

Preliminary Meeting

0:02

Good morning and welcome.

0:04

The time is now 10:00 and I'm starting this preliminary meeting for the application made by Associated British Ports for an order granting development consent for Immingham Green Energy Terminal.

0:19

We'll introduce ourselves fully in just a few minutes.

0:21

But before we do that, please bear with me while I deal with a few housekeeping matters.

0:26

Can I just check that everyone can hear me online and in the room?

0:32

Yeah.

0:32

OK.

0:32

Thank you.

0:35

Could you also confirm that the meeting recordings and live stream have started?

0:41

Great.

0:41

Thank you.

0:42

Were there any requests for reasonable adjustments or arrangements to enable participation in this preliminary meeting?

0:51

No.

0:52

OK.

0:52

Thank you.

0:58

There are no fire alarm drills today, so if there is a fire alarm, a continuous alarm will sound.

1:04

Please vacate the building following the fire exit signs nearest to you.

1:08

The assembly point is located in the front in the front garden directly outside but a cross suite.

1:16

Members of the hotel team will assist you in the fire evacuation and toilets are located to my right.

1:24

OK.

1:24

On 2 introductions, I am Miss Sahai.

1:28

I have been appointed by the Secretary of State for levelling up Housing and Communities.

1:33

As the lead member of the Examining Authority to carry out an examination of this application, I'll hand over to other main members of the examining Authority to introduce themselves.

1:45

Mr.

1:45

Hunter, could we start with you?

1:47

Thank you.

1:47

Good morning.

1:48

Hi, Mr.

1:49

Hunter.

1:50

And I've also been appointed by the Secretary of State for levelling up housing communities as a panel member of the examiner authority to carry out an examination of this application.

1:59

And today I'll be leading on agenda item number four.

2:02

I'll now hand off to Miss Metcalf.

2:06

Thank you.

2:07

Good morning.

2:08

I'm Miss Metcalf.

2:09

And I've also been appointed by the Secretary of State for Housing Levelling up Communities as panel member of this examining authority to carry out an examination of this application.

2:19

Today I'll be leading on agenda item two.

2:21

I'll now hand over to Mr.

2:22

Shaikh.

2:24

Good morning.

2:25

I'm Mr.

2:26

Shaikh and I have been appointed by the Secretary of State for Levelling up Housing and Communities as a panel member of the Examining Authority to carry out an examination of this application.

2:35

Today I will be leading on agenda item 5.

2:38

I'll now hand over to Mr.

2:40

Page.

2:42

Thank you.

2:43

I'm Mr.

2:43

Page.

2:44

I've been appointed by the Secretary of State for levelling up Housing and Communities as a panel member of the Examining Authority to carry out an examination this application.

2:55

Today I will be leading on agenda item three.

2:58

With that, I will now hand back to Miss Sahai, who will continue to introduce proceedings.

3:04

Thank you.

3:06

I can confirm that all panel members have made a declaration of interest responding to planning inspectorates, conflict of Interest policy and I can also confirm that none of us have declarable interests in relation to this appointment.

3:23

Also present today are members of the Case Team.

3:27

Case Manager is Mr.

3:28

KJ Johansson.

3:30

Mr.

3:31

Johansson is supported by Miss Gina Shoreland here at the venue.

3:36

If you have any questions or concerns about today's event, please contact a member of the Case Team, the audio, visual and Internet services provided by a team led by Mr.

3:46

Michael Young.

3:50

And that's the team on our end.

3:53

So we'll turn to attendees today.

3:56

First, I want to acknowledge and welcome those who are watching the live stream.

4:00

Welcome and thank you very much for joining us.

4:04

Second, I would like to make you aware that we have observers today only for training purposes.

4:09

I will not be inviting introductions from them.

4:14

I will now like to start with introductions from both in person and virtual attendees and participants.

4:21

I will read out the name of your team and I suggest that all members of that team present in person and virtually introduce themselves one by one.

4:30

I will then turn to individuals and ask for their introductions.

4:35

My running order is likely to be the applicants team first, followed by NE Lincolnshire Council, Anglian Water.

4:46

I believe IoT operators are not attending the PM anymore, so not them Harbour Master and CLDN Ports, Killingham Limited.

4:57

We've also received a request from a party who wishes to speak at these hearings.

5:02

However, they're not an interested party in taking a precautionary approach and to ensure that relevant stakeholders who have valuable contributions to make to the examination are given an opportunity to do so, the examining Authority has invited them to the preliminary meeting.

5:21

This is Air Liquid Global E&C Global's E&C Solutions, Germany.

5:28

I will ask them to.

5:30

I will come to them last and ask for some more information, so please bear with us.

5:35

Is there anybody else here who would like to introduce themselves?

5:41

OK, I don't see any hands raised.

5:45

Good.

5:45

So I will hand over to the applicants team.

5:50

Good morning Madam.

5:52

My name is Harry Wood, Philpott King's Council.

5:55

I'm instructed jointly by Brian Cave, Leighton Paisner on behalf of the applicant Associated British Ports, and also Charles Russell speechlies on behalf of Air Products.

6:08

Now for the purposes of this morning, I will be speaking on behalf of the applicants.

6:14

As you'll see, I have quite a team with me.

6:16

Because they don't anticipate speaking for this hearing with your leave, I suggest I don't ask them all to introduce themselves, but as we go into the issue specific hearings, I'll obviously introduce them as we go along.

6:28

If that's acceptable, that's absolutely fine.

6:33

It's probably just worth reminding everyone that before you speak, you know, after you've introduced yourself, before you speak, each and every time you will have to introduce your names and the organization you represent.

6:44

So I think that's a very sensible approach.

6:47

OK, So then I will move on to NE Lincolnshire Council.

6:52

Thank you.

6:52

Richard Lima, senior planner from NE Lincolnshire Council.

7:01

Anglian Water.

7:08

Good morning, Darl Sweetland, Anglian Water Services and the Special planning Manager.

7:14

Hello, Mr.

7:14

Sweetland Harbour Master.

7:20

Good morning, Madam.

7:21

I'm Jane Wakeham from Winkworth, Sherwood, and we're acting for the harbour Master Humber.

7:26

I'm afraid he cannot be with us today.

7:31

Thank you.

7:32

Do we have somebody from CLDN Ports Killingham Limited?

7:38

Yeah.

7:39

Good morning, Madam Alex President.

7:40

I'm an associate at PINS at Masons LLP and we're acting for CLDM Ports Killingham Limited.

7:46

Thank you very much.

7:48

May I now request the representative from Air Liquid Global ENC Solutions, Germany.

7:56

Good morning.

7:56

My name is Avakovska, I'm coming from a Liquid ENC Global Solutions and I'm a business analyst and I'm showing the interest in this proposal development.

8:09

And I would like to address some specific points concerning the hydrogen production unit.

8:14

If you're let me ask some questions.

8:19

Thank you.

8:19

Mr.

8:19

Boska, I was just going to say that as you introduce yourself, if you could please explain your objective of participating in the examination.

8:27

The reason I'm asking you this question is because you've not registered as an interested party.

8:32

So we'd like to just understand your objectives of participating in this examination.

8:37

In particular if the matters you wish to raise a line with the national policy Statement for ports, just bearing in mind that examining the application against the policy statement is the primary aim of this whole process.

8:53

The second point that I'd like you to address is a bit more tricky as we are not taking representations on the merits of the scheme today.

9:00

However, if you can tell us in high level terms if you or the party that you represent are directly impacted by the proposed development in very high level terms without going into the merits of the scheme.

