

ISH6 Pt2

0:03

OK, it's 12:00. So it's time for this issue specific hearing to resume

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just before we move on to agenda item five, I see the council have have turned up which is brilliant. Thank you. And I thought maybe helpful, if we could just ask you just to sort of introduce yourselves as you are to the people we've we've not seen before, that'd be that'd be helpful.

0:21

Yes. Morning, Sir. I'm Martin Dixon, and I head up the planning team at NE Lincolnshire Council. I'm here my colleague, Richard Lemmer, I was going to say sunning himself in the Lake District, but I think that might be here stretching it somewhere. So. But he's away this week. Thank you.

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Yes. I'm Lara Hattle. I'm the Senior Highway Development Control Officer for Equines working alongside the planning authority.

0:49

Good morning, Beth. You're probably familiar to the the way it works, but just just to let you know every time you speak if you could just introduce your name and who you represent just for the purpose of of the recording and and the live stream as well that be that be helpful. So thank you. OK. Moving on to item number 5, which is decommissioning.

1:09

We're aware this was a matter that we discussed the issue specific to and was also the subject of particular sort of written questions as well and we've seen your your responses on those. So just before we sort of commence questioning, I think we might be helpful if we just sort of set out our understanding of the position that we're in and what you've provided to us. And I think in that way I think when we do set our questions it should hopefully sort of give you a a context of sort of why we're asking them what information we're sort of looking to get from you and sort of what we're sort of looking to to explore.

1:38

So from what we heard, I think issue specific to it was and the information that you subsequently submitted in response to both our questions and and the the transcripts from those that that hearing we understand the proposal does not involve the entire removal or decommissioning of the hydrogen facility after 25 years. So that that's that's clear. We've got that as a point and and they're also that there's nothing within the application or within the the DCO itself that that requires that to happen. So we we understand that as a a concept and and we we we get that those points

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that you've made to it

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and but there is the possibility that after a 25 year. Parts of the facility may need to be replaced or repaired or maintained because they'll have come to the end of their operational life. So we've got

that distinction between the 25 years and the operational life and and the decommissioning aspect. And so that that's the level of understanding that we're at and I think that was the position that you explained to us. So, so, so we've got that. So we're not, we're not looking to request you know go over that ground again which might come as a relief to you. I'll leave that there. But what we're still sort of unsure about,

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we need a little bit more help on his sort of the EIA process and how that has, how the EIA process has sort of taken those assumptions and been sort of and those assumptions have been sort of integrated into the EIA to help us. And and the position we're coming from is of course when we make our recommendations to the Secretary of State, we've got to advise on the robustness of the EIA and it's fit for purpose as a decision making tool. So that's where we're sort of coming from in terms of our questions. So I think

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probably the starting point then is really to sort of start with that sort of question of robustness really. And and in that context, if we can sort of just ask the applicant to provide their view onto the how and why the approach that they've set out and our understanding represents A robust approach in terms of the EIA that's needed to be done.

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Thank you, Sir. I'm going to ask Doctor Barrett to deal with this and deal with any follow up questions you may have. So Doctor Barrett sat immediately to my right.

3:53

Thank you Doctor William Barrett for the applicant.

3:58

I think what I'll do is I'll just break this down into two broad areas. I'm just going to refer to the the, the document numbers of the previous submissions and the answers to the written questions. Firstly, and and that's mainly because for a number of the disciplines, the approach to decommissioning and the assumptions that were made for decommissioning and the conclusions with regard to environmental effects are included within those submissions.

4:30

So briefly, those are for biodiversity and that's Rep 1026

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Habitat regs. That's Rep 1027, Our Climate. That's in Rep 1029.

4:48

And then there is surface water and flood that's question 1817

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and that's in Rep 1029.

5:01

So to answer the point around the the how and the why and and what that means for the environmental effect and in in the submissions,

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the description of the decommissioning activities that are considered and assessed in the discipline chapters. That description is set out in the basis of asset assessment in chapter two of the environmental statement. That's a P044,

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but also within the disciplined chapters themselves. So there's an additional approach text on approaches and assumptions that form the basis of the assessment in the discipline chapters.

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Umm,

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in terms of the mechanics of how that is undertaken within the process of the environmental statement and as I said, the description of the activities, which is a primary basis for making the conclusions on environmental effects, they're variously described.

6:03

We've then got the point around temporal scope and which I know has been responded to in those written submissions that I've referenced. And again, they're drawn out in the chapters, the S chapters as well.

6:18

Umm,

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the disciplines. There is a variation in terms of some of the assumptions. So each of the disciplines the most important point is that they set out what is the worst case scenario for the purposes of the assessment and that will vary depending on the discipline. So if you take ecology for example, they've specified their assumption they're working. Assumption is after 25 years they undertake their assessment and report the effects of decommissioning of the various elements of the

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facility.

