

# ISH3\_SESSION2\_EASTNORTHANTS\_08062 022

00:11

Okay, it's 12 o'clock. I think we're in a position to resume attack take the holding slide has been taken down. So were my images on the screen. That's correct, Mr. Order. Thank you. We'll resume then with item 60 on the agenda, which is the impact of any failure of the pipeline in whatever form that may take flooding, mobilisation, contamination, access and effect on other infrastructure. We've heard something from Mr. froglets. On his concerns. Is there anything you wish to flesh out in terms of your most recent submissions for going on this point?

01:05

Thank you very much. Mark Froggatt, Anglian Water, our concerns were based on the fact that the assessments of bank stability etc, we're assuming we're not taking accounts as what we could see of the effect of a burst impacting on the face of those on the opposite side of where they're, if you'd like, designed to retain and can contain, we didn't realise that, or we didn't think it realised the position of strongly directed jets, the four metre crater that was described as previously, is is very theoretical, and does not take account necessarily for what could potentially happen. I have plenty of evidence of the damage caused by catastrophic main failure and progressive main failure, which would suggest that there is a real risk of as breaching the sidewall in the event of a failure. And that would lead to a risk of loss actually filling up the cell areas, the adjacent cell areas. And as expressed previously, that provision to stop water flowing is not one which happens automatically. It's a phased time period in which we try to maintain the pressure within the pipeline to avoid any reflux into the pipeline and contamination so that during that time period, we have a real risk, we believe that we could actually fill up the excavation area, which causes those gives us a risk that we never had before.

02:48

Okay. Miss Eastman, do you want to come back on on that?

02:57

Thank you, sir. Leslie, he's known for the applicant. The concern about the inundation of adjacent cells, that's one we've touched on in our earlier response, which was in rep 505005. But just to go over that, again. First point being the inundation zone, you're going to be possible when the cells are open, as we discussed before, those cells are when they're excavated, engineered, they're then filled and restored and captured in pretty short order. So we're talking about a very limited window, during which those the water could ingress the work carried out an estimate of the volume of water that might be released from a complete burst of a water main and that calculation assumes that all of the water from that main goes into one cell. So in reality it would go in in different directions, there's drainage ditches either side, much, if not all of it is going to be conveyed away from the site, but let's assume it all goes into the into the adjacent landfill. And those calculations give us based on the on the extent of the area of the landfill

cell elite check depth of approximately 1.4 1.5 metres and then in an absolute worst case situation if both pipes went if the water from both of those pipes then entered the the landfill cell, then that's, that just doubles that which is about 2.8 or so metres. And the the base of the site is at least seven metres below the ground level. So it's well below the an overflow point or a filling point is as Mr. Froggatt referred to, and whilst that level is above the one litre of leachate depth that is specified in the in the environmental permit, it's a perfectly manageable situation and we discussed at the last hearing, the the issue of elevated lead check levels and Occasionally they do exceed the one metre limit. And it was agreed by the Environment Agency in that discussion and acknowledged that this does occur from time to time in landfill sites, not because of watermain bursts, but for other reasons. And that that is managed and it doesn't result in an unacceptable impact on the environment as a consequence. So we're, we're comfortable that in that highly unlikely set of circumstances, the consequences would be manageable and would not result in an environmental impact.

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And you're the pumps that you would put in at the capacity to deal with that, which will be an extraordinary if you like, volume of water to extract.

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Yes, sir. So the way that landfill sites are set up is that it has built in redundancy with it. So whilst there will be a main leach edge obstruction points are a main well obstruction point at the lowest point in each cell. And they're engineered so that it drains to the low point and that's where you would normally collect the leach aid, there are other leachate monitoring points around the cell. And those monitoring points are constructed in a way that they could also be used as extraction points. So So you and you would have you had spare pumps, you would have pumps in other locations that you can redeploy. So moving water around is something that happens regularly, the fact that you have to move it and focus on movement from that cell, at that point in time, is a relatively straightforward activity that can be that can be carried out.