9:12

So I'll hand over to you now and just if you could explain both those points to us.

9:19

Thank you.

9:21

So I'm liking to join and I'm expressing interest because I would like to bring attention of examining altuity to some key points with focus on ammonia dissociation method for the hydrogen production.

9:39

Given the limited references on this technology and in light of this, I'd like you to carefully consider the factors such as technology readiness, operational experience of our products, health and safety safeguards which they are planning to implement in the facility, the environmental impact of the natural gas firing and proper handling of hazardous substances like the catalyst which will be used.

10:09

And I think this aspects are crucial and I believe that addressing them will significantly contribute to the comprehensive evaluation.

10:17

And I think that I hope that examining authority will find my questions on this matters important and work of consideration.

10:27

And answering your second question, no, I mean the plans on this proposal development are not having any impact on the business of my company, which I'm representing Mr.

10:47

Bosca.

10:47

In light of your the response that you've just given to the second question where you're not impacted, I think the examining authority will need convincing that the input that you have is in fact will help us examine this case in light of the policy positions set out in the National Policy Statement for Ports.

11:11

Having said that, the Examining Authority can grant parties the status of other person, and while this is not defined in the Planning Act itself, there's provision in the Examination Procedure Rules for us to invite representations from other persons to to participate representations.

11:30

If we feel that that will be helpful, we will make a procedural decision under Agenda item 5, whether or not we wish for you to participate in the rest of the examination as an other person, starting with the ability to submit a written representation under Rule 10 of the Examination Procedure Rules.

11:49

And if we do make that procedural decision, then what you say will be given weight, subject to the merit and robustness of your evidence, just like any other evidence.

12:01

So bear with us while we consider your your request and we will make a decision under Agenda item 5.

12:12

Thank you.

12:21

Thank you to everyone and welcome once again.

12:26

I will now hand over to my colleagues to take us through the agenda items and set out our proposed approach to running this examination.

12:35

But before I do that, I'd just like to make a few announcements about changes to the Examining Authority and another few points about running this procedural.

12:45

This preliminary meeting I would like to give some prior information to the applicant and interested parties of a change in the membership of the panel due to personal reasons.

12:58

I will be resigning from the role of lead member of the panel under provisions of section 66, subsection 4 of the Planning Act, 2008 in April of 2024.

13:14

Mr.

13:14

Hunter is due to be appointed to the role of lead member of the panel under the provisions of section 69, subsection 2 of the Planning Act, 2008, and this is subject to confirmation in writing by the Secretary of State.

13:28

Also subject to confirmation by the Secretary of State, A further member of the panel is due to be appointed under the provisions of section 68, Subsections 2 and four of the Planning Act 2008 to ensure that this remains A5 person panel.

13:45

Once these changes in the membership of the panel have taken effect, it will be the duty of the panel lead to ensure that the membership of the panel has the necessary knowledge of the proceedings on the application up until the change.

13:59

This is under provisions of Section 73, subsection 2 of the Planning Act 2008.

14:08

Are there any questions with respect to that point?

14:12

Not from us.

14:13

Thank you, Madam.

14:16

Not from us either.

14:16

Thank you.

14:17

OK, thank you very much.

14:20

I'll just go on to make a further few points about the way we will run this meeting today.

14:26

Firstly, a few words about the purpose of this preliminary meeting.

14:30

Our main purpose here today is to discuss how the application should be examined and the process only and not the substance of the proposed development.

14:39

The preliminary meeting is your opportunity to influence the process that we intend to follow.

14:46

Discussions and representations about the merits or disadvantages of the proposed development are for the examination itself, which will begin after the close of the preliminary meeting.

14:59

Second, a few words to acknowledge the format of the event today.

15:03

This is a blended event.

15:05

It allows attendance both in person and virtually throughout through Microsoft Teams.

15:17

It is expected that both blended and fully virtual events will form part of the planning expectorates future operating model.

15:25

We, the examining authority, are attending this meeting from Stalingborough near Immingham, as are some attendees.

15:32

For those attending virtually, please be rest assured that you have our full attention at all times, even if we are at times not looking at the camera.

15:41

To avoid visual and noise distractions, please keep your cameras and microphones off unless we invite you to speak.

15:51

If this meeting in seems will go on much longer, we will take a break around 11:30, but it it feels like it's finishing soon, then I will just carry on and finish the meeting when it does.

16:04

Virtual attendees.

16:05

If you decide to leave the meeting during the breaks then you can rejoin using the same link provided in your invitation e-mail.

16:14

If you're watching the live stream, please refresh the browser to resume each subsequent session.

16:22

Thirdly, this event is both live streamed and recorded.

16:26

The additional recordings that we make are retained and published, and they form a public record that can contain your personal information and to which General Data Protection or GDPR applies.

16:39

The Planning Inspectorate's practice is to retain and publish recordings for a period of five years from the Secretary of State's decision on the Development Consent Order.

16:49

Consequently, if you participate in today's preliminary meeting, it is important that you understand that you will be recorded and that you therefore consent to the retention and publication of the digital recording.

17:02

It's very unlikely that the examining authority will ask you to put sensitive personal information into the public domain.

17:09

Indeed, we encourage you not to do that.

17:11

However, if for some reason you feel that it is necessary for you to refer to sensitive personal information, we would encourage you to speak to the case team in the first instance and we will then explore whether the information could be provided in written format, which might then be redacted before it is published.

17:33

Conduct of the meeting 4th and final point is about proceedings and conducted this meeting to ensure that we are able to finish the business of the day on time.

17:42

Please keep your representations brief and to the point.

17:46

We invite when invited to speak, please introduce yourself by name and, if relevant, by organization.

17:53

And please repeat your introduction each time you're speaking.

17:57

This is important for transcripts and recordings and particularly for the live stream for the benefit and also for the benefit of the examining authority and other parties.

18:11

Does anyone have questions about these points that I've just raised?

18:19

OK, I don't see any hands up in the room or virtually, so I will then hand over to Miss Metcalf for agenda item 2.

18:36

Thank you, Miss Simon.

18:37

Good morning.

18:38

I'm going to provide a summary of the examination process that is set out in Annex B of our rule, 6th letter of the 8th of January 2024.

18:46

Please do read this carefully if you haven't already.

18:50

Before I take you through the examination process, I'll outline what has happened so far in the pre examination.

18:56

Which started on the 19th of October 2023 when the Secretary of State accepted this application into examination and ends today at the end of this preliminary meeting as the examining authority.

19:09

We've read the submitted documents, the submitted application documents and the relevant representations received.

19:17

In order to familiarize ourselves with the application, we undertook an unaccompanied site inspection of publicly accessible areas in the vicinity of the site in December 2023.

19:28

A note of the locations we visited, including the time of day and weather conditions, is published on the project web page and is item EV1-001 in the examination Library.

19:41

We have also received and accepted some late submissions into the examination.

19:45

These are listed in the Examination Library as additional submissions with the prefix AS this application is for a Nationally Significant Infrastructure Project or NCIP, under the Planning Act 2008, subsection sorry, Section 14, subsection 1J and Section 24, Subsections 2 and three C There is also associated development included in the application.

20:14

The designated National Policy Statement for Ports is relevant to this application, and the overarching National Policy Statement for Energy EN1 and Renewable energy EN three are considered to be important and relevant.

20:28

As such, the Examining Authority will consider the proposed development in accordance with these statements and any other policy considerations we deem to be important and relevant.

20:39

Besides the Planning Act of 2008, the Examination procedurals govern some aspects of the process.

