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SUMMARY KEYWORDS

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00:05

Good morning. It's now 10 o'clock and time for this hearing. To begin, I would like to welcome you all to the issue specific hearing on the draft developed consent order for Pinkie national rail freight Interchange project. Can I confirm with a case team that live streaming and recording the event is commenced, being nodded to. My name is Robert Jackson. I've been appointed by the Secretary of State to be the lead member of the panel to examine this application. I'm now going to ask my fellow panel members to introduce themselves.

00:31

Good morning, my name is grim salt, I have been appointed by the Secretary of State to be a member of the panel to examine this application.

00:39

Good morning, my name is Matthew heron, I have been appointed by the Secretary of State to be a member of this panel to examine this application. I'm also going to be keeping a list of action points and we can run through these at the end of the hearing if necessary.

00:51

Thank you. Together we constitute the examining authority of this application. As this is wholly virtual hearing, I'm saved from the to explain about where the toilets are the fire evacuation procedures. Having said that, as we appreciate the three of us and the team helping with the live stream on a single room, so we might pick up by caught by such an event here.

01:10

This meeting will follow the agenda published in the national infrastructure planning website on the 23rd of October 2023. The examination Library Reference Evie 11 hyphen 001. It would be helpful if you had a copy of that in front of you.

01:26

The agenda is for guidance only and we may add other considerations or issues as we progress. We will conclude the hearing as soon as all relevant contributions have been made an all question to ask and responded to. But if discussions cannot be concluded, then it may be necessary to prioritize matters and defer other matters for written questions. Likewise, if you cannot answer the questions

being asked or required time to get the information requested. And you can please indicate that you will need time to respond in writing.

01:53

We'll do our best to notice you if you do put a virtual hand up please bear whereas with us if it takes us a short while to get to you. A recording of today's hearing will be made available on Hinkley national rail freight interchange section of the national infrastructure planning website. As soon as practicable after the hearings finished, a transcript will be made available which utilizes AI technology. With this in mind, please ensure that you speak clearly stating your name and who you are presenting each time before you speak.

02:23

A link to the left banning and spectral privacy notice was provided in the notification for this hearing. We assume that everyone here today has familiarized themselves with this document, which establishes how the personal data of our customers is handled in accordance with the principles set out in data protection laws.

02:40

I'm now going to ask Mr. Harun to deal with attendance and introductions. Thank you, Mr. Jackson. So I'm not going to ask those of you who are participating in today's meeting to introduce yourselves. When I state your organization's name. Could you introduce yourself stating your name and who you represent and which agenda item you wish to speak on? If you are not representing an organization, please confirm your name. Summarize your interest in the application and confirm the agenda item upon which you wish to speak. And please Could everybody also state the title by which you wish to be addressed? Can we start with the applicant and any of their advisors please?

03:19

Thank you, sir. Good morning. Hopefully, you can see everyone in the room. I'm Mr. Paul male. So as drum partner eversheds Sutherland, LLP, instructed by the applicant tritec symmetry. Hinkley limited, I'll ask others in the room who largely sat on the same side of the table as me so I'll put my hand up to make sure everyone can see me. So to introduce themselves, starting with Mrs. Hatton, who's sat to my left.

03:46

Good morning, Mrs. Law, solicitor and partner eversheds So then instructed by the

03:53

morning sir, Mr. Sam Carter, PWB consulting. I'm advising the applicant on Highway engineering. Morning Sir David Baker Baker is advising the applicant. Good morning, Peter Frampton from Frampton Town Planning advising the applicant on planning matters.

04:14

Good morning, Ben commonly, EDP here to advise any applicant here to ask any questions on landscape matters.

04:24

I

04:25

think that probably completes the applicants team are likely to speak so they're obviously several others in the room and we'll introduce them as needed if necessary.

04:33

Thank you.

04:35

Can we then move on to organizations and individuals who will who wish to speak at Blaby District Council please.

04:45

Good morning says it's Stacey from Blaby District Council. So please just note that I am sort of logging in on Clementine Murphy's laptop because mine is having some issues so but it will just be me speaking through this laptop as it were

05:01

Good

05:03

morning Sir mr. Duncan Connor. I'm a solicitor at BDB Pitmans who are advising Blaby District Council on this application

05:16

thank you,

05:19

Clay and Bosworth or a counselor, please.

05:22

Yes, good morning sirs. Mr. Mike Parker. I'm a planning consultant. I'm here for Hinckley and Bosworth Borough Council here to assist you with any matters that might arise from the agenda this morning

05:34

thank you

05:37

Barbara County Council please

05:44

Good morning I'm Caroline gets her jump sister worst county counselor counselor advising the county council in relation to highway matters.

05:56

Good morning, I'm Nick stone. See Mr. Nicklaus. Don't see Orange County Council. here to answer questions on any transport matters relating to items five and six. Thank you.

06:09

Good morning. Jelena Archie Roach she county council also here with colleagues to answer any questions, probably mainly relating on items agenda items five and six I would expect

06:22

Thank you.

06:25

Leicestershire county council please.

06:31

Good morning, says Mrs. Rebecca Henson here to answer any questions as required.

06:40

Good morning class in this class at SU county council happy to assist and answer any questions as needed. Thank you.

06:50

Thank you. Burbage, parish council and Bosworth parish council.

07:00

Are there any other interested parties from parish councils here?

07:06

The national highways please.

07:11

Morning says my name is Miss Ruth Stockley of counsel, appearing today on behalf of national highways. I'm happy to answer any questions probably mainly in respect of agenda item six.

07:27

Thank you.

07:30

If I could now ask if there is anyone else in the virtual room today who wishes to speak? If they could let me know please?

07:40

Thank you. That concludes the first item on the agenda. And I'm going to pass on to Mr. Saud, who's going to take you through the second item on the agenda.

07:50

Thank you, Mr. Harun?

07:53

Let me briefly explain the purpose of this issue specific hearing this is without prejudice to our overall recommendation. This is because whatever our recommendation is, we are required to give to the Secretary of State draft order in case they are minded to grant consent.

08:11

The other main reason for today's hearing is to allow us to be updated as to the current situation with the draft development consent order. And look at those matters which will be needed to be amended in light of the discussions we have had earlier this week.

08:28

We will also have some questions dealing with other matters. And we will ask the applicant update us on the protector presentations. That concludes this item. So I'll pass back. Mr. Jackson Five, three. Thank you, Mr. Sword.

08:42

Item three is changes to the draft development consent order since the issue specific hearing one held back in September, and I would like to invite the applicant to provide a commentary of the changes to the DCA, it's made since then.

08:57

I'm not sure who's going to definitely

09:00

provide for the applicant.

09:04

The the applicant has made several changes to the drop DCO since issue specific hearing one, those are explained in a document that's entitled shedule of changes made to the draft DCO that was submitted deadline to that document applicant reference 3.4 A and then the draft DCO itself is applicant reference

09:34

3.1 I think for the clean versions and clean for the tracks and

09:40

even attract sorry, they'll both be sir I understand 3.1 B is the correct reference for both the both versions.

