we publish the Rule eight letter during the course

1724

02:55:43.540 --> 02:55:44.373

of next week.

1725

02:55:49.580 --> 02:55:51.200

Um, as we explained earlier,

1726

02:55:51.270 --> 02:55:55.080

both a written note and a recording of today's proceedings will be made

1727

02:55:55.080 --> 02:55:57.600
available as soon as practical, uh,

1728

02:55:57.600 --> 02:56:00.880
on the planning inspectors planning inspectorates, um,

1729

02:56:00.880 --> 02:56:02.920
infrastructure website for this scheme.

1730

02:56:04.620 --> 02:56:08.600
If you have any administrative type questions, um,

1731

02:56:08.890 --> 02:56:13.360
would you please raise those either with Ms. Robbins or um,

1732

02:56:15.460 --> 02:56:19.240
Mr. Barrowman, um, after we close this meeting.

1733

02:56:19.380 --> 02:56:23.080
But would you please ensure that you don't seek to raise them, uh,

1734

02:56:23.080 --> 02:56:26.040
either with Mr. Bradley, Mr. Harrison, or myself?

1735

02:56:29.040 --> 02:56:32.140
Um, and I would just remind everybody, um,

1736

02:56:32.170 --> 02:56:35.780
that we are holding an issue specific hearing this morning, that
this afternoon,

1737

02:56:36.390 --> 02:56:41.060
which will be issued specific hearing one concerning the draft D C
0,

1738

02:56:41.400 --> 02:56:45.940
um, and the hearing will commence at half past two, um,

1739

02:56:46.010 --> 02:56:49.740
with the registration of that, uh, commencing at two o'clock.

1740

02:56:50.480 --> 02:56:52.940

And we do understand that for that hearing,

1741

02:56:53.470 --> 02:56:57.780

there will be some online participation from some ips.

1742

02:56:59.480 --> 02:57:03.700

Um, thank you everybody. Um, the preliminary meeting is now closed.

Thank you.