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So the the point there is that and there is variability and the discipline set out the basis for the assessment and respectively

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and that takes us to the overall conclusions. In terms of environmental effects and

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the majority of the disciplines, they have wording in the environmental statement which explains that

the assessment has been undertaken. In terms of effects, the effects are reported as no worse than those effects that are reported for the construction phase because they're assessing similar activities.

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There are a number of other disciplines whereby an assessment of effectors scoped out and obviously that's more in relation to the permanent facilities and the jetty for example.

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I'll probably pause there. Those are the fundamentals of how it's been undertaken and the conclusions of the of the overall assessments. Sir Hereward Phil. Part on behalf of the applicant. The only thing I would add to what Doctor Barrett has said

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is that when one looks at the conclusions that are drawn in Section 4 of the Operational Life Technical Note and those conclusions are drawn from the topic by topic assessment which precedes it in the table that is contained in the node,

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those conclusions are identify on the basis of that assessment

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a series of points which, if accepted, would allow the examining authority to report to the Secretary of State that the assessment is robust,

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that it has taken into account appropriate assumptions for each topic

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in order to identify a worst case scenario and that the assumptions that have been made in terms of temporal escape for the individual topic are consistent with the assumptions relating to operating life. And that the conclusions in terms of significant effects and related mitigation measures respond to the worst case scenarios for each topic.

9:08

And so therefore whether it's looking at what are the effects on a realistic worst case, what mitigation measures are, are appropriate in relation to those effects. The assessment is robust and fit for purpose and that's the nature and purpose of the exercise that's been undertaken in this note. And we've sought to explain why those conclusions are are appropriately drawn. So if those conclusions are accepted, we would say that provides an answer to that

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question for the purpose of reporting. If, of course there are

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specific questions about individual chapters, we're happy to take those away and look at those with individual chapter authors. But the nature of that exercise is intended to ensure

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that the issue that was articulated in the first week of hearings has not in fact led to any underestimate underestimation of impact or an erroneous approach taken to the identification of appropriate mitigation measures. We believe that neither of those potential mischiefs arises in this case, but as I said, we're happy to answer further questions if there are any on individual topics.

10:25

Thank you. I suppose there's there's in terms of individual topics, there's one that possibly sort of

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comes to mind in terms of the the reference to ecology and and and biodiversity in the sense that

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on the assumption or when or if it decommissioning occurs, planting, landscaping etcetera will be well established. It will which may not be there at the moment. Therefore, the future ecological baseline may be somewhat different to to what you've got now

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to remove the Commission, plants, etcetera, plant plans. I don't mean trees, plants, I mean the the equipment itself could necessitate the removal of established

11:08

ecological receptors that aren't known at this stage, but will be present in 25 whatever it is, years. So it'd be helpful to understand whether they're on, whether that has been taken into account in the assessment.

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I'm so hard fought on behalf of the applicant so that that's helpful. Can I suggest that having heard that question, we take it away and discuss it with the relevant individual topic specialists and then we provide a a written answer at deadline 3.

11:40

That's yeah, that that that's fine. I thought that might be the the best way to deal with that, that that's fine.

11:46

And I wonder whether the same might apply in terms of the the the comma zones itself in terms of and I suppose this might actually come onto a. In fact, I'm going to leave that because it comes on to a Queens Road question that I've had later and we might well sort of pick that up. So I'm I'm just going to sort of park that one for for then

12:05

just then sort of taking that robustness

12:08

sort of one step further in terms of the EIA process itself and looking back to sort of the start of the EIA process in terms of the the, the, the scoping.

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So request that that was submitted in the way that the scoping was gone through

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would be helpful to sort of understand how decommissioning was dealt with in terms of that that scoping request and and what information and how the statutory consultees who commented on that scoping request were

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guided. In terms of what the decommissioning approach was. And whether that is as we have got before us or whether there is any sort of uncertainty that they may have had in terms of the the, the, the questions that we raised that the issue is specific to hearing.

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So I'm gonna just ask Doctor Barrett to respond to that.

12:58

William Barrett for the applicant.

13:01

So what we will do is we'll take part of this away

13:06

but in the meantime of I can offer an initial response, I think it would be helpful and the scoping report, what we will do is check what the basis of decommissioning is and that's set out in the scoping report. What what I do know is that the scoping report is very clear insofar as setting out the overall process in terms of construction, operational and decommissioning phase. So decommissioning phases identified very much as part of the assessment that will be undertaken

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and the purpose of that is of course to get the feedback from statutory consultees on what expectation they would like to see in terms of the detail of those assessments. And what we will do is we'll we'll we'll check on the the the detail of this in terms of what's set out in scoping. My expectation would be that at that early stage in the project it would be a high level concept description of of what is considered for the decommissioning elements of the assessment.