09:50

The changes can be broadly categorized as follows firstly, the amendments that were discussed

10:00

For the first issue specific hearing, and as indicated in the applicants updated responses to the examining authorities initial observations on the drafting of the DCO, and that's in Appendix C, of the applicants post hearing submissions from issue specific hearing one, document reference rep one, slash zero to zero.

10:29

The second category are largely amendments to the requirements in part one of sheduled. Two, to include changes requested by third parties such as Natural England Blaby District Council where the applicant has been able to agree to those requests.

10:51

Thirdly, there have been amendments to the protective provisions, most notably, to include provisions for the various national grid entities separately.

11:04

And fourthly, updates to the sheduled plans and documents to be certified to reflect the various updated documentation that's been submitted at deadlines one and two, where those documents are specifically referred to in the draft development consent order.

11:24

I mean, your hand sir, as to how you want me to run through those changes, obviously, there, there are quite a number as detailed in there. And they were trailed, certainly in the submissions that were made before the first issue specific hearing, and those were then largely discussed and, and followed through, what it may be helpful to do is to highlight those additional changes that flowed out of the discussions that we had at that first issue specific hearings, as sort of additional matters, that, that have resulted in changes. But I'm happy to be guided by you service as to how you'd like us to approach it. I think if we could just try and keep it as simple as possible. So we don't want to repeat what we did back in September. So I think if we can just go for the changes, and then I've got a few questions thereafter. Okay, so I'll highlight the

12:16

the the most recent changes that weren't necessarily trailed in in in the issue specific hearing. The first is to Article

12:26

Three, two.

12:29

And Article Three Two has been added to make it clear. So And you'll recall the discussion that we had around the the capacity of the Electricity Generating Station, and a new article three two has been added to make it clear that DCO does not purport to grant development consent for the construction of a generating station. Within the meaning of section 14 One Ay ay ay turning a generating station, which would qualify as as an inset. And that provision has been included

13:06

as a substitute for what was previously requirements seven teams, which you would call was a proposed requirements to cap the energy generating capacity to 50 megawatts at the same threshold. So

13:21

we reflected on that and thought that was a more effective way of approaching the situation.

13:29

The

13:30

second notable amendment is an article 13, five,

13:38

where article 13 Five has been added, to make it clear, that were a public right of ways to be closed temporarily, the temporary closure will cease upon completion of the relevant works that are then specified in sheduled. Five, that's obviously intended to be a long stop date, sir, and if they can be opened earlier, then then then clearly they will be.

14:06

That's accompanied by amendments to requirements free,

14:11

which envisages details of those public rights of way changes to be submitted as part of the phasing proposals. So creates a a mechanism for the timing around those, those provisions and changes to be secured through the requirements and perhaps we will come on to that later when we talk about the requirements.

14:36

The next changes, which I'll take together are two articles 3414 and article 3512. And both of those articles say the same thing, which is that the undertaker was not under the order take temporary possession of more than 200 square meters of

15:00

common land. You'll recall that

15:03

article 25, which was the main compulsory acquisition article prohibited the acquisition of more than 200 square meters. And you raise the question what what, quite rightly, what about temporary acquisition, and that that amendment is simply to give effect to the position that the applicant stated that there's no intention to acquire more than 200 square meters temporarily?

15:31

And I just asked a question on that particular provision, because it is to

15:36

ask whether the drafting was such that it couldn't allow cumulatively more than 200 square meters temporarily and under compulsory acquisition?

15:48

Well, I think it's unlikely but that I know, that's not the intention. But that's slightly different whether the drafting would allow that,

15:55

could you have a look at it, or we will go, so I don't think it does, but certainly prepared to have certainly prepared to consider that. Thank you.

16:05

And that the next amendment then is to article 42, and two, which relates to the authorization of the operation of the railway, a new provision that has been included at the request of Network Rail

16:23

to clarify that nothing in the order prejudices, or affects the operation of the relevant section of the Leicester to Hinkley railway.

16:36

That's covers the main changes to the operational elements of the order, the remaining changes are then to the requirements. And again, I'm happy if you would like me to run through those.

16:53

Or whether you're going to take that on another agenda item,

16:56

I was thinking would probably do them. What I think what we would do probably a good idea would be to see if any other party here on the call, has a comments on the articles, and then we'll move on to the requirements. That's probably trying to do it in that in that way. So if any, if anybody does have any Yes, I'm see. This is where the fun starts to try to remember people's names. And who's hiding behind which pseudonym?

17:24

There was a yes, thank you,

17:27

baby, isn't it? Yes.

17:32

Thank you, sir. Duncan O'Connor, on behalf of Blaby District Council.

17:37

We have some some general comments,

17:41

which relate really to the definition of the Undertaker and how that works in practice,

17:47

I'd suggested might be best for us to make that general point in writing, sir. But it's relevant to some of the new provisions that have been added to the the order. So I'll just raise the specific point. As you know, the definition of the undertaker in the order covers both tritec symmetry limited. And in relation to the main site, any other person who has the benefit of the order under Section 156 of the act, someone who has an interest in the land. And that applies in relation to the main site once construction has commenced. So understand how that works. But I think there are a few places in the order where that causes difficulty.

18:27

And an example of this is article 22, which is the new article relating to protective works to buildings and structures.

18:38

that the power is available to the undertaker. But it's not that power includes the power of entry to go on to land to carry out and establish whether protective works are needed.

18:51

It's not limited to the order limits. So that's the power that can be exercised outside or the limits so that once construction has commenced on the main site, how does that apply to people who fall within the second limb of the definition of the undertaker?

19:09

It's not clear to me who at the moment we don't know who that person is. They've been granted a power of entry

19:16

onto land could be outside the order limits that subject to compensation in the event that they cause damage. But the compensation is payable under Article 22 Isn't subject to the guarantee in article 40.

So, that seems to me unsatisfactory, sir, that somebody whose identity is not yet known, seems to be then granted a power to enter land anywhere

19:43

without compensation guarantee.

19:54

I mean, there's a similar similar point there's a power of entry also in in article 23.

20:00

To use the authority to survey investigate the land, and again that

20:06

the compensation liable under that article isn't subject to the to article 40. I think that I think I just need to looking at

20:19

Thank you.

20:25

One further point related again to the identity of the Undertaker, I think some clarity clarification is needed. Article 35 authorizes

20:35

the Undertaker and any persons authorized by the undertaker to operate and use the parts of the authorized development comprising works numbered one to seven inclusive.

20:49

It's not clear to me how that relates to article 42, which specifically authorizes the operation and use of the railway.

21:02

Article 42 is referred to the undertaker. But Article Five allows the Undertaker and anyone authorized by the undertaker. And I think the railway falls within

21:14

work number one. So which is it? Who is authorized to operate and use the railway?

21:24

I think Article Five at the moment would include anyone authorized by the The Undertaker, not just the undertaker. So again, it's not clear to me how that is intended to work.