20:46

You will hear us referring to the Rule 6 letter, a Rule 13 notification or a Rule 17 request.

20:54

These are all set out in the examination procedurals which can be found on legislation.gov.uk and there is also a link on the Planning Inspectorate website.

21:05

The examination of this NCIP will commence once this preliminary meeting has been closed today.

21:11

The examination process is primarily a written one, and representations made in writing carry equal weight to any representations made orally.

21:21

Interested parties should seek to engage through the written process rather than wait for a particular hearing in order to for their opportunity to influence proceedings.

21:32

The examination, the examining authority, takes the lead in establishing what is important and relevant to the decision that the Secretary of State needs to take.

21:41

In order to do this, we will be looking for and testing evidence to ensure that we are fully conversant with any issues arising at the conclusion of the examination.

21:52

We will provide a recommendation report to the Secretary of State for Transport, who will consider the evidence and review our recommendation before making a final decision on the application.

22:03

At its core, the report will have our recommendation as to whether the draft Development Consent Order as amended during the examination, should be approved.

22:12

It will contain recommendations.

22:14

It will also contain recommendations on what land would be subject to compulsory acquisition should the Secretary of State approve the DCO.

22:22

Even if we do not recommend that consent should be given, we are required to still put forward what we consider would be the most appropriate DCO should the Secretary of State decide against our recommendation.

22:34

The important point here is that all matters relating to the draft DCO are integral to this examination.

22:42

So does anyone would anyone like any clarification on these general matters around the examination process that will not be covered by later agenda items?

22:54

No hands up either in the room or online.

22:57

So I will now hand over to Mr.

22:59

Page to take us through agenda item 3.

23:01

Thank you.

23:04

Thank you, Miss Metcalf.

23:06

Turning to agenda item 3, then it would be useful to have Annex C of our Rule 6 letter on screen for this item.

23:15

If the applicants team could share that for us, please.

23:28

Thank you very much.

23:31

Section 88, Subsection one of the Planning Act 2008, as amended, requires the examining authority to make an initial assessment of the principal issues arising from the application.

23:45

Annex C of our Rule 6 letter lists our initial assessment of the principal issues and provides A framework for the examination moving forwards.

23:56

I do not propose to read the list from start to finish if we D If we do need to look at the specifics, the list is visible on the screen for those attending this meeting in person and those online can either see the shared screen or should have access to Annex C of our Rule 6 letter by other means.

24:18

You may, however, wish to note the following.

24:22

Firstly, the list of principal issues has been compiled in no particular order of importance.

24:29

Secondly, the list is neither comprehensive nor exclusive of all potential principal issues.

24:36

It's an indicative list as we start the examination, and it does not determine the final scope of issues that may be examined.

24:46

Other relevant issues may arise during the course of the examination.

24:50

Equally, issues currently on the list may turn out to be less relevant than they initially appeared.

24:58

As such, the scope of the examination could change accordingly depending on the evidence presented.

25:06

I note we have no request to speak on this agenda item today.

25:11

However, I will provide an opportunity to speak shortly, just in case anyone wishes to do so.

25:18

The examining authority may have questions of those who do speak, and I will also give the applicant a chance to respond at the end if necessary.

25:27

Please remember that the purpose of the preliminary meeting is not to discuss the merits of the application.

25:34

There will be opportunities for all parties to make submissions about the merits of the application as part of the examination, which commences after the preliminary meeting closes.

25:45

At this stage, we're only seeking submissions regarding the principal issues that might affect the structure of the examination.

25:53

With that in mind, does anyone in the room or online wish to speak on this agenda item?

26:01

So just to confirm on behalf of the applicant, Harry Wilford, but we don't have any comments on the list at this stage.

26:06

Thank you.

26:12

I can't see any more hands, so I will now move to close this agenda item.

26:21

Thank you to everyone who contributed.

26:24

It is not the examining, examining authority's intention to make any procedural decisions today.

26:31

However, we will carefully consider the need for any procedural decisions regarding the matters raised in due course.

26:39

I will now hand over to Mr.

26:40

Hunter, who will continue with item four of the agenda, which covers the draft examination timetable.

26:46

Thank you.

26:50

Thank you, Mr.

26:50

Page.

26:51

As Mr.

26:52

Page said, we'd like to move on to to item four.

26:55

And the purpose of this agenda item is for us to hear any comments parties may have in relation to our draft timetable, which can be found on Annex D of our Rule 6 letter just before I go.

27:05

I think we don't need to share anything at this point.

27:07

I'm happy for that.

27:08

So that's fine.

27:09

Thank you.

27:12

As well as Annex D, it might also be helpful to have Annex's E&F in front of you as well as we work through this matter.

27:19

It's also just important at this stage just to highlight that we will not be making any decision on the examination timetable at today's meeting.

27:26

We will issue the final examination timetable taking into account the submissions that we hear today and those that we've already received in writing within our Rule 8 letter, which will be available on the website as soon as possible after this meeting.

27:39

In the interest of brevity, I don't intend to run through the full timetable, but there are just some key points that I just wish to highlight to you all.

27:47

I'm going to cover 4 aspects.

27:48

First off, opportunities to make written submissions, some information just on hearings and the available timetable for hearings, arrangements for site inspections.

27:58

And then finally, just some brief comments on specific timetable matters, including how we propose to manage change requests during the process as well as most of these matters are all linked to rather than inviting comments as we go through, I'd like to invite comments and questions just at the end of the agenda item please.

28:16

So starting with written submissions, these can be made in a number of formats throughout the examination.

28:22

Firstly, relevant representations which were made during the pre application examination.

28:27

So thank you for all of those that we've received and I confirm that we've read and seen all of those.

28:31

Now the next opportunity is through written representations and these should provide each party's detailed case and sets out the reasons why you support or oppose the application with evidence as far as possible.

28:43

Written, written.

28:45

Excuse me.

28:45

Written representations are requested from parties by deadline one, which is Wednesday the 13th of March.

28:54

A notice of the deadline for receipt of written written representations.

28:58

We're set out in our Route 6 letter and XF, but just for the record, I'm just stating that here again so everybody's fully aware of the deadline date for those.

29:08

The timetable also includes provision for three rounds of written questions.

29:11

We will formally issue the first written questions with our Rule 8 letter and responses to these are also required by deadline one, which is Wednesday the 13th of March within the timetable.

29:22

We've included two rounds of further written questions if required, and these be published by us on Friday the 17th of May and Wednesday the 17th of July.

29:33

Throughout the examination, should we consider it necessary, we can also issue a specific request for information from named parties, which is known as a Rule 17 letter for both written questions and Rule 17 requests.

29:44

The way you participate is by responding to either questions or by commenting on other responses that we have received.

29:51

Various deadlines throughout the examination also provide opportunities for responses and comments or documents that have been submitted.

29:59

Moving on to statements of common ground, an XF of our Rule 6 letter sets out the examining authorities requests with respect to the stems of common ground that we would like to see.

30:09

Mr.

30:09

Sheik will provide more information on this in the the next Agenda item.

30:14

Final stems of common ground are expected at Deadline 7, which is Thursday the 15th of August.

30:20

However, all preceding deadlines have the request that the applicant should provide you with an update on how statements are progressing along with a statement of commonality.

30:31

The Rule 6 letter and annex also give notice and provide a deadline for the submission of local impact reports along with the submission of reports of local impacts from 2 local authorities as well.

30:41

Deadline for this is Wednesday the 13th of March, which is deadline one.