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And the other point I think worth making is on statutory consultees.

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So one thing that we didn't pick up earlier in on this agenda item is that operating life technical note. So that's Rep 1036.

14:27

UMM,

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we've, I think it was issue specific hearing too whereby the applicant will be circulating that around 3 statutory consultees, so that's Nelk Environment Agency and Natural England. Obviously they have those documents as part of the deadline, one of the deadlines submissions, but the team is actively following up with those consultees. So in terms of consultation and comments on decommissioning and that will be another platform or mechanism whereby we can

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and obtain some written feedback and will include that that's going in at deadline three an update the technical note with a a short section on feedback from statutory consultees

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Harry would thought but on behalf of the applicant and and so just a general endpoint and and and commentary on that point. Of course, scaping is the start of the EIA process, but the EIA process continues through the examination. And insofar as any statutory consultee

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considers, having seen the operational note, that they have any further comments they wish to make, any further information that's needed, the examination is well equipped to allow them to make those points and to explore and obtain any such further information. So even if there were anything in the scaping process that it that might otherwise be a cause for concern and we don't believe on the face of it that there should be, all that would mean is that we'd need to make sure that during the examination

16:07

process those dash reconsult Tees consider the point and they've got the opportunity to do so.

16:15

I think that's that's precisely the the point I think for from our perspective that robustness it, it has sort of a number of sort of angles and one of them is did we, did you start off from the right point and has that right point sort of been proceeded through? And if there are areas where perhaps there isn't, like say we do have that opportunity then to sort of test that and do that. And I think that's that's where we're coming from to make sure we've covered that and and explored that angle, I think, yes. Yeah.

16:40

And

16:42

I think that's probably that The only other question I had was then sort of in relation to Queens Road which is sort of alluded to earlier. And and realistically what we're looking at on this one is we've got the decommissioning plan which which which has been submitted to us. And it was trying to understand what the plan says or the intention is with regards to the Queen's Road properties at at that decommissioning stage because we don't have a significant amount of information in front of us in terms of what happens to those properties. You've explained that to us

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previous hearings, but it's to understand

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on in that decommissioning what what happens on Queens Road and what is your your your intentions there.

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So here we've focused on behalf of the Apple. I'd have to take that away and ask my clients what the what the position is. But if if decommissioning is anticipated to be

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say some 25 years or more into the future, by that stage, of course the residential use of the properties would have had to have come to an end before operation could take place. And and therefore in the intervening decades, however many decades that may be that that those properties would not have been in residential use would not be able to be brought into residential use. And therefore in the unlikely prospect that there is

18:05

that no intervening use, then the question of their potential use

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at the point in the future would would come to be considered having regard to the absence of the the facility. But but we're talking many decades into the future and the unlikely scenario that nothing happens to those properties in the intervening. But I'm conscious that we have taken away a task to look in and look further at the question of their future use. As part of that, we can consider the implications of decommissioning,

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but I'd rather anticipate that there's a limited amount that can be done at this point in terms of looking however many decades into the future and contemplating what the decommissioning of the plant might mean for the future of that site. At that point in time, there's so many imponderables, but we'll we'll pick that up in the note as part of that general consideration of the future of that area of land.

19:09

I think that would be helpful And and you've probably picked up from the the last week's issue for the hearing. It's an area that we're sort of interested in, in terms of that sort of the the future of Queens Road and and what could happen to it in the. And I think that we understand that something may well do. You may well know that not what that is, but I think it's just helping us sort of understand what the implications may well be.

19:30

And and I suppose the other sort of question around sort of Queens are out and perhaps is that the chromosome itself and whether there are any any implications for the chromosome, should the plant be decommissioned or any implications for sort of land use development in general around the site that may well sort of come into play once the site has been decommissioned and then there are no common zones potentially.

19:55

So again we can Harry would focus on part of the applicant we we can pick that up. But in in general

terms if the facility is no longer there then the position would return to I would anticipate subject to instruction that it would return to the position as it is at now. In other words, if it is simply an empty space, then it would it would no longer attract those the land use planning implications of coma.

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And that again, would be a relevant consideration at whatever point in time in the future

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that that occurs.