21:38

Those are the general points are on the the the issues raised raised to the identity of the undertaker that

21:46

put some submissions in writing just to explain those perhaps in a bit more detail. But thank you hope that's establishes the point. Thank you very much for that. Does any other party have any comments on the art on the articles before we move on to the schedules?

22:08

I'm seeing neither hands nor anybody coming on screen. So we'll take that as a no and move on. Go and refer to the applicant a if you could respond to that point in JIRA.

22:21

Somebody we do have somebody who has put a hand up so could you pass the problem is the screen I'm looking at I can't actually read the names of the people on the on there. It's a bit far away. So it's like very slightly difficult to work out. I get the large get the the initials but I can't actually see the names underneath until you actually come on on screen. Don't worry about it. It's just because it's just too fun. The screens too far away from me. Anyway, the applicant again, thanks. Thank you,

22:47

Laura Beth Hudson, for the applicants it was with our hand up as well. So just to confirm that,

22:53

obviously grateful to receive those detailed comments from Blaby District Council in writing. And and will we respond to them, when we've had chance to consider the nuanced points just on the definition of the undertaken as we discussed at issue specific hearing one, it is deliberately different from

23:13

many DCO in that it is intended to apply or to give benefit of the order to

23:22

ultimate occupiers of the warehousing. So it is follows other strategic railfreight interchange definitions and deliberately to ensure that those occupiers and future users of the of the authorized development do have the benefit of the provisions in the order relating to use and operation of the authorized development in respect of the particular detailed comments on articles 2223. And those mentioned by Mr. O'Connor, if we can take that away and get those those detailed comments in writing, we will we will respond to to that. Thank God there's some of the points I've gotten in a few minutes will are similar vein so that's fine. Can we now move on to the schedules probably start with since whilst it's quite clear why schedule one has been recast? I think it might might be useful to put into the record why that's happened.

24:25

Thank you, Sir Paul, male for the applicant.

24:28

Yes, you you'll recall the discussion perhaps of the issue specific hearing one where amendments previously scheduled one was cast into two sections, part one and part two. And following comments from yourselves. We've reviewed that and have taken the view that the amendments which you suggested improve the drafting and so therefore what we've done is effectively removed references to part one, which were previously the end ship and part two, which was previous

25:00

li associated development, since they there are elements of what would constitute associated developments listed alongside what was previously stated in part one. So we would just remove that separation. So yeah, thank you. Yeah, that's clear now.

25:18

And then moving on to sheduled. Two.

25:24

Well, that will told

25:33

might get there

25:39

federal two, of course, is, is the requirements. And I'm quite happy to, again run through those requirements where perhaps there have been additional changes beyond those which were, which were trying to previously if I may, I may approach it in that way. That would make sense please.

25:55

The first one is

25:58

to requirements three, where

26:03

a new entry has been created requirements three to H. Two require the written phasing scheme. So include phasing details of public rights of way in the creation of means of private access. And again, so that provides confidence around the timetabling of the provisions of those public rights of way, which

26:25

we talked about earlier in the amendment to article 13. Five and other public rights away, there'll be provided as part of the development as well.

26:39

The next amendments are highlight is that requirement for to where there have been a change to make it clear, and this was something I think that was discussed during the issue specific hearing earlier this

week in relation to acoustic barriers and their height. In that we've now we've now clarified that the detail design submission must include both the heights and locations of those acoustic barriers at requirement for two you made the consequential amendment. So, for to the to remove reference to the maximum height of three meters which we acknowledged was was an error

27:23

Thank you.

27:27

Requirements seven,

27:31

which

27:33

relates to the submission of the construction environmental management plan, there are there are a number of changes there to

27:43

clarify

27:45

what the details submitted under each element must contain

27:52

and those are all included at the request of Natural England. So they simply pick up on on the comments that that that Natural England have submitted and are acceptable to the applicant.

28:13

Requirements nine to

28:20

relates to the sustainable transport strategy.

28:23

And a particular measure that's been included the request of Blaby District Council to use reasonable endeavours to maximize the use of Euro six compliant HDB's and public transport in respect of HDB fleece operated by occupiers and public transport service provided there's a new definition of what is a Euro six compliant HTV been inserted the beginning of sheduled two to make it clear what that relates to.

29:02

On that one, I'm just wondering how any any requirement with the term reasonable endeavours, how precise that is? You obviously one of the requirements for requirements over English you've got messy as whether the phrase the phrase reasonable endeavors I appreciate it is often used in legal

29:24

drafting, but it when you're dealing with a planning, planning collisional planning requirement and wondering how precise that terminology is.

29:32

Now I understand the point and the similar similar requirement was included within the Northampton gateway. So there is so there is a precedent for it.

29:58

Thank you

30:00

And

30:02

then the next one is to requirements 11 and recall which relates to the container stack heights.

30:10

New wording has been incorporated within requirements 11 to

30:17

to clarify

30:21

the height of the container stack in the initial

30:26

in the initial phases at the request of Blaby District Council. There were other amendments to this requirement that

30:37

were requested by Blaby District Council which the applicant is not able to agree with perhaps, perhaps we'll come on to that. So when Blaby discuss these these amendments

30:55

now, next one then is requirement 15 which relates to contaminated land and the addition of in particular requirement 15. Three, which relates to the submission of a verification report in relation to any remediation works being submitted to the relevant planning authority in consultation with the Environment Agency. That was a requirement that was requested by the Environment Agency

31:32

and Blaby District Council in which the applicant has

31:37

been willing to accept

31:41

the

31:43

next amendment is an amendment in relation to

31:48

construction hours, requirements 16.

31:54

Those hours have been amended to include what is now a restriction on

32:02

We are sorry weekend working to seven o'clock to three o'clock on Saturdays. And it's seven till seven on weekdays, no working on Sundays, or bank holidays. There is a difference between the applicant. And both Blaby and Hinckley and Bosworth are councils in relation to the length of that Saturday, those Saturday working hours. And I suspect we'll come on to discuss that in due course but essentially certainly the applicants position on Saturdays is to enable the maximize the maximization of the use of daylight hours particularly in situations where extensive Civil Works civils works being carried out

32:59

understand that I'm just noticing in that can this was one of the things that was raised last time was relationship with public holidays because obviously bank holidays are not public holidays it's Christmas Day and Good Friday possible because there was relationship with the definition working days earlier. I would suspect that you need to include public holidays shall not play take place on Sundays public holidays, bank holidays or otherwise outside.

33:29

Yes sir.

33:40

Thank you, thank you.

33:55

Requirements 27 Then is the next one that I would highlight which relates to

34:07

the acoustic barriers and clarification again at the request of the baby though those barriers will be maintained or retained for the lifetime of the development.

34:20

Requirements 30 then gives details of lighting.

34:27

And

34:29

they've been the those details within requirements 30 have been amended to accord with

34:35

amendments requested by Blaby District Council which give further details of

34:42

the types of measures and lighting to be included within the detailed lighting strategies as is more clearly set out in that requirement.