30:47

Moving on to the the 2nd aspect which is hearings, there are three sorts of hearings under Planning Act 2008 which are set out under sections 91, 92, 93 and 94 and these are open floor hearings, compulsory acquisition hearings and issue specific hearings.

31:04

Following the close of this preliminary meeting which marks the start of the examination, we will hold our first issue specific hearing and this starts at 2:00 PM in this room and online.

31:14

Further issue specific hearings will be held on Wednesday the 21st of February and Thursday the 22nd of February, both commencing at 10:00 AM.

31:23

The agendas for these hearings were published on the 9th of February.

31:26

In the draft timetable, we've reserved time for two further rounds of hearings if these are required, and these are the weeks commencing the 8th and the 15th of April and the week commencing the 1st of July.

31:38

In terms of the period reserved in April, whilst we've allocated 2 weeks for these hearings, at this stage we do not envisage having hearings for the entire two week, but we've identified this time to provide a degree of flexibility over those weeks.

31:50

We will provide at least 21 days notice before confirming the dates of any hearings and we'd also ask the applicant to note these dates just to ensure coordination with the necessary requirements to public's notifications in the newspapers.

32:07

It should also be noted at deadline one, there is an opportunity for interested parties to request we hold an open floor hearing and a compulsory acquisition hearing.

32:15

If requested.

32:16

These would be held at some stage during the April hearing block.

32:20

Additional compulsory acquisitions and open floors can also be held in July if required.

32:27

Moving on to site inspections we've already undertaken as Miss Metcalfe has said, an unaccompanied site inspection on the 6th and 7th of December and this was carried out from public land only, including various public rights of where we observed key locations of the proposed development.

32:42

If we feel the need, it is possible we may undertake further unaccompanied site inspections during the examination process.

32:50

The draft examination title includes A familiarization site inspection on Friday, the 23rd of February and the itinerary for this was published by the XA on the 9th of February.

33:01

Turning now to accompanied site inspections and these are generally to locations that are not publicly accessible.

33:07

We've included time for an ASI as they are as the acronym is during the block reserved for hearings in April.

33:15

We are requesting nominations for locations to be including this visit at deadline one, the 13th of March.

33:22

These locations will be taken into account when the applicants proposed accompanied site inspection itinerary is provided at deadline 2, which at the moment is the 26th of March.

33:33

We'll publish the final itinerary at least a week before the hearings commence in April.

33:39

Following all these visits, it's likely we will establish a good understanding of the locations visited and therefore it's unlikely that we'll need to visit the sites again in any accompanied site inspection.

33:48

However, we have allocated further time in July.

33:51

Should we feel a need to visit any location again or should new new locations arise during the course of the examination that we feel we would benefit from visiting?

34:02

Finally, before I move on to sort of inviting comments, it's just sort of final comments I'd just like to make on the on the timetable in general.

34:09

Firstly, we'd just like to highlight the importance of ensuring that information is submitted in accordance with the set deadlines.

34:15

Whilst we do have the ability to accept late submissions into the examination, this is at our discretion and should only be in exceptional circumstances.

34:24

Late submissions restrict the ability for the parties involved in the examination to respond to the information and can therefore jeopardize the overall timetable.

34:33

It's important for you to note that if you do submit something late, there is the possibility that it may not be accepted into the examination.

34:42

Secondly, as the applicant has submitted A Habitats Regulations Assessment Report, we may decide to issue a report on the implications of European sites, which is known as a Reese, during the examination.

34:54

This Reese is a factual account of the information and evidence provided to the Examining Authority on Habitats Regulations Matters.

35:01

Its purpose is to enable the Secretary of State, who is the competent authority in the matter, to undertake its Habitats Regulations assessment.

35:08

It is not our opinion on these matters.

35:11

If a Reese is required, we were proposed to publish this on the 17th of July and invite comments to be submitted by deadline 7, which is the 15th of August.

35:20

Any received will be taken into account as part of our recommendation report to the Secretary of State.

35:27

Finally, we're aware that there's a lot of work going on behind the scenes to try and resolve points between the parties and we try to retain as much flexibility in the timetable as possible to ensure we can accommodate the examination of issues that may well arise without the need to change the timetable later in the examination.

35:44

However, we'd just like to take this opportunity to advise that there comes a time in the examination that effectively becomes too late to accommodate any changes of substance because of the need to consult and take other procedural steps in properly examining any proposed changes for this examination.

35:59

Looking at the timetable, we consider that around deadline 3, which is the 3rd of May is probably the latest.

36:05

We can probably accommodate changes to enable sufficient parties sufficient time to digest and comment on the changes and also inform the need for the scheduled hearings in the timetable.

36:15

Advice Note 16, which is available on the website, provides more detail on this.

36:20

On this we note that the applicant is indicated in their procedural deadline a submissions which is ERF PDA001 that they are considering making a change and Mr.

36:32

Scheig will address this under the next item with you.

36:38

So that concludes the introductory comments that I wish to make in relation to the draft timetable and I'd now like to sort of move on to hearing from those parties who've expressed a wish to speak on this matter.

36:48

But as I've sort of mentioned at the start, we won't make any procedural decisions today on the timetable, but we'll be considering your requests and your suggestions and considering those before we issue the final timetable in our rule A letter.

37:02

So just moving on to the the submissions that we've had and and organisations that would like to sort of make comments as well as the applicant.

37:11

I'm thinking that there might be comments from possibly NE Lincolnshire.

37:16

I also have Anglian Water as well who may well wish to make comments on this matter.

37:21

You can just confirm that that's the case, Sir.

37:27

I have nothing further to add us.

37:29

Our discussions are progressing with the applicant, so we're happy with the processes set out.

37:33

OK.

37:33

Thank you very much.

37:34

That's helpful.

37:35

And I also have a note that perhaps the representative of Captain Furman, the Harbour Master, may just have some comments on the timetable as well.

37:43

Yes, Sir, that's right.

37:44

Thank you.

37:45

That's fine.

37:47

And I think that's it.

37:47

So what I suggest if it's OK, I'll go through to NE Lincolnshire first, then to the representatives of the harbour Master and then finally come to the applicant, if that's OK.

37:58

So if I could start with the representative and if I could just remind you to introduce yourself at the start.

38:04

Thank you.

38:04

Sir Richard Limma from NE Links Council.

38:08

Yeah.

38:08

In terms of deadline one, the 13th of March and the local impact report, our planning committee where we take the local impact report two is until until the 27th of March.

38:19

So we will be seeking to sort of issue the local impact report after the 27th of March.

38:27

Thank you.

38:28

OK, thank you for that.

38:31

From our perspective, I think that's possibly getting a little too late for us.

38:36

I know we've we've identified deadline one specifically because it then allows the applicant the, the opportunity to respond to those and also allows us then to prepare for hearings and subsequent bits and pieces.

38:48

I think there may be some discussions with our case team in terms of potential drafts, submissions and delegated powers and things like that.

38:54

Don't know that's something you've investigated.

38:57

But just before I I do was there anything the applicant wanted just to say in terms of the the, the dates that the the council are saying for the local impact report because I'm conscious it could have an impact on yourselves as well.

39:08

Well clearly Sir, the the, the initial impact will be on deadline too where when meant to provide comments on the local impact reports and that would clearly have to shift to the right.

39:22

If there is a way of enabling a draft to be provided at deadline one even if it's subject to caveats about its status, that would assist us.

39:32

But clearly if if the deadline does move back we would need to have the opportunity to comment on anything that comes in later to supplement anything we put in at deadline 2 on a draft.