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But of course that there is an existing system in place to deal with the evolution of land uses

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over the long term, both through the

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development control process but also through the preparation of development plans. And this is an area which will no doubt continue to evolve in response to development pressures of various kinds over the course of the intervening decade. So again, the extent to which it's going to be possible to provide certainty on that, I I would doubt we'll get very far, but at least we can deal with the principles. I think we understand that the certainties

21:17

certainly more than a crystal ball, but it's just the principles that I think we're, we're looking to understand. I think yes. Yeah

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think that probably deals with everything that we wanted to cover under under decommissioning to be honest. I think like I said at the start I think we we we've got that broad understanding of what you wanted to do and it comes down to the sort of a. So I think that that note will be be enormously helpful. There may be some questions that will come out, but we can we can follow that up with written questions I suspect. And but just before I move off this, is there any sort of comments on anybody else on, on decommissioning

21:54

in, in terms of what we've just been discussing

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Martin Dixon for NE Lincolnshire Council? No, Sir. No,

22:03

thank you for that. OK. Well, I think that that brings to a close, item number 5. And now move on to item number six, which is socioeconomic effects. And I'll hand over to Mr Shade.

22:15

Thank you, Mr. Hunter. So we are now on our agenda. Item 6. Socioeconomics

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In chapter 23 Socioeconomics AP065,

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paragraph 2384, It states employment numbers will peak during phase one of construction both for land side and also the marine side totalling 1012 workers.

22:38

What steps will the applicant take to ensure local residents are given priority for employment created by the proposed development compared to those living outside the area and area? Over to the applicant.

22:51

Thank you Sir. I'm going to pass this over to Mr Robson, Timon Robson from Air Products

23:01

Time and Robert Robson Air Products speaking for the applicant.

23:06

Just as a way of initial background to this subject, I'd just like to to highlight that our products through its existing facility here in Stallingborough and other facilities close by in in the region have have been a local employer for approximately 40 years.

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Locally, we're a member of the Catch Organisation, which is a local training and development organisation funded by its members. It provides apprenticeship training as well as courses on things like welding and safe working practises geared to providing additional skills to workers in the oil, gas and chemical industry, but also in training people to be able to get the job

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opportunities created by those industries. Air Products currently has 15 apprenticeships apprentices in current training through Catch and another 7 elsewhere in the country.

24:12

We we intend to continue to engage with Catch and the local employment agencies to ensure that as far as possible, local people can get the skills required to obtain the jobs which will be created by the project both in the operational phase and also during the construction phase. During construction, we will also require our main contractors to do the same. And to that aim,

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the the final construction and environmental management plan when submitted for approval will contain a commitment to develop and implement a training and employment plan for later for the later stages of the project when the construction numbers and opportunities grow. So an updated outline Kemp will be submitted at deadline 3 to reflect this

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in. In this regard, Air Products will develop an overarching plan for training and local employment for

the project, covering both the construction and the operations phase. And the plan will also include a commitment to securing contractual requirements from the main contractors at the site to demonstrate that they also have tangible plans for training and local employment, which would be

25:39

cemented through the construction phase of the project. And to support that, our products will employ a training and social sustainability manager from the region who will develop this overarching plan and also coordinate the plans with our main contractors during the construction phase. And the application process for that position is currently underway.

26:06

Thank you. That's that's very useful.

26:09

Any comments?

26:16

Anything from the North East Lincolnshire Council.

26:21

Thank you Sir. Martin Dixon for NE Lincolnshire Council, we would welcome the inclusion of the training and employment plan and been that's been a condition requirement of other DCO and so we would welcome the inclusion that. And a minor point maybe that probably suggested to be a standalone requirement as opposed to actually part of the construction management plan, but that's just a minor point. Thank you, Sir.

26:47

Thank you, Mr Dixon,

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It's gonna be applicant. Thank you Sir Harry Wood, Philpott, on behalf of the applicant. Simply to say in terms of the securing of that,

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that would be secured of course, both in relation to the land side elements, through the requirements and also in relation to the jetty through condition 8 on the DE Marine licence and for the purposes of ensuring that it takes place at that is just as effective a means as if it had a standalone requirement of its own. It sits naturally within the

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the construction and environmental management plan, which is a document which as you'd expect and plays an important part in the process of actually getting contractors on board and making sure that they do what they're meant to do. So that the way that the project is constructed reflects what has been assumed for the purpose of the examination. And so it's logical to deal with all of those matters in the one place, but it's certainly adequately secured through the existing requirement and condition.

28:04

Thank you, Mr Philpott. My second point on this agenda item relates to the homeless in the region.

28:11

As mentioned, at the peak of construction, there could be over 1000 workers associated with the proposed development, some of whom may require accommodation in local hotels. Along with those working on other projects such as spiking CCS and the Immingham Rd terminal. Could be that these hotels might otherwise be used to house the homeless.

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Has the applicant conducted an impact assessment on the homeless? Should this be the case at which the applicant,

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Sir Harry, would Phil put on half the applicant? I'm going to ask Doctor Barrett to respond to this point.