35:00

And what was requirements 31 has then been deleted. And that was the employment and skills requirements. So we heard from Mr. Stacy, earlier this week that that's now envisaged to be a matter to be dealt with through the section 106 agreement and to get details of that, in short order from from Blaby District Council.

35:24

So that's largely that shouldn't close the

35:29

the amendments to scheduled. So I'll move briefly if I can, on to part two of schedule two, which was the procedure for

35:39

approvals and under the requirements on unconscious that you raised a number of questions about this at issue specific hearing one.

35:50

The local authorities have also made comments at deadline one, within within their written reps. And what the applicant is doing is they're engaged with those local authorities to discuss discuss the appropriate procedure. So I think probably rather than getting into the details of those discussions, now we'll complete those discussions with the local authorities, and then present what will hopefully be the agreed position in the next iteration of the DCI, that would be useful if it can be so achieved. Thank you.

36:27

Alright, was probably sensible now to ask. I'll ask Blaby first, because I'm sure they are going to have some comments on the on what you've just been discussing. And then we'll ask you if any other party wishes to make any comment on the requirements. So Blaby?

36:45

Thank you, sir.

36:47

Thank you for the applicant as well for explaining those that would that was a helpful summary. And I think from our point of view, it's just confirming that there are discussions ongoing in relation to the drafting of sheduled. Two, and the fact that the drafting of this version of the video doesn't yet include the outcome of those discussions, and so zero that applies, particularly to part two of sheduled. Two.

37:18

I would also just draw attention to what I think is my understanding of requirements 11, the container stack height, because

37:27

my understanding is that 11 One, which refers to the height of the container storage area. My understanding is the applicant has agreed to amend that in accordance with the submissions that lay be made. They're not reflected in this version. But I think the principle of amending that limb of requirement 11 is agreed. And it's the limb 11 Two that relates to the container is returned area that isn't agreed. So I think that's the position. But then again, if that if that is confirmed, and that other changes, which have yet to be discussed and agreed on or not agreed, will be reflected in further drafts.

38:16

The position on on working hours is as as the outcome set out from Labor's point of view.

38:26

The restriction on Saturday working should be until one 1pm Not three.

38:35

I should check he's not in the room with me. But Mr. Stacy may wish to comment on the justification for that.

38:44

Yep, sorry, I'm at Stacey Blaby District Council, I think we were still very strongly feel that that 1pm is is much more appropriate especially given the scale of the civil works and the proximity of some residents particularly in accommodation around the Assam firs

39:03

gypsy caravan sites

39:06

nearby and we feel in practice, the previous sort of five o'clock finish on a Saturday would may be generally been potentially even closer to 3pm in reality and so by placing the restriction formally to 3pm, the practical difference might be relatively limited and so I think we still quite firmly stand by that by that 1pm request on a Saturday working. That's all for me thanks Duncan.

39:39

The other the other point of clarification was in relation to requirement eight which is the travel plan.

39:52

Requirement eight two new wording has been added which requires the operation of the

40:01

The Occupy specific travel plan refers to Environmental Management Plan F, I think there's just a typo in a two, but it's the Occupy specific travel plan has to be monitored for a period of five years. And I just wanted to be clear, is it the is it just the monitoring that lasts for five years or just the plan have to be implemented for five, five years? Or does it continue? And it wasn't quite clear, whether it's the just the monitoring whether the plan then continues or whether it's effectively the plan falls away after five years, perhaps on the basis that practices and troubled practices have become established by then it'd be useful to get clarification on that point.

40:43

Can I ask what they be response would be two different phases having different working our finishes on a Saturday,

40:53

depending on proximity to

40:57

noise receptors?

40:59

I think that might be one missed either Mr. Stage may want to comment now or or take away that suggestion? Unless you have did you want to come in now?

41:08

Yeah, it's, it was something that local authorities did consider and discuss at one point, I don't think we got into any firm conclusions on how that would work. In principle, I think we proposed that might be

41:24

a helpful way of allowing the applicant in the center of the site if you'd like to work for longer, whereas the more sensitive edges of the site could have been more reduced.

41:33

But we'd certainly be open for discussions with the applicant, if that was possible. And like you say, our primary concern is those residents on the fringes of the site. So we would definitely be happy to discuss that if the applicant was willing to consider a more restrictive conditions on the edges compared to perhaps the center, for example. And we're having to take that away off offline with the applicant. Thank you.

42:01

Nothing further from Lisa. Thank you very much. Which case?

42:07

I've got Mrs. Hanson, your hand it up.

42:16

And he says just to say Leicestershire county council would welcome discussions with the applicant in respect of the requirements particularly in response to the concerns raised in our written representations in respective elements such as a sustainable transport strategy, travel plan, etc. And also welcome discussion on amendments, as was discussed, issues specific hearing to and the suggestion that additional requirements in respect of provision of a bus service were going to be proposed. Thank you. Thank you.

42:57

I thought that was going to might be under a one under the 106. But we can come to that later. I tried to check it.

43:06

That's the applicant. And there is a another one who's I think, trying to work out this there's there is a hand up other than the applicant and trying to work out who that isn't. It's kind of safe if he was if there's somebody who was gonna hand out with that. Thank you, Mr.

43:23

Sandwich cut the the distance to the screen the fonts just too small. Yes. So Mike Parker Hinckley and Bosworth Borough Council. We did put some Suggested Wording in our written representations, which we thought had previously been agreed with the applicant, but which didn't appear in the revised DCO. So what I propose to do so is review the latest version of the requirements against the Suggested Wording and make any further submissions as part of deadline three. Thank you very much. Is there anybody else other than the applicant who wishes to make any comments on the requirements?

44:04

Which case let's go go back to the applicant.

44:10

Thank you. So for my or for the, for the applicant.

44:15

Firstly, responding to Mr. Stacy around working hours. Certainly we're happy to to speak

44:22

with Blaby District Council and see if there is a way forward in agreeing that kind of phased working our

44:29

provision and a way of that being secured.

44:35

I'll pass to Mrs. Hammond to deal with the container stack issues

44:41

in in due course. I think I think I would also say to Mr. Parker, I think a number of is suggested amendments have been have been included or have been included in substance because obviously this is something that we have to take into account in in conjunction with amendments that have

45:00

been requested by Blaby District Council and try and find a little bit of happy medium. So by all means would welcome his his further comments having having reviewed, having reviewed that drafting. And then lastly, in respect of Miss Hudson's comments, obviously we welcome anything in anything in writing police from the county council as to how they might propose amendments to the requirements to secure the matters that they wish to see secured. I think in respect to the matters that were just raised by Ms. Henson, they're, I don't necessarily feel that they shouldn't result in the amendment of requirements per se. Rather, it's amendments of the plans that are secured through the requirements and further iterations of the draft, and also serve as you indicated, the incorporation of measures within the section 106 agreement in due course. So I'll post the missus out and to to pick up a couple of matters of further detail.