39:45

Thank you that that's all I just said.

39:46

It was useful just to sort of understand that position.

39:47

But yes, if if you can sort of that the discussions we've had of the case seem will be helpful.

39:52

Yes, thank you, Richard Limo N Eastlinks Council.

39:55

Yeah.

39:55

I think a draft by the 13th of of March will be, will be fine from our perspective.

40:00

We'll be able to do that.

40:03

Brilliant.

40:03

That's helpful.

40:04

Like I said, we're not going to make any decision today, but we'll consider those and and and do that.

40:08

Thank you very much, Christopher.

40:10

If I could then move on to Anglian Water, please.

40:13

Oh, sorry.

40:13

No, Anglian Water didn't want to say anything.

40:15

My fault.

40:16

The the representatives of Captain Furman, please.

40:21

Thank you Sir.

40:21

Jane Wakem for Captain Furman of the Master Humber Harbour Masters Preferred Council is available for the week's commencing the 15th of April and the 1st of July, but unfortunately she's going to be abroad during the week commencing the 8th of April.

40:40

Our interest is in the hearings or any hearings on navigational safety issues and also on the draft Development Consent Order to the extent that it includes protective provisions for any other river users as well As for the statutory Conservancy and Navigation Authority.

41:00

So our request is that any hearings that relate to matters on which the Harbour Master Humble would like to be involved could be scheduled for the weeks when his counsel is available, noting that she she's has recent experience of representing the harbour Master Humber on the Immingham Eastern Railroad terminal application.

41:23

So she's very familiar with any of the issues that might arise.

41:29

Thank you.

41:32

Thank you very much.

41:32

Yeah, that so that that's noted at this stage we've not decided what those hearings will look like during that sort of April block, but that's something we'll certainly take on board when we when we come to do that.

41:43

And and I think like I said, we'll aim to get the notifications out 21 days before and and we'll consider that for you.

41:49

So thank you very much for that.

41:51

Just before I move on to the applicant, is there anybody else either in the room or online who's got anything specific that they want to raise on the draft timetable?

42:02

I'm not seeing any hands up online or in the room.

42:04

So if the applicant has any comments that they wish to make Sir, thank you, not a lot.

42:10

We we we clearly understand the request made on behalf of the harbour mastery.

42:16

From our point of view that's absolutely fine.

42:18

That's obviously a matter ultimately for your decision.

42:21

It it, it also then just reflects the one small point we made in our response to the Rule 6 letter which is that as soon as it's possible to give any indication of likely topics in relation to further hearings, we would particularly welcome that because it affects who we need to have ready.

42:41

There are a great number of speakers you'll hear from for the issues specific hearings that will be held this week and that will give you some sense of the organizational task that lies behind the scenes in trying to make sure that everyone is available to assist you at any further issues specific hearings.

43:01

So that's all I would say to add to to what we've put in the letter.

43:05

I recognise that at this early stage there's a limit to what you and your colleagues can do on that.

43:12

Thank you that that's helpful.

43:13

And certainly from our perspective making sure you are especially so available to to present to us is enormously helpful.

43:18

So yeah, we'll we'll consider that that request.

43:20

Thank you.

43:22

I'm not seeing any more sort of comments or questions on on this matter.

43:25

So thank you for all your sort of input that that's helpful.

43:29

So this just concludes the this item and I'd just like to hand out to Mr.

43:32

Shaikh who will take us through the next item on the agenda.

43:36

Thank you, Mr.

43:37

Hunter.

43:39

The Rule 6 letter sets out a summary of the various procedural decisions which have been taken by the Examining Authority, and these are set out in full in an XF To that letter.

43:49

Some of these procedural decisions have already been discussed in the context of the previous agenda item by Mr.

43:53

Hunter.

43:55

I don't intend to go through the full list of procedural decisions made by the Examining Authority in their entirety, but will highlight a few key points.

44:03

Rather than inviting comments as we go through, I will invite comments from those wishing to speak at the end of this agenda item.

44:10

So the first point on the agenda item is written representations.

44:14

Now, in order to facilitate the conduct of the examination, the XA provided advance notes of the date when written representations were requested.

44:22

The examining authority now makes a procedural decision to confirm the date by which the written representations are due, which is deadline one Wednesday the 13th of March.

44:33

The second point on the agenda item is other parties.

44:36

Now on the basis of the representation we heard during introductions from Miss pronounced that correctly representing air liquid products.

44:45

The examining authority finds that it is possible that you could potentially prompt the examination of technical aspects of the case, but we're still unclear if your objectives align with the objectives of this examination.

44:57

As such, we're not prepared to make a procedural decision on this today and include you as another person for the entire examination.

45:05

However, in taking a precautionary approach we would like to invite you to submit written submissions at deadline one.

45:12

We will then see the applicants response at deadline two and we can then decide how we wish to engage with you with the rest of the examination.

45:21

We note that Miss Zhivovska you have registered for ish 1:00-ish two and also ish three.

45:29

You may attend as an observer but your participation of any kind will be at the discretion of the examining authority.

45:36

But it's unlikely that we will allow participation at this initial round of hearings before we have seen your recent submission.

45:43

Do you have any questions on this matter, Miss Zhivovska?

45:49

No, I don't have further questions.

45:51

Thank you so much for the consideration.

45:54

OK, OK.

45:55

The next point on this agenda item is draft written questions, which was WQ One.

46:01

So in our Rule 6 letters, fix a major procedural decision to provide all parties advance access to a draft list list of written questions, WQ one and allow them an opportunity to begin their responses.

46:14

The draft version of WQ One was published on Friday the 12th of January this year.

46:19

I can now confirm the final version of WQ One will be issued shortly after the closure of this preliminary hearing meeting, likely to be next week, with the responses due by Deadline one which is Wednesday the 13th of March.

46:33

Now.

46:33

The second point of this agenda item is site inspections.

46:36

Now the potential for future ASIS or USIS 2 destinations suggested by IPS and APS at Deadline 1 remains and details of that were given by Mr.

46:44

Hunter a few moments ago in respect of the familiarisation site inspection this week or FSI.

46:51

Firstly, if I can just explain what an FSI is.

46:54

So it's a bespoke form of a site inspection which is mostly like AUSI except it will be chaperoned by the applicant solely for the purpose of ensuring that the site inspection is conducted in line with health and safety requirements applicable to visitors.

47:09

Then to ensure impartiality an officer from NE Lincolnshire Council will be present in the role of an observer.

47:16

The XA will also be accompanied by members of the Planning Inspectors case team present in an observer capacity to further that that that further that.

47:23

They further ensure that there is no inappropriate communication between the applicants chaperones and or the Council's observer and the examining authority.

47:32

Given this is a bespoke form of site inspection which chaperones only for safety and partiality purposes, the XA is not inviting other interested parties to to attend the FSI this Friday.

47:44

Now, with regards to the itinerary for this FSI, determine the list of venues we wish to see the XA review, the relevant representations, the land plans and the work plans.

47:55

Following our initial USA back in December 2023, this list of venues was then forwarded to the applicant who was then requested to prepare an itinerary to guide us around these venues.

48:06

This has been duly provided and on Friday this week we'll be visiting a number of sites.

48:11

Thank you to the owners and operators of those sites for your cooperation and allowing us access.

48:18

Next point on this agenda item is Local Impact Reports or LIRS.

48:23

Now an LR is a report in writing giving details of the likely impact of our proposed development on a local authority, on a local authority area or any part of the area.