06:39

And the volumes of water and the depths that you have calculated or understanding based on a four hour period, all the water pressure is reduced. What's the basis for that former period,

06:53

that was a information provided by by Mr. Probert in, during I think it was the first meeting on the fifth of April. So that was his estimate. It also assumes the largest rate of release, so I think it was a one cubic metre per second rate of release over that entire period. I mean, the reality is, and his latest information in his 11th of May submission was that the normal situation the pressure is a lot lower and the flow is lower, it just increases. I think as as a leak gets worse, and the pressure increases to, to correspond to the increased loss. That would be the higher pressure. So in reality, my understanding is wouldn't be at that pressure for the whole football the whole four hours. But that's what we've assumed in the in the calculations.

07:49

I mean, yeah,

07:51

sorry. So just just to add to that point, going back to the point about monitoring, and that the potential for catastrophic failure is far reduced, as we heard earlier, if there is monitoring and identify identification of leaks at an earlier stage, which is an additional option that we're proposing. So we are talking about the unlikely end of any consequence.

08:15

And in terms of the effect of a catastrophic failure on access to carry out repairs, how have you dealt with that in your assessment,

08:29

so that's on the access points. So in identifying the space that you need to access the repair, so you've got the size of your crater that's formed, and then you need space at the side as a minimum to get an excavator in there to be ordered to be able to, to move safely and to repair that. So that's the distance that's calculated in this access space. And we consider and we've presented, we will be presenting in the in the in the application support document, that that access is achievable. So if you remember my calculation number that I said earlier that the crater would extend just under four metres to one side of the pipe. So you need to have the other side of that four metres between there and the edge of the of the landfill, you need room for an excavator in there. So the typical width would be 3.6 to four metres for the excavator. And then you need you don't need a haul road next to it in every circumstance. Ideally, you'd want to haul road space next to it, but it's not necessary because vehicles can approach from from either side. So taking the crater into account, we were confident that within a distance of about 8.5 metres as a minimum, don't forget we've got 9.5 up to the edge of the excavation, there is space to access and repair. Mr. froglets ideal is 20 metres which gives them more than ample space for all of the equipment to be alongside each other rather than using the space behind and in front of the location. And indeed, a total of 40 metres width, which is a two times 20 is what's proposed in the strategic pipeline Alliance construction proposals, which has been referred to in the grandstand to Lincoln pipelines. And that's where the construction so if that's enough words, to construct a pipeline, it's more than enough with to repair any pipeline, which is why we're saying the range we consider is somewhere between 8.5 and an absolute maximum of 20. With maybe a reasonable medium within that of somewhere between 10 and 12 metres. And if you look at the access and easement requirements of the other water companies, they're precisely within that range. And that's not a surprise, because they all need the same things. They're all looking for the same access. So the other companies, for example, range between I think the minimum was something like 4.5, and the maximum was around 10, which is a Scottish water one. And that's to one side of the pipe. The Anglia water guidance is a 12 metre easement. So that's a total over the over a single pipeline. So you could say that where you can only access from one side, it should be 12 metres maybe. So you know, that 10 to 12 seems to us is a very reasonable, appropriate access space. And certainly the 20 metres that Mr. Frog is suggesting is absolutely more than ample. And well, within the 30, as I mentioned, is that we're proposing as the working standoff option in the non material change,

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that all assumes the construction of a pipe, rather than the repair of a pipe, which is potentially gushing water and inundating the area. How has that been taken into account in?

12:07

Yeah, yes. And what we've done is gone back and looked at the topography of the area around the site, and the ground levels at the site to confirm that the drainage in terms of the topography of that area where the drainage goes, and that there is a fall, so you're not going to end up with a pond in the middle. And what the topography shows is that there is a fall in two directions, which actually is beneficial. So the water's not all going in one direction, if there is a if there is an eruption. And so about two thirds of it, I think goes off to the northwest and out of that channel. And the remaining third goes is the whole the whole length goes down to the southeast, and those exits are not obstructed. So there's there's no reason to assume that that water will accumulate in a way that would restrict access.