46:04

Thank you, Laura Beth Hudson for the applicants.

46:08

Just briefly in respect of the container stack height, the applicants position is is included in its response to the written representations.

46:17

Blaby in respect of the requirements specifically at its deadline to submissions, Appendix A, to the written representations, which is document reference applicant document reference 18 point 3.1. And just to clarify the amendment to requirements 11, one requested by Blaby District Council is not and cannot be agreed by the applicant. But we will take the detail and have those further discussions are flying with the council. But just to clarify the the applicants position is in that in that document. And in respect of the travel time requirement eight, thank you for identifying the typo. That's quite correct. And we'll we'll correct that. Just to confirm the amendment is as discussed at issue specific hearing one, which which clarifies the five year period relates to monitoring and not and not

47:13

its implementation. But again, we'll we'll take those detailed discussions and and continue those with play the offline. Thank you.

47:23

The remainder of the sheduled up to an including

47:29

sheduled 12. Is there anything you particularly wish to highlight? I'm just thinking the production provisions is a separate issue. And we'll come to those later. So I'm thinking rather than going through them now, which is potentially park that I was really wanting to enter the other schedules that you particularly wanted to highlight before I kind of few questions more of my own.

47:47

Thank you. So pull me off the applicant. Short answer that, sir is no. Lovely. That's, that's always good. There are a couple of as I said a couple of things, which we discussed back in September, which I'd like to follow up on. The first relates to the land assembly issue. You'll recall the discussion we had about only seeking temperate possession with rights of the vast majority of the site on the basis of the commercial arrangements that are in place and the risks associated with that. I'm not going into that again. But what I do have a question is how we that is the XA. And the Secretary of State can be satisfied that the holder of the land is secured to allow the development to take place.

48:26

You'll be aware of article 38, which is the guarantees and respect of payment of compensation effectively requires the applicant to demonstrate that it has sufficient funds in place to allow it to deliver the development. I was wondering whether there should be a similar or expanded provision, which would require the applicant to demonstrate that it had control over all the main portion of the site to allow it before it could implement utilize the rest of the compulsory acquisition or temporary possession powers. So auto increment the development for the remainder. Do you have any thoughts on that?

49:13

Well, we'll we'll take it away and consider it. I mean, I think

49:19

what I'm conscious of is there out there, I appreciate the comment that you've made, there may also be advantages in starting on some bits of the site earlier than others. For for for example, before before you know compulsory acquisition processes have been completed or Voluntary Arrangements or voluntary agreements have been have been completed, particularly where you have

49:44

effectively the main site the a 47 link road and the slips and those those various areas there. So

49:51

I'll discuss that with the applicants team and come back to you in more detail if I can, but you get you get the point I'm trying to make to ensure that

50:00

Because the Secretary State will need to be satisfied that the whole development can be implemented with you, which, obviously, you understand the point I'm making. Thank you. I think probably what I'd add to that is looking at the construction of the way that the requirements are, are brought together. And in particular, we talked about

50:21

the delivery of the various highway works that are secured through

50:27

requirement five and the timing of them, such that

50:33

you can't open.

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You can't occupy any units until the slip roads are in and you can't open the slip roads until all of the other highway works have been completed. So you effectively I think, get to the position where you have to have secured all of the

50:52

delivered all of the off site highway works in the mitigation for the rerouting of background traffic, as we discussed, before any of the impact from the main development site can be put onto the network. Yes, that's fine. Thank you.

51:09

Well, the discussion we had earlier about, and The Undertaker and the definition of that, which you've said you're gonna have a look at. I was also similarly thinking about it relation to Article eight, which deals with transfer the benefits of certain provisions of the order.

51:27

What whilst are appreciated with the Secretary State to authorize such a transfer? Again, it's not clear what arrangements would be in place to ensure depending on the area of land to be transferred, both the overall land assembly elements were in place and this theory funding in respect of the transfer requests if a part of the site was transferred to a third party, making sure that they had sufficient funding, obviously, whilst you've got requirement 38, in respect of the overall site,

51:59

and any transferees they're under.

52:20

Thank you, sir. I mean, as articulate relates to

52:26

the transfer

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of the benefits of the order insofar as the benefits of any compulsory acquisition powers to be transferred, or also the ability to carry out the highway works that are governed by the protective provisions

52:43

in, in, in shedule, 13. And so, one of the things that the notice that's given to the Secretary of State must contain is where those provisions are sorry, where the provisions to be transferred, include any of those compulsory acquisition powers confirmation that the availability and adequacy of funds for compensation must be provided as part of that notice. So there can be in the in the applicants submission, no transfer of any compulsory acquisition powers, without the Secretary of State being satisfied. That that, effectively the transferee has has the wherewithal in order to make good its compensation obligations. Thank you.

53:32

Just rather than writing myself a note, okay.

53:36

And the other one, which what in your discussions, you'd say, saying you're going to have a

53:43

discussions with the counselors over the part to have shed sheduled to Can I just make note that we still got the word must in Word, paragraphs four, eight and four, nine.

53:58

But we discussed last time that probably they should be May, I just given you're going to be looking at that section again. Can I just put that as a sort of a note to move for you? For when, when when you'd have another look at those provisions?

54:20

Yes, thank you, sir. Yeah, that's just to clarify, the applicant hasn't as yet made any amendments to that part of schedule two. So that's what that's we'll pick those up when those amendments are made in due course. Okay.

54:34

I think that concludes items, three of the agenda. So I'm just just move on to Item four, which is updates at the DCO. In light of discussions we've had earlier this week at ISA h2 is h3, h4 and ch two.

54:51

And so part of the reasoning is to allow the applicant other set up changes were made to draft a consent order in light of discussions, the hearings

55:01

either in the hearings themselves or inside meetings there too. I just wondering whether there were any changes that you anticipated now making in light of those discussions we've had earlier this week. Mr. manleigh. And in particular,

55:18

thank you so pulmo for the applicant. We've got three sir.

55:24

The first one was in relation to requirement 10

55:30

Which would be adding the clarification that the floor space restriction

55:38

that will be occupied prior to the completion of the rail terminal does include ancillary office space.

55:50

There will,

55:53

in addition be a new requirements added to part one, which deals with

56:01

what we envisage will be a lorry park management plan. And the discussions that we had about ensuring that it can only be used by

56:10

occupiers of the warehousing or or people using the terminal.

56:16

And then

56:20

just the final one is a bit of a work in progress as far as our thought process is concerned. So but we had we had the discussion

56:28

about preserving the drainage related to the septic tank yesterday, plot 16. And it may well be that that's best addressed through either a specific requirement or an amendment to an existing requirement relating to drainage. Thank you.

56:51

Since is anybody else who's on the call wish to put a hand up in relation to anything that they feel the discussions earlier this week would have would have led to a an amendment to Mrs. Henson.

57:07

Thank you, sir. It may be my misunderstanding, but I thought we discussed the issue specific to this week. Sorry, issue hearing to that.