28:45

Doctor William Barrett for the applicant. Thank you, Sir. Yeah, this is a

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again two parts to the, the response to this question. And the first part, this is a very specific local, a question that relates to specific local environment and situation. And so last week or the week before, we had a discussion with Nelk about this, just to tap into that knowledge around in terms of homelessness and numbers. And then the second part of the answer is around the environmental statement and the approach that was taken in the

29:21

yes.

29:23

So firstly the discussion with Nelk that was last week in summary and Nelk explained that as the area is a seaside resort, there is a strong and long standing hospitality sector that's developed over the years. This has evolved over time to the point where a number of guest houses for example and specifically cater for the boroughs homeless community and those hostels and accommodation

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facilities are underpinned as businesses through contracts with with Nelk

30:00

and the businesses these businesses they make provision for homeless in the region. And the overall feeling as part of the conversation was that it's considered unlikely that those businesses would switch from a long standing business model and that they have in place already to switching to make provision for shorter term contracts for the purposes of construction workers, which would be a shorter duration.

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And we can include a summary of that discussion in our D3 submissions.

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And secondly, the environmental statement.

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So

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and again this came through in scoping phase as well. The ES concludes that in the peak construction scenario and there is capacity within the private rented home sector as opposed to hotels and bed and breakfasts provision. And so on that basis, the US doesn't consider hotels and bed and breakfasts as part of the modelling in the environmental statement.

31:02

And the decision to undertake an assessment of impacts on private rented homes sector only was based on two primary considerations.

31:11

It firstly in the scoping opinion provided by UK Health Security Agency and that scoping Opinion referenced the fact that the council's housing needs assessment had identified the private rented sector as being important in meeting the demands for housing in the area.

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And then secondly, the demand for accommodation from workers was considered to be best represented by the private rented home sector, given that the relatively long duration of the construction. Necessitates accommodation that can be readily used for those periods of time and such as that housing. And that point aligns with the earlier discussion with with Milk as well.

31:52

So in the environmental statement, the assessment essentially concludes that there would be no significant effects on the capacity of the private rented accommodation facilities. And on that basis assessment and consideration of demand and hotel accommodations and being B was not undertaken

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and that's justified on the basis of the above pertinently the scoping and the demand being met from private rented sector

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since we have the council in attendance. I'd just like to pick another pick up another point here relating to housing and actually it's Queens Road again. Thinking actually more of permanent housing,

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I wondered whether the local authority

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is aware of any potential effects of the loss of the residential use along Queens Road in terms of housing availability and need.

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Martin Dixon for NE Lincolnshire Council. I'm not aware, I couldn't answer that. We could take a view from our housing team on that if the the panel, I think it's something that is worth bottoming out. If you could take that away please and yeah and then get back to us.

33:24

So can I just pick up a question on on what we've just heard as well in terms of the ES and and and looking at the private sector and not looking at sort of hotel and hostels. What you're presented to us that is that this development in isolation or does that include the Roro terminal and the now in in trains sort of VCs scheme. So therefore, have you just presented sort of what your development would generate or have you now sort of looked at your development along with all the other

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firms and the impact that they would have not just on the private, but sort of whether that has any sort of need for you now to look at the impact on hotels and hostels because of that additional sort of demand within the area

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Doctor Liam Barrett for the applicant. Thank you, Sir. Yes. Now this I believe has come up earlier in the examination and a technical note is being produced to set out consideration of Viking and other committed developments in the areas or proposed developments in the area with regard to construction workers. So that technical note is in progress

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and will be submitted. Forgive me, I don't know whether it's going to be D3 or D4, but that will be submitted.

34:41

As regards the ES as submitted, I'll take that one away. I'd have to go and check the cumulative section, but we can confirm.

34:53

Thank you Doctor Barrett. Before we move on to the next point of this agenda item, does any of the parties either present here or online have any comments on what we've just heard from from the applicant author from NE Lincolnshire Council in respect of the above 2 points on employment and homeless?

35:11

No, not seeing any hands.

35:19

My 3rd and final point on this agenda item relates to the use of private roads. So in Article 14, one of the draught TCO, it states the undertaker may use any private road within the order limits.

35:33

Can the applicant clarify which private roads they may be referring to?