12:55

So once it's fallen from the use by typography form, to the end of the the corridor, if you like, and we looked at where it goes, then because presumably the deadline features for one thing are in the area to the to the northwest, we looked at the implications of that,

13:20

well, it's clean surface water. So you know, its consequences environmentally other than the volume effect, we're not looking at contamination effects, here we're looking at volume. And in the same way that excess rainfall. Well, it's more that we'll ignore the excess rainfall, but to the south east, getting my directions, right, it goes onto an agricultural field. So it would spread out onto that agricultural field there, to the northwest, it into that wooded area. So that woodland called the assaults, which is to the west of the landfill, and there's so anything that didn't get captured by the drainage ditches and the drainage system, that's where they would go and then and then drain away. And the reality is, if they were ponding for a while, in those areas, they would eventually reach the drainage system and then be drained from the site through the normal through the normal routes. The other point to mention, of course, which I'm sure you're aware of and thinking of, sir, is that that would happen anyway. So if that happened now with no development, it would still be the same, the same situation.

14:22

But it wouldn't be channelled in the same way that it is at the moment.

14:26

I think there has been reference to challenge channelling I think we need to bear in mind the spaces that we're talking about here. So we have as designed. We have the point of the the raised profile begins. You've got 7.5 7.5 That's 15 metres, then you've got five metres, which is the distance between the pipeline's issue that's about 20 And then you've got another if you add in the with the pipeline's that's about 1.82 Sorry 1.6 to two metres so If you've got more than 20 metres, you know that's that's a big space to do any you know, yes, it is a channel because it is like like a valley between between some hills. But it's not as if it's a narrow canal that's then not got that it's constrained at the exits that is then going to go in to fill up.

15:26

If I may respond, sir, yes, please do. Thank you very much seedsman for your comments. There's a few issues that I have initially when we're talking about the crater depth which I have yet to have, and it is a theoretical crater edge. With plant and equipment, you do not put a 20 tonne excavator next to a crater you have a back distance away from there, especially in wetted soil conditions, which be even further so that opens up our construction area needed, our access on most mains is fairly unfettered, we're able to approach it from any angle, we will only be able to approach it in this case in a finished condition. And even in a partial condition through two ends, which is the same ends of where all the water from that pipeline has actually been flowing and will continue to flow into we can get to the point where we can isolate and turn off our main the water that we will discharge chlorinated water and the silts and soils that we take with it, when that goes is and the potential environmental risk of which we would need to be considering what the implications of that would be. And that channel as well. So we we, I will also say your reference was made to spa and the easement for the strategic pipeline, which is the same size as going at the moment of the first 288 kilometres that was laid the learning that came back from it is that our easement is not sufficient for construction. And future learning would be to increase this because we have we have learned that we've found that easement a little bit too tight for us. And that's in an ideal construction environment. And I would also say that our experience as a company in dealing with water main burst, I would would like to class has been quite good. And we often find that the place that we we wish to work in when we've had a major eruption like this is not a nice place to be it is waterlogged, it is flowing water, and to reduce our access by sloped banks and only meaning that we can get access from both ends for our plants and equipment means that we would require a maximum potential to actually try and dissipate that water not the minimum. Okay.

17:51

The the kinds of or the maximum distance that the applicant is proposing appears to be in excess of the construction distance that you would normally look for.

18:09

Data. Yes, that's That's true. So, yeah.

18:13

Okay. The other implications then of failure of the pipeline include the other infrastructure in the area the the diverted watermain. Has, will that be taken aside the diverted electricity line? Will that be taken into account in the in the assessment?

18:41

Leslie hasn't served for the applicant? Yes, as I mentioned at the beginning, this there is a range of options as to where there is any or no overlap between the location of the diverted cable and the access distance that's agreed for the for the pipelines. So for example, it would need to be well outside the crater distance it's calculated and therefore the assumption in reaching our distance of 30 metres for the Phenom material can change application is that if we assume 20 metres of access for the water pipelines is only available for access arrangements and is not available for any overlap with the electricity cable which may or may not be the case. And therefore we would add on the northern extent because it's just the northern side where the electricity cable would be diverted a 3.5 metre or up to four

metre easement of its own for the electricity cable. So that would be entirely separate and protected in the same way from the same distances that had been talked about earlier. In terms of the gas pipeline, obviously it doesn't share the corridor about With those water pipes in the area that we're talking about, it does of course sit within four metres of the water pipes to the south of the existing landfill site, but we're not talking about that area at this stage.