57:21

bus service provision was to be dealt with by a requirement and not the section 106 agreement. And that would be an additional requirement.

57:39

I am happy to hear from the applicants as to which method it feels would be more appropriate.

57:48

Thank you, Laura Beth Hudson for the applicants. And I wonder whether Mrs. Henson is referring to the to the acknowledgement that the applicant agreed it wouldn't be a contribution to the county. They will be providing the bus service itself and through through discussions directly with the bus operator. But just to confirm the intention is still that that will be reflected in the section 106 agreement. It's just not a financial contribution to the county.

58:15

offices, the concern.

58:20

Mrs. Hanson, thank you for the clarification. It does. Thank you. Thank you. Does any other party on the court or the hearing have any other points they wish to raise? In matters? Comment flying from her hands? Yes, baby.

58:37

No, sir, I think the principal issues that arose from David's point of view related to the requirements. And we covered that in the previous agenda item. Thank you very much.

58:49

Thanks, anybody else?

58:55

Which case we move on to Item five, which I do have a few questions relating to the latest version of the BCA which has a deadline to

59:10

in its written representations. Blaby District Council indicated I appreciate this, this element. It doesn't appear in here. But I just want to make the African hasn't changed part two of schedule two. But I just want to make the point. So it's clear for those discussions of my thoughts on this matter. Blaby District Council indicated was anticipating making separate arrangements in respect of fees associated with discharge of requirements. I'm assuming those discussions are still taking place. But obviously if there is a signed agreement with Blaby this will only relate to Blaby District Council. They're not the other three local planning authorities. So we'd obviously need arrangements in place for those as well as those for Blaby.

59:56

And equally well,

59:58

because the current drafting obviously

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have certain issues when

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matters or across boundaries?

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Does the applicant have any comments on that at this stage?

1:00:17

Thanks, sir, not specifically. So other than saying noted, and we'll make sure those are those are picked up in discussions. And yeah, we completely acknowledge is not necessarily just the Blaby issue. Thank you.

1:00:32

And the other one of the next one is employment skills requirements 31.

1:00:43

Again, we'll have a discussion about this moving his way down to it.

1:01:04

If the employment skills requirements, I think it might be number 30. Now, yeah, yeah, I'm still in the move. If I can assist the course, requirements, requirements. 31 is no more. It's been moved to the section 106 agreement. We believe these comments. Fine, thank you. I was just wondering whether or not thoughts had been given to extend it to include ex military personnel and coming out of the Armed Forces, which is a suggestion from Leicestershire county council as well as placements apprenticeships and ex offenders.

1:01:34

Pull me over the applicant? Yes, I don't think there's any objection to that. From the applicants point of view obviously, we're currently in Mr. Stacy's hands over over the the detail and we'll we'll await and take that forward. Mr. Stacy, for Blaby, do you have any comments on that?

1:01:52

Yep. So just to say that the that we are considering that that will be included in our request and, and the response that we're providing to the applicant will be sort of on behalf of Leicestershire county council and Hinckley and Bosworth Borough Council. So those points have already been incorporated into what I will be sending over to. Thank you very much. Okay. I was just doing a quick

1:02:17

thoughts of where planning obligations were going to be heads, obviously, very broad heads of terms at this point in time. The ones I've got are the skills training and employment plan. The various bus and public transport proposals we just discussed, potentially cycleway enhancements, and potentially add a community fund in respect to the MIS routing of HGVs. That YouTuber as the site, I think, are those the ones the applicants or are there and have I missed any others from other parties? Will do the applicants start with?

1:02:57

Thank you, sir. No, I think that covers it from the applicants point of view at the moment. Does any other party on the court? Yeah, yes. And

1:03:09

thank you, sir. Sorry, Ed. Stacy, for baby.

1:03:12

Just know, there will probably be an archeological monitoring contribution, but it's been agreed with the applicant. It's in our statement of common ground. And I think that will be an additional section number six obligation. Thank you.

1:03:28

Any? Yes, that sorry. So just just just to confirm I've had nods in the room. So that is anticipated apologies for not including that. That's fine. Thank you my best to so I

1:03:42

think that leads that unless anybody else has got any other items. Anything else they want to read at this point. We now move on? Is we Yes.

1:03:52

Baby.

1:03:56

You're on. Sorry, you're on mute.

1:04:00

Thank you. So

1:04:03

I had a few comments more generally on the drafting of the order. And, as I say, I'll submit most of these in writing. But there are a couple of highway related points, which obviously Blaby is not the highway authority, but I thought it'd be quite useful to air them now in front of the highway authorities because I think it's relevant to them.

1:04:23

The first relates to Article Nine, the streetworks article.

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And it's, it's about the the additional wording that's been added in Article Nine one, which which extends streetworks well beyond the scope of the model provision. So it includes the construction of bridges and tunnels for instance. And the applicant's explanatory memory explains that these have been added

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to avoid the need to obtain streetworks license under the new roads and street Works Act

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I think that there's a misunderstanding of what the new roads and street Works Act covers. Because those things that are listed in Article Nine one which gone down, the point is that they're not street works for the purposes of the new roads and street Works Act. Those are quite narrowly defined in, in the 1991. Act. And it's, it's effectively about utilities digging up the road and placing operators in. So those things that are listed in nine, one, e two, I

1:05:31

wouldn't require a streetworks license. But I think that drafting creates uncertainty as to whether the undertaker is authorized to do those things more generally. So I don't think they're needed. They are covered by article 10, which is the power to alter the layout of streets. So there's an express power to do those things.

1:05:52

Anyway, so I don't I, I suggest that can be removed from Article Nine one, it has no effect. It's just it's a sort of a drafting point. And in article 10, which is the power to alter the layout of streets.

1:06:08

In Article 10, two, there's been an amendment to the latest draft of the DCR, which now refer to the highway authority. And I think, strictly speaking, so that should be a reference to the street or authority because article 10 refers to streets, which may not be highways, streets has a very wide definition. So potentially, some of those things could affect streets, which are not highways, in which case, it shouldn't be the highway authority that is consenting to them. It should be the street authority, there's already a

definition in the in the order as to a street authority. I think that should be the appropriate reference there. So there was discussions at at lshs, one over whether

1:06:50

over that to an extent and it also relates to whether it should be operation or the whole site should because it'd be operational land, which the applicant was looking at as well.

1:06:59

Yeah, I mean,

1:07:02

we didn't attend, I didn't attend issues specific first issue specific area on the draft DCO. But it's fair said, labor District Council still has concerned about the scope of that article

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that extends the definition of operational land to the whole site and the examining authority, you've raised concerns about that. And those are shared by laby.

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And the further comments, again, related to points that you had picked up.

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In your rule six letter, I think it was about the scope of the temporary possession articles, and the ability

1:07:42

for land to be entered on on to, under that parent Case of Emergency know, the applicant has now added a provision that enables notices to be served as soon as practicable

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in case of emergency, but I think, from lady's point view that that power, I'm still not clear as to the justification for those emergency

1:08:07

provisions.