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So Harry would Philpott on behalf of the applicants. So we haven't seen this agenda item. And to provide you with the information that you've asked for. And the applicants, land Agent Gateley Hammer has prepared a set of plans that show the private roads within the order limits together with the schedule of ownership. And what we're proposing to do is to put those plans together with a short explanatory note in a deadline 3, so that you can see that

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having thought about it and having considered the option of submitting the plans to you now outside the normal deadlines, and then seeking to go through them in an oral submission, that seemed to be, as seemed to be to us, a rather ineffective way of communicating the information. And we thought it would be better to give you the material in writing. So together with the plan so that you can more readily make sense of it, what what you'll get in brief are plans which show 6 private roads

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within the order limits, five of which are owned by Associated British Ports and one is owned by Alberta Securities Limited, and the note will identify which is which. But they're just for context. The purpose of Article 14 is simply to authorise the temporary passage of persons or vehicles along private roads within the order limits for the purpose of constructing the project, and it avoids the alternative which would be the need to

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take an easement. So an interest in land over over the relevant land and therefore its effect is just a more proportionate alternative to more extensive use of compulsory acquisition powers, but will provide you with plans which show clearly that the roads that are affected most of which are within my client's ownership.

37:36

OK. Any comments from anyone, from anyone online or present here before we move on to the next agenda item?

37:43

Not seeing any hands

37:47

so moving on to Agenda item 7, which is Traffic and Transport

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with regards to the installation of a covert utility connections and other works on the Port Rd.

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This is the This is the applicant in your deadline DT response to PD Ports Rep 2-014. You have stated it is currently anticipated that the likely methodology will be a short term, short term full Rd closure of LaPorte Rd in order to excavate the road.

38:17

Can you explain how traffic impacts have been taken into consideration when deciding which option to select for installation of infrastructure across the Port Rd

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over to the applicant? Sir Harry would fill part Casey on behalf of the applicant. What I'll do Sir is if I just introduce the point then I'll pass over to time and Robson to see if there's anything further to add. And but as we explained during the discussion of Article 9 of the Draught Development Consent Order during issue Specific Hearing 5 and this was item 7 in that hearing. The next version of the

38:56

Draught Development Consent Order that we supply at deadline three will include an amendment to requirement 8 that will add a further obligation in relation to the underground culprit that forms part of work number four. And that obligation will provide that before construction of that work commences, details of design and construction methodology must be submitted to and approved by the local planning authority following consultation with the highway authority. So,

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and the effect of that is that before any particular design or construction methodology is approved, the local planning authority will take the views of the highway authority into account, looking at the implications of the design and methodology. So in terms of the mechanism that ensures that those considerations are taken into account by an independent decision maker before anything goes ahead. That's the mechanism in terms of how it's dealt with

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more broadly within the applicant side. I can ask Mr Robson just to deal with that matter briefly.

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Time in Robson. Their project speaking for the applicant,

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Yes, just to just to add that, add to that whilst minimising the road traffic disruption is a a clear consideration when we when we select the appropriate methodology for making the the culvert and for getting our pipes and cables across the road. Importantly, the design and and associated methodology must also seek to eliminate, reduce and control foreseeable construction risks.

40:43

Under the CDM Regulations 2015 the the principal Designer has a statutory duty when preparing such designs to eliminate, reduce, and or control foreseeable risks that may arise during construction and so that that also is a clear consideration to take into consideration as well as the road traffic disruptions. The design must also be practical and deliverable and otherwise satisfy the requirements of the Local Highways Authority.

41:14

And. And we consider that when we submit the design to the Local Highways Authority

41:22

that we consider that the traffic impacts in preparing that methodology will be will be considered. And the examining authority can assume that the Local Highways Authority will need to be satisfied that any traffic impacts are justified in determining our application to them.

41:46

Thank you Mr. Robinson. Any comments from from the county specifically on the proposed method of actually constructing across Newport Rd.

41:54

And now Lara Huddle for the local authority? No, no further comments on that.

41:59

42:02

So the next point on the agenda I'm to the following. Following two questions are addressed to NE Lancashire Council

42:09

in paragraph 543 of your local impact report it states you're on. Your understanding is that during the peak construction phase there would be in the region of 200 HG move HGV movements and 1500 car slash van movements per day.

42:26

What impact do you envisage this to have on the Port La Porte and Queens Rd.

42:32

Lara Hattle for the local highway authority? And we are working with the applicants at the moment and have requested further information regarding the construction traffic on Laport Road. We have had discussions with their transport consultant and at this stage we are fairly confident that there won't be a severe impact from the construction traffic, but that will be shown to us in due course. Thank you,

43:03

thank you. It also states in paragraph 4543 of your Local Impact Report

43:09

to help reduce the impact on the networked network, a detailed construction traffic management plan is subject to approval by NE Lancashire Council.

43:19

What specific measures would you be looking for in such a plan?

43:26

Lara Hattle again for the highway authority. So we would look to look at measures that would prevent HGV's and along LaPorte Rd signage and advanced warning signs, we would be looking for mitigation for staff and how they will be travelling to and from the site and whether there's initiatives included there for car sharing and minibuses

43:56

and any consultation within the employment of those people in the area.