20:12

Yeah, okay. Just as an aside, that lots of distances and figures are being bandied about in the in the submission that you make, will there be schematic cross sections, they

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will have some beautiful cross sections for you say yes, we like drawing pictures. So we will we will set it out in in cross sections. I absolutely agree with you. It's much easier to to understand the context in that way.

20:36

Yes. Okay.

20:37

Thank you. The other potential implication is what I've broadly termed social and economic and as much as the implications for the disruption of the water supply to Anglin waters, customers. And Mr. Froggatt, you want to say something about that.

20:58

Thank you, sir. Yes, as Mark frog, Anglian Water, as I've outlined previously, this is a Trump main not a minor water supply to the Trump vein, which provides a wholesome water to the north and east sides of Peterborough and then feeds into the main city area. Through two main storage points. There's approximately 80,000 people hanging directly off this particular supply. So it is a critical main. And as such, we have to endeavour that we do everything possible to ensure clean and wholesome water for our customers. And we also have a duty to manage our customers, viewpoints and perspective views of where they're treated, watermain may be running and that is equally of a great concern to us. Whether that is based on facts or just feeling from our customers, they still will be concerned that we will be running our pipeline through a waste facility.

22:10

Is there any empirical evidence to support that concern?

22:16

There is empirical evidence for the loss of supply, we can we can quite easily provide evidence to how many people hang off the supply. Public perception is is slightly more difficult in the sense of, but what we do know, our customers are very keen that we have sustainable solutions, and especially low impact solutions. And as such, we could only assume what the public unless we go out to ask them directly, which is something that we don't really want to do, because that would be effectively poking a hornet's nest.

23:03

We'll come on to processes and procedures but certainly in the the indication that I have from the applicant is that they're proposing to consult quite widely on the the proposed changes. Okay. Miss Eastman, do you want to come back on the on the the socio economic effects?

23:29

Yes. So we'll obviously presumably pick up on the content. But sorry, Leslie, he's not for the applicant, I presume will pick up on the contamination point shortly. But on the socio economic effects, clearly those are effects consequent on a failure of pipe. We're very confident with all the robust risk assessment work that has been done that any increase in the potential for that failure and therefore, loss of supply is not something that there is any evidence would be caused by the proposed development. So in terms of socio economic effect as a direct consequence of the proposed development, we don't consider that it. There is any direct effect.

24:09

Okay. And in terms of the perception of the pipeline running through an area which is going to receive low level radioactive waste?

24:18

Yes, and I think I'm grateful for your phraseology there sir, because you're quite right. It is a pipeline that is running between two areas that have it is proposal received. landfilled waste, hazardous waste and low level radioactive waste. It's not running through a landfill site, as has been mentioned earlier. And it is so important in terms of perception and informing the public that the information that they're given and the dish shared with them and should be shared with them is correct information and is clear information. And we we have worked a lot on the communication aspects of this application and other work that relates to this and then other length All sides. And it is very important that the information is presented as clearly and comprehensively as possible so that the public are aware of the of the facts behind all of the relevant aspects of it. And, of course, perception is only a material aspect for consideration where it is supported by weight of evidence of that consequence. As, as you'll be aware, I'm sure, in terms of planning, consequences of that. And we would certainly, as you said, we do intend to circulate widely, the application so the information on the risk assessment, including why there is no risk of contamination of the water in the pipeline, either during normal circumstances or during any failures, or repair work will be there for people to see and, and hopefully to understand.