48:33

Whilst these are voluntary, the Planning Act 2008 states that if they are submitted, they must be considered by the Secretary of State in reaching a decision.

48:41

Consequently, Li Rs Are a very important matter for local authorities to communicate issues of concern to the examining authority, The Secretary of State and their residents.

48:52

Now item seven in Annex F of our Rule 6 letter requests local impact reports to be submitted by the following authorities Northeast Lincolnshire Council W Lindsay District Council EE Lindsay District Council N Lindsay N Lindsay Council, Lincolnshire County Council.

49:11

Now although not designated as a host or a neighbouring authority and therefore not required to submit an LIR, we have stated that the following local authorities may also want to submit a report of local impacts should they wish and they are Kingston upon Hull City Council and also East Riding of Yorkshire Council.

49:30

Again, as Mr.

49:31

Hunter said earlier, the deadline for submission of these Li Rs.

49:33

Is Deadline one, which is the 13th of March now the second?

49:40

Sorry.

49:40

The next point on this agenda item is Statement of common ground.

49:44

Now we have requested a number of statement of common grounds between the applicant and various interested parties on a number of topics.

49:51

The aim being that these statements will help identify areas where there is no dispute and when there is disagreement and when there is a disagreement between parties.

50:00

Clearly these are important documents in the examination process as they can provide focus on matters where there is disagreement.

50:08

The examiner, sorry, did receive a letter dated 30th January this year from Wimkworth and Sherwood on behalf of the Harbour Master.

50:16

Now this letter from the Harbour Master raised two points.

50:19

Firstly, it stated that as the Humber Estuary Services, AHES is essentially a trade name or a subsidiary of the Harbour Master, there are rather than two separate statements of common ground, one between the applicant and the Harbour Master and another one between the applicant and the HES, that just one is prepared I just one prepared between the applicant and the Harbour Master.

50:38

The second point raised in that letter was a given that what I've just stated, that all correspondence to HGS, including responses to written questions, be directed to the Harbour Master.

50:47

The examining authority makes the precedential decision to accept the Harbour Masters request in that just the one statement of common ground required.

50:55

Again, as Mr.

50:55

Hunter said earlier, the deadline for submissions of these statements of common ground is deadline 7, which is the 15th of August.

51:03

Now although as stated in the draft timetable, we have requested the app from the applicant to provide updates in the preparation of these statements at various stages of the examination process.

51:12

If I can just ask the applicant to provide us with a brief update on the progress being made at this stage on the preparation of statements of common ground on the applicant, please.

51:21

So yes, I'm very happy to do that.

51:24

I'll run through the the list and deal with them briefly.

51:28

So NE Lincolnshire Council first a draft was issued on the 22nd of January of this year.

51:38

There have been positive discussions which continue particularly in relation to the woodland compensation options.

51:45

We understand obviously NELP will shortly be drafting their local impact report, but that statement is progressing.

51:52

The Statement of Common Ground is progressing well.

51:54

The Environment Agency a draft was shared with the EA on the 16th of February with following a meeting on the 17th of January, National Highways.

52:09

Next meetings have been held with National Highways.

52:15

Most recently on the 8th of February, a Statement of Common Ground is going to be issued to National Highways.

52:25

This week Health and Safety Executive next.

52:30

There have been meetings with the Health and Safety Executive statement.

52:35

Common Ground is being drafted and will provide be provided to the HSE by the end of the week commencing the 19th of February or perhaps early in the following week.

52:48

But their provisional view, That's the HS ES provisional view, is that they will not enter into a statement of common ground, but we will at least be providing them with a draft and continuing to discuss with them the MMO.

53:03

Next, the marine management organization meetings have been held with the MMO.

53:08

We're aiming to issue a draft statement of common ground to them by the middle of this week.

53:18

Next, Natural England meetings have been held with Natural England.

53:24

A draft has been prepared and again we're aiming to issue that to them by the middle of this week.

53:31

NE Lindsay Drainage Board first draft was issued to them on the 22nd of January of this year with a second draft issued on the 13th of February.

53:44

Positive discussions have continued and are continuing and we're seeking to address any queries that they have.

53:56

The harbour master next to the statutory Conservancy and navigational authority for the River Humber, a draft is issued on the 22nd of December last year and a second draft issued on the 1st of February this year.

54:11

Positive discussions continue and we don't anticipate that the current draft wording of the statement of common Ground will substantially change now.

54:23

So that's well progressed.

54:26

Humber Estuary Services is the one you've just heard about and so that that's overtaken now by events.

54:33

Next, the IoT operators.

54:36

There have been meetings with the IoT operators held on most recently the 23rd of January and the 6th of February.

54:45

We're aiming to issue a draft in the week commencing the 26th of February and we're working to seek to ensure that an agreed draft document can be submitted at deadline one Next Historic England.

55:07

The draft statement Common Ground is expected to be shared with Historic England later this week, then the Corporation of Trinity House of Deptford Strand or Trinity House as it's normally known.

55:22

A signed draft agreed statement Common Ground was returned by Trinity House on the 16th of February.

55:31

So that is that looks like that is nearly there and nearly finalised CLDN ports killing home limited.

55:41

A meeting was held with CLDM on the 15th of February.

55:46

We anticipate issuing a draft statement of common ground to them in next week.

55:53

Maritime and Coast Guard Agency.

55:56

They have been in touch with us to indicate that at this stage they don't consider that a statement of common ground is required.

56:05

I emphasise words at this stage that that it is possible that may change, but that's the current position.

56:12

The Network Rail Infrastructure Limited meetings have taken place with Network Rail and a draft statement for Common Ground was issued to them on the 15th of February.

56:24

Stena Line BV.

56:27

We sent an e-mail to Stena Line BV to ask whether they would wish to enter into a statement of common ground that was sent to them on the 19th of February, Royal Mail.

56:43

Next we sent an e-mail to Royal Mail on the 15th of February to ask for their view whether a Statement of Common Ground is required.

56:53

Anglian Water Services Limited meetings have taken place with Angry and water as you heard a moment ago and a draft was issued.

57:01

A draft statement of the common ground was issued to them on the 19th of February.

57:07

PD Ports.

57:09

We anticipate that there may be a light touch statement of common ground, but we are in discussions with PD Ports as to what form that will take.

57:24

Cadent Gas Limited.

57:26

There have been meetings with Cadent Gas and the draft was issued to them on the 15th of February and Northern Power Grid finally the position is the same meetings have taken place, a draft issued on the 15th of February.

57:40

So that's the end of my list.

57:42

So I hope that's helpful as an indication of where we are at the moment.

57:45

Thank you Mr.

57:46

Full, but that was very useful.

57:49

The next point on the agenda item is get change request.

57:53

So a letter submitted by the examiner authorities.

57:56

So a letter submit to the examiner authority by the applicant which is date the 6th of February this year and published in the examination library under reference.

58:03

PEA 001 mentions a number of proposed changes to the application such as design, development, location, changes of certain plant and equipment, and the need for additional temporary land during the construction phase.

58:17

Could the applicants set out in headline terms the nature of the proposed changes and time scales?

58:22

Time scales related to the change request?

58:25

Although a reminder to everyone here, we're only only discussing the implication in terms of process and timing of the proposed change request, not the merits thereof about this time.

58:34

If the applicant could also set out the implications for the examination timetable and particularly the deadlines that you have set yourself for turning around these change requests.

58:44

Mr.

58:44

Fillpoint please.

58:46

So yes, I'll I'll deal first with the the nature of the changes subject to one point which I'll come on to in a moment.