1:08:14

Thank you. That's all. So thank you very much. The applicant have a response to any of that. Obviously, you Blaby have indicated they'll provide it in writing. So you're and the next iteration, the draft and a consent order is not due until deadline for in January. So there should be time to look at and consider and respond appropriately. Yeah. So only to note from the applicants point of view. So that those are new points, really, from probably it would have been helpful to have them in response to the deadline one submissions that deadline too, but as soon as they can get them across to us, the sooner we can start addressing them. It will be will be my policer. Thank you. Thank you.

1:08:59

So we now move on to item six, the updates protected provisions. I think probably the easiest is to go through them in the order that they appear in the draft of a lump consent order.

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So I'll write a particular emphasis on those where agreement has not been reached as the parties obviously Part one is for the railway interests, which will be network with Network Rail. Since they are I don't believe they're on a call but the applicant, please.

1:09:29

Thank you, sir Laura Beth attendants are the applicants. And I think with respect to Network Rail, you've heard in a number of the hearings this week that we have, the applicant has had very positive and extensive engagement with Network Rail. We are well underway with discussing overarching asset protection and framework agreements which also picked up the discussion around protective provisions. And we do envisage that the version of protective provisions in the currently in the order will be updated very soon.

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Hopefully by the next

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the next iteration of the DCO to be submitted in January,

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very few remaining points between the parties. I don't know if Mr. Baker has anything specifically around the potential revisions, but I don't believe there's anything

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worth mentioning. Nope. Nope. Well, along with sorting it all out that

1:10:23

if I might move to national highways, yeah, yes, I was going to say that. My understanding is that the issue is that national highways have recently updated their standard protected revisions, and the applicant has agreed one set doesn't wish to change them. Is that it in a nutshell, it is.

1:10:41

So thank you for that.

1:10:43

You will have noticed, I don't know if you've had a chance to review all of the deadline to responses yet, but clearly, the applicant is is is disappointed that that is the position of national highways at the moment, we are in ongoing discussions and what we discussed the position with with national highways yesterday and we are keen to get another meeting very, very quickly in a diary to try and make progress. Joe, Can I Can I ask that I think it probably might benefit us if to ask me to bring

national highways on at this point and ask them. Could you tell me what, what what's changed? I asked the question on two levels, how much has changed since the word it could be provided? And we don't need precise wording for this purposes? And what the different immune effect is? Because that's probably more of the interest to us at this point in time. Thank you

1:11:37

say yes, Ruth Astok plea on behalf of national highways. So your your summary is precisely correct, if I may say so with respect, that the reason for the change, which would be k was dealt with in the written submissions of national highways is that there has been a general review by the organization national highways have its protective provisions, its standard provisions. And this new set now represent the organization's position the standard template that they wish to take forward. In every case, they are currently advocating these provisions in other DC O's at examination. They want to ensure consistency. And perhaps more importantly, they want to ensure a full protection of the SRM the strategic road network. It has been considered internally that previous provisions relied upon were insufficient to provide such protection, and hence that has resulted in the change. So it is it is acknowledged that the timing is unfortunate. But in one sense, no time would have been a good time because whenever the change that occurred, there would have been a no doubt a DCR in examination. However, that is the reason behind national highways change position.

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So in terms of the effect of the changes, there's I'm somewhat limited as to what I can say in relation to that at this stage.

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Some of the changes are relatively minor. However, some of the changes are greater in relation to seeking more protection, such as more prior approval and more details in the procedure

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on the certification process, that provisional certificate and final certificate stages, However, having said that, it may well be and this is subject to negotiation, but it may well be that the position that had previously been reached over the state of disagreement between national highways and the applicant is not far removed from what would be the position with the further with the alternative provisions. At this stage, I can add very little Sarah that than to echo that. A meeting is intended next week. NASA hires feel that it will be helpful if the applicant could indicate to them which of their new provisions they dispute and the reasons for that. And that may then identify the extent one should identify the extent of disagreement between the parties, however, so national House position is that they do want to take these new provisions forward in all cases, albeit with case specific changes as appropriate. So I don't think I can add anything further to that I do not have to apologize for the timing they act

1:15:00

that the the inconvenience that has been caused, however, unfortunately that results from the timing of the review. Thank you Miss Stockley.

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But the applicant?

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Thank you, Laura Beth Hudson, for the applicants. And thank you for that. That summary and slight slightly different to my, the applicants conversations with with Mr. Dadra. Yesterday where we understood that national highways, we're going to do the exercise around the differences within the provisions. But I don't think it's a matter for now we'll take that offline and work out between the parties, who's going to do the work around the new the new provisions. I think if it does help you set it for us to summarize where we had got to on the previous set. And and we're very largely agree there based on provisions that are in the Northampton gateway and West Midlands interchange made VCOs both of which are currently being implemented as we speak. And largely the app of the outstanding item of disagreement between the parties related to deemed approvals, or provisions that that wording would require national highways simply to, to respond to it to the submission of a plan or a document rather, and in the absence of a response, such such approval would be deemed, which is again, consistent with nonsampling gateway and many other made orders and also consistent with what national highways asked for in their in their DCS. So that that that was largely the outstanding issue of a disagreement and I expect that will remain the same for for any of these new provisions requested by national highways. Thank you just just revert back to make two national house just to make sure just in case they have anything they wish to add.

1:16:53

No, so nothing further. I'm grateful to the applicant for confirming that negotiations will continue. Thank you very much.

1:17:03

Nick, back to the applicant for what actually it's probably better to go to Leicestershire county council for part three, which is protection of the local highway authority. And then and then after that Warwick shirt and then the applicant so Leicestershire Miss Mrs. Henderson.

1:17:21

Thank you. So I think much has been made by the applicant about consistency with made orders. Leicestershire county council have, for a significant period of time requested that the protective provisions reflect their standard section 278 and 38 agreements, much the same as the made order for East Midlands gateway of which the authority was party.

1:17:54

We following the hearing in September reiterated this point in indeed, yourself. So I raised the issue of the missing 278 provisions to the applicant and have provided the applicant with our draft 278 agreement and 38 agreement. And

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the applicant has arranged to meet with us next week to discuss

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we would like to see a commitment from the applicant that those standard agreements will be included in the protective provisions.

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Thank you and Orange County Council

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thank you sir Caroline, good to jump off work ship. And similarly to Lester's bless dishes position. Work, she would like to see some of us standard selection 278 provisions reflected in the draft order. I think there's a meeting arranged either next week or early in the week after the applicants so we can discuss that in further detail. But in summary, We'd like some, I think probably relatively minor changes in relation to

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notice of rights based booking and processes relating to any changes to the works that might prove necessary

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as they're ongoing, but we're happy to pick that up with the applicant offline. Thank you.

1:19:29

Do you anticipate there needing to be a lot I'll ask you this question then I'll get listed before we get to the app. Do you anticipate there needing to be two separate sets of project divisions? One for work shirt and one for less to shut?