25:57

You mentioned contamination previously, the risk of mobilisation of contamination. Perhaps you could expand on that, while we're on this subject,

26:09

of course, and just also, in terms of perception points. So before I finish on that is that obviously, as I've mentioned before, there is the pipeline already runs adjacent to a landfill site with the same types of waste in it. And we're not aware that there has been any public concern, as a consequence of that we certainly in all, the goodness knows more than 15 plus years that we've been working at that site,



there's not been an issue related to the quality of water in those pipelines that there's been raised at on any occasion. Moving on to contamination and the just sorry, scrolling for my notes, because jumping about the the agenda. If I pick up first, perhaps on the low level radioactive waste, because I think that's potentially the most emotive part of it. And and there's been mentioned specifically, a few times, we have, again, responded on this point before. But there is, it's been mentioned that the low level radioactive waste in particular might cause contamination of the water pipes. And if we're talking about a failure, then the potential for contamination to enter into the water in the pipes is no different, whether it's radioactive, or whether it's non radioactive waste. Now, I'll deal with that in a moment. But there is or can be a perception that because you've got radioactivity somewhere, it somehow is going to irradiate, the water that's running through those pipes, even if there's no pathway as such. So it's gamma radiation. That is the particular type of radiation that that's of concern when the landfill site loading rates for radioactivity are designed and we've talked about this before in terms of the controls, that will be in the environmental permit, there are strict limits placed on the activity of the wastes that can be accepted, and there are limits on where those wastes can be placed. And so, for example, radioactive waste cannot be placed within two metres of the edge of any waste cell. Radioactive gamma rays also are very rapidly attenuated by by materials between them and whatever it is you're assessing in terms of an exposure point. So, they will be attenuated by other ways surrounding it, they will be attenuated by the constructed low permeability containment, they would be further attenuated if they still were there by the clay materials outside the landfill site. So putting all of that to one side, any load that is deposited, firstly, that is accepted at the site, it has to be recorded before it is offloaded to make sure that the emissions from that load are below a certain standard. And when that load is then placed in the landfill site, and it is immediately covered over with a with a 200 mil layer of, of cover material, again, the emissions from that immediately above that layer are again monitored to make sure it's below a level that is a criteria. That's a level that is protective of human health. So even if you were sitting next to it in the landfill, it is such that it would not cause harm to human health. So we're talking about that low level of activity therefore, the potential for it to have any consequent effect not only on the quality of the water in the pipeline, but also in such a way that would affect the health of people is so low as below negligible. So there is effectively is no risk from the radioactive material. Me moving on to the movement of mobile contaminants, so particles whether they're in liquid form, so that's the most mobile form of contaminants. So whether they're radioactive or whether they're non radioactive, there's got to be a pathway for those contaminants to actually enter into the water in the pipes. Even ignoring whatever dilution might be present before it reached the point of the point of views. And clearly, if the pipes are intact, they're under pressure, there's no way that the water beg your pardon that the contaminants can migrate and get get into those pipes. Even if there's a hole in those pipes and a leak, again, the pressure is making the movement out from the pipe, it's not a suction, that's going to pull any contamination in, even if it was present immediately adjacent to the pipes.

30:41

And if you so once the pipes are functioning, there's no conceivable pathway by which contamination could get in, even if it was sitting there right next to those pipes. There is, of course, no contamination going to be sitting right next to those pipes. Because we've got a designed engineered containment, that design and that level of containment needs to have been demonstrated to the Environment Agency that it's adequate to retain all the contaminants that are allowed to be accepted at that site within that, that engineered boundary. And also the mobile contaminants, which is in the lead sheet that forms the



liquid that picks up the contaminants, as water infiltrates down to the base of the site, it's collected in the base, and it ordinarily wouldn't be allowed to extend beyond a metre from the base. So that's at least seven metres down below the level of the pipes. If any of the liquid is tempted to go sideways, which occasionally can happen, because you have a, you might have a perched low permeability layer. So instead of going that way, it might go off sideways, there's also a drainage layer down the side of the inside of the liner. So you've got your low permeability liner on the outside, a drainage layer on the inside, it also would be diverted down to the base of the site. So there is no route for that contamination to get to the area adjacent to the pipe. We then move on to say, Well, what about the scenario when the pipe is completely broken, either because it's had a catastrophic failure or it's being repaired. And certainly you can identify there is a potential risk that as you're putting two ends of a new pipe together, that you might scoop up some soil or water that might be adjacent to it. And there's standard, two points there. Sorry, the first point being, as I said before, contamination from the landfill, would not be there in that adjacent soil. But also, it's a standard procedure with every pipeline company, particularly a water pipeline company, that where they are repairing, they have procedures to try and minimise the inclusion of soil because they don't want sediment in their pipe. They don't want biological contaminants that would be there in agricultural fields, for example. And therefore there are standard procedures for minimising that and then dealing with ensuring that the quality is adequate once it's been repaired. So those are things that they have to do and will do anyway, regardless of the presence of the landfill. And because the landfill is all about being designed to contain and to protect the environment. Those are principles that provide that protection and confidence that contamination wouldn't be present anywhere near the pipe at any point.