44:05

Thank you Mr Does the applicant to make any comments on what we've just heard from the council? Thank you Sir. Hereward Phillipot. On behalf of the applicant, I'm going to ask Simon Tucker to provide further comments on this.

44:19

Thank you Simon Tucker from DTA on behalf of the applicant. So I'll take both questions that you asked now if you like in turn if that's helpful. So firstly in terms of the impact on

44:32

LaPorte Rd, we debated a little bit last week, didn't we, I SH 5. But the flows on LaPorte Rd as a result of the construction traffic are relatively low

44:44

to the east of the site that the only movements that will take place on that are construction workers that are travelling towards Grimsby and that's set out in

44:54

table 11/21 of the ES that's APP 053 that's 390 trips per day. So in the peak hour that breaks down to something like 4550 vehicles. So the amount of traffic from a sort of capacity perspective to the east of the site is is very low and to the to the at the western end of Report Rd by the Queens Road junction flows will be a bit higher because they also accommodate movements of of lorries to to works access

45:26

what works 35 and 9:00. So the access is off Newport Road and broadly speaking, there'll be about an extra 80 or 90 vehicles travelling through the Queens Rd, La Port, Rd Junction in the peak hour.

45:41

But as Mr Battle has said, is subject to some modelling that we will be providing at AT D3. But the assessments that have been done historically in relation to AYAT and the assessments that we will be submitting to you,

45:56

well to Malcolm then to you shortly and basically show the junction operating at about 65% of capacity and and the in the baseline and the addition of the construction traffic makes very little difference to that overall operation. So those assessments will will demonstrate

46:14

that there is no material impact in terms of junction operation and therefore capacity. So to direct answer to your question, will there be any traffic build up is no from our perspective and we'll obviously demonstrate that to Nelken in due course. In terms of the question about the mitigation, just to clarify that the points that Miss Patel mentioned are already all covered in the Outlying Construction Traffic Management Plan

46:43

which is RED 1006. And just very briefly if I may, measures to prevent HGV's using report Rd as set out in sections 2.5 and 2.7

46:55

Measures to deal with advanced warning sign of Rd works and signage of Rd works to section 2.9. Excuse me. And then consultation at Section 6

47:06

and then in terms of the the the staff mitigation that's also a Section 6, but it's in the Appendix A of the document which relates specifically to staff workers and that includes measures of promoting car sharing, use of works, mini buses,

47:23

promotion of cycle usage where where appropriate and also if necessary the staggering of shift times to avoid some peak hours. So if there was a cumulative impact arising then that could that that management process is already implicit in the outline construction traffic management plan. Thank you,

47:47

thank you. That was very, very useful.

47:50

Again the the next point on this agenda item to the North East Lincolnshire Council

47:55

in paragraph 544. It states the highway team have raised some concerns over the extent of the authorised works within the adopted highway and how this is worded in the draught DCO.

48:07

Can the council elaborate on what these concerns are and what they are seeking from the applicant over to the council? Laura Hassle for the Highway authority. So there are, I've got a little list of the concerns which I'll just read through if that's OK. So there have been some concerns raised in regards to the wording of the DCO and any LLC have provided comments back to the applicants in relation to this.

48:34

We've got some concerns in regards to the stopping up and in the there would not be sufficient land available for visibility and signage. Again, we have discussed these with the applicant and we are aware that they're preparing some updated plans to show the visibility splays and dimensions for us and we're just awaiting for these. And then hopefully we can agree these. There's been some requested changes to the speed limits

49:06

which we have agreed in principle, but we're just awaiting some confirmation with regards to St Lighting. And

49:16

next is access plans. We've requested further details in regards to the access operation usage and detailed plans have been made aware that these have potentially been prepared, but we haven't yet seen these. It's in regards to a change with the integration of a cycleway along the A 1173

49:37

and next is the public rights of way. Um,

49:43

we have been waiting. I think we've been showing the provision of footway to connect from an existing exit on the Port Rd to the diverted exit point and any LC you're awaiting the plans for this. And then finally, it's the traffic modelling that we are awaiting in regards to the access junctions and off-site local junctions for the ship's kiln Lane at Kings Road and LaPorte Rd for the construction phase, which again we are aware of

50:13

plan prepared. Thank you.

50:18

Over to the applicant. Particularly keen on how you're looking to address all the mechanism you're gonna use to address the the issues that Miss has just raised. Thank you, Sir. Hereward Phillipot Casey. On behalf of the applicant, Sir, I'll provide some introductory context including that last point that you've raised and then I'll hand over to Mr Tucker to to add anything further. And so as has been indicated, there are discussions ongoing with Elk to seek to close these issues out in order

50:48

and and also as part of that to agree what's needed for that purpose. And as you'll recall in the covering letter that the applicant solicitors provided with the deadline 2 submissions and that's Rep 2001, it was said at paragraph 5.1 that amendments to some plans would be submitted at deadline 3 showing minor adjustments requested by Nelson. And that covers some of the matters that have been covered just now.