1:19:43

I don't know at this point now. Okay. And to Leicestershire. Do you have a view on that at this point?

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I don't have a view at this point. Okay, well, well, having been around those, those houses will go back to the applicant

1:20:02

Thank you. So Laura Beth Hudson for the applicants.

1:20:06

Starting with the county Leicestershire County Council, as as we discussed in our issue specific hearing one, we have been made aware and the week before that hearing that the County Council were seeking their standards section 278 wording in the in the draft DCO, we have since then reviewed the draft provided by them. And we have confirmed to the county

1:20:32

that we that the applicant is willing to, to incorporate drafting along the lines of the East Midlands gateway DCO, as requested. and Mrs. Hanson is correct. There's a meeting next week to discuss the

detail of that. And clearly the intention is that that will be reflected in the next version of the DCO to be submitted at deadline for

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similarly, we are we do have a meeting with the workshare. County council early next week to discuss the same

1:21:01

requirements around the protective provisions. And so positive progress made and I'm looking to add to those comments made by counties.

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Thank you, and you don't know whether the legs have to be two separate sets at this point in time.

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We do need to have those discussions with the counties. But I think at the moment the applicants do use it probably would be sensible to have separate provisions simply because there's only one small element of 278 on Highway works within Warwick shear. Whereas clearly the bulk of the highway works relate to Leicestershire County. And so it may just be sensible to separate those out but we'll we'll have those questions next week. So thank you very much, which now moves on to the remaining parts of

1:21:48

the break divisions. We're starting with Part Four which is obviously cadent as Caden gas

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thank you sir and cable gas. And we are I do feel like probably saying that very similar to what we said it is h1, but we have moved on and the issues between the party parties are narrowing. Very, very few issues mostly relating I believe to security. But we are hoping to iron those out in the next in the next couple of weeks. And certainly by by deadline for

1:22:23

the remaining elements. So moving on. And then I think the next one is seven Trent water we are yet to receive any detailed response from seven trading water, we are engaging with the team both on the legal and technical side, but we haven't had anything from the from them on the drafting. And therefore at the moment that as far as the applicant is aware, there are no issues with the drafting it's included in the order which is is pretty standard and included in the sdcos the water authorities and the the part six relation to electricity Undertaker's is the generic

1:23:02

arts and, and those relating to the national identities have been carved out. So I'll move on to those shortly. And then the operator of the electronic communications code networks again, we've had no

detailed comments from any such operators. Although the applicant is where they are, again, standard provisions and doesn't own any any issues.

1:23:27

The amendments made to the DCO app deadline to in relation to Part Eight, which is national grid electricity distribution at East Midlands. He'll see those amendments relate at the moment only to correction of typos and referring to the incorrect entity. discussions have moved on with with national grid electricity distribution. And again, similar to cadence very few remaining issues and will hopefully they will resolve by by the next DCI deadline for

1:23:58

and as as mentioned earlier, a new part nine has been added.

1:24:03

The examining authority may recall from the original application submission, explanatory memorandum, we were awaiting National Electricity transmissions, preferred protection provisions which we have, of course, since received and the version that is in the DCO at this stage is that

1:24:22

the applicants preferred version of those. There are again, even even fewer issues between the parties on those I believe and again, we're very hopeful that agreed agreed set can be included at that landfill.

1:24:35

Thank you.

1:24:38

Are there any other beneficiaries of protective provisions here who wish to make any comment?

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Thank you. So I believe that deals with that item. So we'll now move on to item seven,

1:24:54

which is next steps. The examination timetable of submission of revised draft DCO

1:25:00

deadline for, which is set out as Tuesday the ninth of January 2024. In both track changing clean versions,

1:25:07

this should be accompanied by a revised explanatory memorandum and our list of the changes made. I think it'd be appropriate to let the applicant know that we have a set of written questions, which may affect the drafting of the DCO and explanatory memorandum. You'll be aware from the examination timetable, these do to be published on the 28th of November with a deadline of responses that deadline for so they should hold together. They're mostly of a technical nature.

1:25:33

Having said that, if you if the applicant wish to submit a revised version of the DCO at deadline three, we're not going to stop you.

1:25:40

Equal Well, it might be as easy to set our headline documents setting out what changes you're going to deliver rather than a technical draft of the DCO

1:25:49

we've been getting a list of action points, Mister I'm gonna ask Mr. Harun to run through in a second. We're not going to go obvious reasons go through the myriad minor points we've discussed that please indicate once we've been has been through them.

1:26:02

If somebody has any different understanding since different, thank you. Just a few action points here for various interested parties mainly for deadline three. The applicant is to ensure that the drafting of the DCO prevents the acquisition of cumulatively more than 200 square meters of common land Blaby District Council are to make written submissions in relation to power of entry and the identity of the undertaker in relation to relevant articles. And the applicant is to provide a written response to this. The applicant is to consider changes to requirements 16th in relation to the inclusion of restrictions of construction work on public holidays, the applicant will complete discussions with local authorities in relation to the procedure for approvals on the requirements with drafting amended in the order if appropriate, or relevant interested parties are to have offline discussions in relation to requirements 11, which relates to contain a stack counts and provide the examining authority with an updated position in this regard. Labor District Council and the applicants are to consider provisions to secure construction hours in relation to the phases of development. The applicant is to provide us with an update as to how the examining authority can be satisfied that the whole of the land is secured to allow development to take place. And although it did provide an explanation in this regard, it will be helpful to have a note on how this would work in respect of Article eight.

1:27:23

The applicant is to provide a real review of the draft DCO in relation to the word must to check its whether its usage is appropriate.

1:27:31

The applicant is to consider all local planning authorities in relation to arrangement arrangements in place for fees for the discharge of requirements. The applicant is to respond to written submissions from Blaby District Council in terms of the necessity of certain provisions of article 9.1 streetworks. And consider the language to article 10 in relation to including street authority where relevant. And lastly, there will be the continuation of discussions between the applicant and relevant interested parties in relation to protective provisions. And it might be helpful following these if interested parties could provide us with their respective positions in relation to this as soon as practicable. Are there any comments on these?

1:28:11

Now, if that's the case, sir, but back to Mr. Jackson for Item eight, thank you very much. In which case, we come to the end of this week's hearings. Can I thank everybody for their 10 cents. I think I should also thank the production team for all the all they have done for us in in delivering it as a live stream that they're sitting opposite me at the moment. So just nice that they have that comment. I think on the on the record. We are poorly appreciate. We do appreciate the applicant is going to bound to say we've got a week schedule from Central hearings in the future. We will make a decision on that as soon as we possibly can. It's likely to be an after deadline three before we're able to make a decision one way or the other. Is there anything else Mr. Male that you particularly wish to to raise? I'm just assuming that was what you're coming online for indeed. So you beat me to it. I'm grateful.

1:29:05

No problem. Thank you. So thank you, everybody for your your participation this week. Your help. Can I encourage you to continue the discussions between you all and thank you. Thank you again, this issue specific hearing is now closed.