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Mr. Froggatt, you want to come back on anything you've heard.

33:44

Thank you, sir. Most in depth from a salesman? Thank you very much. Yes. The question is, is about the possibility and probability whether it remains slight or otherwise, I have to make sure and it's quite rightly pointed out in the event of a burst, we will absolutely try to maintain that area in almost a bear in mind we are we are dealing with a fruit product here so that we will have procedures and processes in place to actually ensure that we're operating the most utmost cleanliness that we can in a situation like that. The issue is always at the point where you isolate and you depressurize your main to actually get your final repair. That is the point where we could risk contamination. however slight that may be whether that's just from ground contamination, or elements within that groundwater contamination, so that that fact does still exist, although we always go to minimise that as best we can. We will try to flush that the the challenge would be is can we flush any contamination that we would receive eat fat that is as the questions that I have yet still to fully understand from the detail which is going to be provided by RGM. For my review,

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you've heard from the season and that's their assessment is that there won't be any additional common termination as a result of the proximity of the landfill, beyond which that which might exist in in any circumstance like this.

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Again, I am yet to see full details. And we are assuming a theoretical position of how and what point the breach could be made and the risk again, of various strata within that film, which could provide a wash out and then a wash back. I've yet to actually look at that in full detail, but I understand the comments made.

35:57

Okay. Is there anything else that anyone would like to raise in terms of the implications of a failure of the pipeline? under any scenario? No one is putting up a hand. So I think in that case, we'll move on, I think we've recovered largely item D, under that discussion as well. I would simply suggest, from the applicants point of view that all of those things are taken into account not only in the risk assessment, but also you consider whether there's any supplementary information which needs to go into the environmental assessments as a consequence of your findings in the risk assessment. Does that make sense?

36:59

Yes, so thank you, Leslie Houston for the applicant.

37:01

Okay. Let's move on then to Item F, which is Anglian waters preferred outcome, which is the diversion of the pipeline around the big landfill extension. Looking first and Mr. Froggatt, have you, given any thought to a root for that diversion, what standoff distance will be required if a diversion was put in place?

37:41

Thank you, sir. Mark. Robert, for underwater. Yes, our preferred route would be to obviously remove it from the proposed extension to the landfill site. So we would take from the current boundary position at the Northwest entry point into the site and local two phases, 19 and 18, and run it alongside of those heading southwards, then crossing across the base of phase 15 And then rejoining the pipe mains at the corner of the current junction where we leave the proposed extension. So effectively, the pipeline would run alongside of down and across and backup from the bottom of the phases 18 1716 and 50. Okay, the easement that we would require, obviously, we would look to, at least, to take our outta Maine which would be the North Main, from the edge of that by some 20 metres minimum, as we would expect, as our standard and probably as we would look to try and carefully examine our access points along there to know whether we needed more or less than longer, and we would space the mains accordingly. At the moment, they run very close together in that piece of land, how and why that was dictated in the original move, I cannot comment but generally speaking, if you refer to the south and north of these, once we get outside of that repositioned area, we give ourselves a suitable access between pipes for obvious reasons.

39:29

So, from your point of view, the standoff distance may not be very much greater than the standoff distance which the applicant is currently proposing. But it the landfill would be to just to one side of that

diverted route, and therefore, access and those kinds of concerns will be will be used is really the rationale.

39:57

Yes, we it's about If you run around the the lower edge of the development we have better access. So we're not being hemmed effectively by a corridor effect between graded land that we can only access from ends. If you've got graded slopes, you can't really access through there. But obviously if we get to move around the the current arrangement, it would be similar to our access now, which is unfettered.