51:18

Now, while those although these would be minor, they would nevertheless constitute changes to the application for which it would be necessary to apply and at deadline three. We therefore propose to explain the outcome of the discussions with Nell which we anticipate will have concluded by then, and identify any changes that are agreed to be needed as a result and then set out a proposed timetable and process for applying for those changes.

51:48

But I emphasise their very minor nature. That assessment that we put in, that outline of process we put in at deadline three, will, however, demonstrate there's no difficulty in accommodating those changes within the examination. Allowing for consultation on all the changes on a precautionary basis. So at the moment our anticipation is that some of those will require changes to some plans, but they will be very minor. And you've heard the sort of

52:19

and things that are in contemplation adjustments to the detailed design of an access in order to accommodate a cycle way

52:29

changes to the particular way that a speed limit is changed and and some areas of that that the stopping up and plans being adjusted. But these are matters which are minor adjustments, they are changes. The intention is to consult on them to make sure that if anyone does have any points they want to raise about them, they're given an opportunity to raise any points before the changes are applied

52:59

people, but we're confident that they can all be dealt with within the remaining time left for the examination. And what we're waiting for is final confirmation of exactly what is needed and hopefully on an agreed basis with Nelk.

53:18

Thank you, Mr Philip. Anything from NE Lincolnshire Council?

53:22

Lara Hattle now? Nothing further. Thank you.

53:28

So the final point on this agenda item to the applicant

53:33

traffic impacts due to offsite evacuation.

53:36

Have you modelled possible scenarios on on this, whether evacuation is required for an incident either on your side or on a neighbour neighbouring facility?

53:47

And if you have, did the scenarios result result in you deciding to implement measures as part of your traffic management plan?

53:56

Thank you Sir Howard Philpott on behalf of the applicant. I'm going to ask Mr Simon Robson to lead on this. I also have Mr Tucker if necessary to deal with any follow up questions but I'll ask Mr Robson to provide the initial answer

54:16

time in Robson their products speaking for the applicant

54:22

initially no no modelling of traffic impacts caused by an off site evacuation has been conducted and and and I'll explain the reasons for that from a operational and construction point of view. So, so

firstly, during the operational phase, typically Air Products would only have about 60 people on site during any shift and so

54:51

in the event of an off-site evacuation, there were no impact on the local roads due to the small numbers. In fact, it wouldn't be much different from a normal end of shift level of impact.

55:07

Also typically within the facility for a toxic or hydrogen leak scenario the response would be to shelter in place and not to evacuate off site

55:23

and in another scenario where Cytiva evacuation was required for example in a site fire situation similar with other organisations, everyone would gather at the muster point to ensure that everyone is accounted for and further movement would be then controlled by the evacuation coordinator. So in that scenario also there would be no uncontrolled

55:53

mass evacuation via vehicles onto the road network

55:58

during the construction phase. We will also have emergency plans in place as required by the CDM regulations and in the event of a site evacuation everyone would gather at nominated muster points and further movement from that situation would be controlled by the evacuation coordinator. So similarly there would be no mass uncontrolled evacuation onto the road network.

56:29

It should be also noted that during the construction phase there's no ammonia or hydrogen or hydrocarbons on site and so risks associated with that scenario would not be present.

56:45

Thank you Mr Robson. So just to speak to clear. So whether the incident if there is any either on your side or off site, the intention is you would either meet the muster point if it's a fire or seek refuge in the toxic refuge room so no evacuation would be required off site.

57:04

That would generally be the scenario is that either of those two situations would occur, it would be met at the muster point and have controlled movement

57:14

thereafter, or it typically would be a shelter in place in a toxic refuge and likewise there there would be no evacuation onto the road network. Both of these will be explained in the various emergency plans that we're required to submit, either through CDM or through the comma regulations.

57:38

Thank you, Mr Robson.

57:46

Could you any of the parties either present here or online, have any comments on what we just heard from the applicant?

57:54

Not seeing any hands that brings a close to agenda. Item seven, I will now hand over to Mr. Hunter.

58:03

Thank you, Mr Sheikh. I'm just conscious of the time being being 1:00. And normally at this point we take a a short break just to sort of go through the action points that we've got. And what I'm going to suggest is that if it's OK, we might combine that with lunch and then we can we can do that and then we can reconvene at 2:00. I think it's probably the best thing, takes lunch in an hour. So this hearing is adjourned till 2:00. Thank you.