58:54

The changes are essentially as set out in the letter.

58:58

So there are two proposed changes to the design of the jetty.

59:03

The 1st is in relation to the monopiles which form part of the jetty berth.

59:12

They're part of work number one and in the application it was it's it was said that there would be two Fender monopiles immediately in front of the birth platform.

59:27

As the design has evolved in more detail, it's been identified that actually an alternative Fender design is needed and that requires an additional 2 monopiles.

59:39

So instead of being 2 monopiles in total, there would be 4 in total.

59:46

That's the that's the first of the changes in relation to the jetty.

59:50

The 2nd is the diameter of the piles that support the jetty, also part of work number one and the the change.

1:00:01

The increase in the pile diameter on the approach jetty is required to support the loading beneath the pipe racks.

1:00:12

Work is ongoing to finalise the actual diameter required.

1:00:18

Now the additional point I need to make is in relation to the pile diameter.

1:00:23

Because it's now understood that a consequence of increasing the pile diameter is that the piles will need to be moved a little further apart.

1:00:33

And so whereas at the moment you'll have seen that one of the parameters for the jetty in relation to its width is that it would be 14 metres wide, in order to accommodate that slight increase in the distance between the piles, it's anticipated that the overall width of the jetty will need to increase by a corresponding amount.

1:00:59

I should emphasise that that doesn't give rise in the applicants view to any additional impacts.

1:01:05

It's simply a consequence of the engineering.

1:01:08

The impact on on any habitats is is a consequence of the piles as opposed to the width of the the jetty.

1:01:18

That's simply a consequential change.

1:01:22

The third change this is now forming part of the associated development has arisen following detailed discussions with Cadent Gas.

1:01:34

Cadent Gas has a high pressure gas pipeline that crosses the site and whereas the original design had anticipated what would be required by way of stand off distances from that pipe, further detailed engagement with Cadent Gas has led to an understanding that that needs to be increased.

1:01:54

As the letter explains, that requires the development to move approximately 10 to 15 meters to the north of the pipeline.

1:02:05

The consequences of that first of all is that the location of the road, access to work #7 on label they be on the street works and access plan will need to move approximately 10 to 15 metres to the north.

1:02:19

So there's that consequential change and the 2nd is that during the construction.

1:02:26

There will be a need for temporary powers of use of a small area of additional land and that is to accommodate the pipeline sleeve because it it's relatively inflexible and therefore it can't be bent around in short.

1:02:42

So there would need to be a small extension to the red line to allow for those temporary works that would not involve the compulsory acquisition of that land or of any permanent rights over that land.

1:02:58

So it would only be taking powers of temporary possession.

1:03:01

So I emphasise that in terms of the procedural consequences which followed because it would mean the compulsory acquisition regulations would not be engaged because there's no compulsory acquisition of land or rights over land.

1:03:14

In relation to that, I'll come on to the the other procedural points, but those are those are in essence the the changes.

1:03:25

Now those changes do not in our understanding give rise to any new or different likely significant environmental effects.

1:03:36

We don't believe that they will change the conclusions in the environmental statement as submitted or require any additional mitigation.

1:03:45

Nevertheless, and I'll come on to the sequence of timing.

1:03:49

As you would expect, there will be a full suite of environmental information in relation to them which will confirm the position in relation to each of those matters.

1:04:00

So I was now going to go on to the procedural aspect of it and what we have in mind in terms of the submission of change notification and so on.

1:04:11

Now in terms of the overall process, if I can set out how we envisage the process unfolding before I come to dates because there there is some slight variation to this that the order of the steps that are identified in Advice Note 16.

1:04:29

The intention is that the change notification that is submitted to the examining authority would also represent the start of a targeted consultation.

1:04:41

So that the targeted consultation will commence with the change notification that leads to the small suggested change to the series of steps and Advice.

1:04:54

Note 16.

1:04:56

In that it means that in order to obtain the examining authority's views on those who should be the subject of the targeted consultation, we propose ahead of the change notification to write to the examining Authority with a suggested list of consultees, together with an explanation of why.

1:05:16

We have come up with that list in order to provide you and your colleagues with an opportunity to give us feedback as to whether you think that is an appropriate list.

1:05:25

We recognise, of course, you retain the ability to identify further parties in due course and further consultation.

1:05:32

But we hope by approaching matters in that way we can streamline the process so that ultimately we get to the point where the change application is submitted as soon as possible and the consultation is undertaken as expeditiously as possible.

1:05:48

That's the thinking behind the broad approach.

1:05:52

So if I can now turn to the that the proposed steps.

1:05:57

So because of the approach we're taking, the change notification will be accompanied by all of the information that's needed for consultation.

1:06:10

So we anticipate that that would be ready around the end of March.

1:06:16

So the targeted consultation would commence from that date and run through April.

1:06:21

Essentially we would anticipate in order to facilitate those two steps that during the next fortnight we'll be writing to you in order to seek your views on the consultees.

1:06:36

The application for change would obviously need to follow consideration of responses to consultation.

1:06:43

But that would, we believe, allow for the application for the change to be made in early May.

1:06:50

And that would leave at least three months of examination to consider any issues arising and having regard in particular to the very minor changes.

1:07:00

And the fact that we are already engaged in discussions with the landowner whose land would be

affected by the small extension to the red line and they're already engaged in other parts of the process.

1:07:11

We don't anticipate from our perspective any difficulty in dealing with any further issues that arise in that remaining three month.

1:07:21

So I I hope that's helpful by way of an overview.

1:07:25

Obviously if you have any further questions, I'll be happy to assist if I can.

1:07:30

Thank you Mr.

1:07:31

Philpott, that was a very useful in light of what we've just heard.

1:07:34

I'd like to invite if there's any comments from my fellow panel members.

1:07:39

Thank you, Mr.

1:07:40

Philpott.

1:07:41

Just a couple of things.

1:07:42

And without going into the nature of the changes or indeed the process you've set out.

1:07:49

When you say a small extension to Work #7, I believe is what you mentioned location of the road access to work #7.

1:08:02

It would be helpful whenever you make the submission to explain to us how the small extension to the order limits does not in fact trigger CA regulation.

1:08:11

So that should be made really clear.

1:08:13

So because whether it's temporary possession or permanent acquisition, if there is any change to the order limits, order lands, you know what your assessment and what your reading of CA regulations is which you will.

1:08:32

So, so that's one thing.

1:08:34

Secondly, you've said that you intend to make the submission by the end of March, but you said before that you will consult with us on who you intend to consult with.

1:08:46

So and just with the with the timetable in front of me, I think that leaves us with deadline one potentially for you to submit the people you're intending to consult with.

1:09:16

Madam, we're hoping to do it before deadline one.

1:09:18

So it would, it would come outside the timetable in that sense.

1:09:22

But it because of its rather exceptional nature, we hope that it might be accepted ahead of deadline one as a result of this, this meeting.

1:09:30

And I should also just confirm, yes, we understand of course that when we submit the change notification, we will spell out very clearly our view in relation to the compulsory acquisition regulations.

1:09:44

We are, as I've also indicated in discussion, active discussions with the landowner and if the landowner is able to provide their consent, we will obviously communicate that as well for the avoidance of doubt.

1:09:57

And we'll deal with both of those matters in that letter.

1:10:00

Fine, that's great.

1:10:02

And again, and I know this feels a little bit belt and braces, but in the event that CA Regs is in fact triggered, what might be helpful is for you to provide the alternative timetable as well because as you're aware that requires quite a bit more time and potentially alignment with a round of hearings.

1:10:25

So that would be helpful as well.

1:10:28

We'll we'll set that out as an alternative in the change notification.

1:10:34

OK.

1:10:36

I don't think I have any further questions on this.

1:10:40

OK, Back to you Mr.

1:10:41

Shaikh, Thank you.

1:10:45

The final point on this agenda item I wish to cover is additional submissions and amendments to the draft DCO.

1:10:51

So at procedural deadline A, the applicant submitted additional information as items 10 and 13 in an XF of our Rule 6 letter.

1:11:00

I'd just like to invite the applicant if they'd like to make any comments with regards to this additional submission that was made.

1:11:08

So I don't have any particular submissions made in relation to it.

1:11:13

You'll have seen that we've sought to update it.

1:11:16

It will necessarily be updated as we go along.

1:11:20

I don't think there are any particular changes to it I need to draw attention to at this stage.

1:11:28

Sorry.

1:11:29

Many of my panel members like to make make a comment.

1:11:33

I think the point in your covering letter Mr.

1:11:35

Philpott was about about the the consolidated changes and you've asked the question if there is a software available that enables you to do that.

1:11:51

I don't actually know the answer to that question.

1:11:53

My understanding is that there isn't, and that is something that has to be done manually.

1:11:59

But it does help the examining authority enormously to have that consolidated list of changes alongside your schedule of changes, which highlights at what point a change has been made and you know what that progress was.

1:12:19

Have a chat with your team, see if that is something can that can be maintained maintained alongside.

1:12:25

Because the the clean version and the track changes version is pretty simple.

1:12:29

It's straightforward, you just do that in your in the SI template, but the the consolidated version which you have to maintain manually.

1:12:39

If you if you could do that, that'd be great.

1:12:42

One thing that is possible is that you don't submit that at every deadline when the DCO is required and we can then highlight for you which the which deadlines are the most important ones.

1:12:53

It'll most likely be deadlines soon after hearings, so does that help it it does.

1:13:03

One of the things that we have provided, which may may or may not assist in terms of the examining authority's understanding of this is the schedule of changes which we put in most recently as PDA 009 not only identifies the changes but but also contains an extract that compares the the the the version against the previous one.

1:13:31

Because we'll be updating that document at each deadline, we hope that that might provide the examining authority with the information that is required in relation to this, because we're providing the extract the relevant change at each deadline.

1:13:47

If there's something more that is required than that, we'll obviously do our best to help.

1:13:52

But it's I think it's simply struggling with the software application to enable that to happen at the moment.

1:13:59

So the benefit of having that in the actual DCO to see where the changes have happened and what the progress, the progression of those changes are is that you can see it in the context of all of the provisions under a particular article or or requirement.

1:14:15

So that is what is most helpful which is sometimes you fail to see that context in a schedule of changes document.

1:14:24

So I think our preference would still be to see that in the actual DCOSI template to see that tracking national highways are great at doing this.

1:14:40

I have no idea whether they use the special software or not.

1:14:43

But what we can do is through our case team we will highlight ADCO where that's been done successfully and that would be helpful And because that we can then make inquiries behind the scenes of those who are involved and and and see if we can get any insight into how they've managed that.

1:15:01

But it's been helpful.

1:15:02

We understand the the, the request and we are doing our best to seek to meet it.

1:15:07

Perfect.

1:15:07

Thank you very much.

1:15:10

I think that's about thank you Mr.

1:15:16

Fort Button.

1:15:16

I've got no further agenda point on this under this agenda item, so I'd like to write any comments from any of the parties on the matters raised under this agenda item or any of the procedural decisions made by the examining authority Miss Wakeham.

1:15:36

Thank you, Sir.

1:15:38

Simply to say that the harbour Master, Jane Wakeham, on behalf of the harbour master, the hump master, is unavailable on Thursday when there's a hearing on marine issues and the draft DCO.

1:15:52

The intention is that I will sort of maintain a watching brief during the course of that hearing and if there are any matters on which you would like the Harbour Masters input or any other matters that fall within his purview that that crop up, we would intend to deal with those in written submissions at deadline one.

1:16:11

And I'm hoping that that will be a satisfactory approach given that his attendance is unavoidable this week.

1:16:21

That's that's fine, yes.

1:16:22

And just so you know that I'll be dealing with the item on the agenda on on Thursday.

1:16:27

So I've noted your submissions.

1:16:28

That's fine.

1:16:28

And what I will do is run through sort of an indication of the types of information that we want at that, that that matter, so that you can take a note of that and sort of pass those on to to Captain Furman.

1:16:41

But yes, that that's fine.

1:16:42

Thank you for the the sort of the notice on that.

1:16:46

Thank you very much, Sir.

1:16:48

Any other comments from any of the parties?

1:16:52

No, finally from the applicants.

1:16:55

So yes, just one small point if I may.

1:16:58

One of the difficulties with the room arrangement as it is is that we on this side, and I suspect the same may be true of no can't see the screens which which are currently facing the empty desk.

1:17:10

And I just wonder whether before issue specific hearing one, it might be possible to perhaps have one of the screens so that we can see participants online.

1:17:19

That's the key disadvantage that we can't see them and I suspect that no one would be inconvenienced if that screen were faced towards us.

1:17:30

I'm seeing vigorous nodding from Mr.

1:17:32

Young, so I think that should be possible.

1:17:38

OK that concludes discussions on agenda item 5.

1:17:41

Thank you for your comments on this agenda item.

1:17:43

We will take these on board and when we consider the the need for any future procedural decisions in due course, I will now hand over to Miss Sahai to run through the final agenda item.

1:17:53

Any other matters.

1:17:57

Thank you very much.

1:17:59

Now just I just want to acknowledge the procedural deadline a submissions, I think most items raised have been covered today or they are noted.

1:18:11

So if you've made some comments which was for our information, they have been noted or they were covered.

1:18:16

Today I'm just going to talk about the applicants procedural deadline a submissions, particularly the points covered in PDA-001.

1:18:32

I think item number 5 is one that remains pending here.

1:18:37

The applicant is seeking clarification and providing clarification with some definitions.

1:18:42

We suggest that this matter is covered at ISH One.

1:18:47

I just want to avoid the possibility of opening up a discussion about the proposed proposed development at the preliminary meeting.

1:18:55

Now the marine management organization also made several points in their submission PDA-013 and given they're not present here, just want to confirm that one of the points that they made was regarding ISH One which we've not been able to take on board.

1:19:13

But the other two points that they've made regarding the timetable is something we will consider as we will consider all other comments made about the timetable.

1:19:25

And of course there was a procedural, there was a procedural deadline, a submission from the harbour master which we've covered off as well.

1:19:32

So I think that covers off the last deadline submissions.

1:19:37

Are there any questions or final comments from anyone in attendance today about the way that we conduct this examination?

1:19:47

Not on behalf of the applicant, Madam, no, thank you.

1:19:51

I am not seeing any hands on screen or in the room, right.

1:19:56

So that brings us to the end of the preliminary meeting.

1:20:00

Many thanks to everyone who's participated and to those who've made written submissions at procedural deadline A.

1:20:09

Once I close this meeting, the examination of the application and the testing of the evidence will start.

1:20:14

We will set out a Rule 8 letter which will include, amongst other things, the examination timetable and we will also formally issue the examining authorities first written questions and requests for information.

1:20:28

Time is now exactly 20 minutes past 11.

1:20:31

I shall now close this preliminary meeting and we look forward to working with you for this examination.