40:34

From the applicants point of view, then clearly there are financial implications in routing the pipeline and potential land take implications. Have you given any thought to how how you would react to those?

40:59

Thank you, sir. Leslie Eastman for the for the applicant. I mean, clearly, we consider from the risk assessments and so on that we've discussed that there is no, there's no need, either from a practical point of view or more importantly, from a risk point of view. For the for the pipeline to be diverted. We, if it is contemplated by Anglian Water is not contemplated within our application at all, as you will appreciate, as I think Mr. Rago has acknowledged that if it was diverted along the route, he suggests it's still going to be adjacent to a landfill site. And therefore, I'm not certain of the benefits that are identified as obtained by diverting the pipe rather than leaving it where it is, with the precautions that are proposed. I mean, for example, the the length of pipeline in that corridor is very roughly about 350 metres that that corridor length, the length of the diversion is more than 900 metres, so it's nearly a kilometre all the way around from from point A, for the point of entry all around bottom to join back up, as Mr. Froggatt has suggested, all of that route is adjacent to a landfill area, and the whole of the western route. And that's about I think, about 450 metres is adjacent to the asphalts, which is a local wildlife site. And therefore, accesses is certainly limited by the trees there. And if that sort of corridor was intended, then a lot of those trees would obviously have to go so the it's not just the trees, it's also that grasp and margin margin, which you'll recall, I'm sure from all of the ecological surveys and ecological assessments, those Graston margins in terms of biodiversity and ecological sensitivity, are the the high value habitat that we are incorporating a lot of protection measures for in the design of the of the application. And I don't see that any consideration has been given to the impact on the ecological sensitivity of that area in diversion for any proposal for diversion sorry. So for all those reasons, we we absolutely do not understand the purpose and the benefit of the diversion. You mentioned, economic and other consequences. I'm sure others can go into a lot more detail if that would be helpful, sir, but this is a national infrastructure project as you will be well aware, and therefore the need for the void and the space that it provides is nationally significant and if such a diversion were to be inside the margins of the of the development then clearly that reduces the availability of that void and that nationally significant facility for the disposal of the nation's waste

44:06

Okay. Thank you, Mr. Corbett. Is it's the Anglian waters intention to put forward a proposal for a diversion or is that simply something which you are suggesting is as an alternative

44:34

Thank you sir. Mark Robert Anglia water in a bid to remove ourselves from the construction area and ultimate fill area, we would look to divert our main the easiest and and if you like shortest way would be the way described that are alternatives available, which would mean significantly longer laser pipe we have looked at A number of possibilities to try and minimise impact. I do take Miss easements comments as regarding the environmental impact of which we, of course, we would be taking full cognizance of and, and trying to reduce any impact of moving domain, we don't like to lay mains in a manner such that would cause any significant impact be temporary or permanent. So we would look very closely on that, and, and if required, we can submit a number of options that we would prefer.

45:37

Okay. I will come on to the processes and procedures, but I am mindful that we're getting towards the end of the examination period so that the time and the opportunity to produce this this information is limited. Is this something you're going to be able to to? Well, let's say we take the proposal the applicant has, which is to make a submission on the 17th of June, and then have a 21 day consultation period following that, which would take us to something like the I think they're talking about submitting consultation reports on the 20th of July. And there will be an opportunity to comment on that basis, are you so is angling water in a position to make substantive proposals or proposals, which you consider that I should have sufficient information for me to take into account in that timescale?

46:58

So thank you so much, Robert. Underwater, we could offer a an outline of where the proposal routes, the detail of which obviously, given the timescales would be somewhat difficult to provide full detail and assessments of the impact of that, but we could actually indicate routes are quite readily.

47:22

Well, I think, as much as much detail as you can provide is going to help me to because it looks like where I'm going, we're going to end up here is that there will be two potential solutions being put forward, the changes which the applicant is proposing, and the change that you would like to see in terms of the diversion. And if I need to make a judgement between the two, then the more information I have on both, the better that would

47:58

be absolutely, sir. fully appreciated. Okay.

48:07

Miss Burke?

48:13

Thank you, sir. Claverack for the applicant is very helpful in terms of how you've articulated the current position between the parties. And I think you already have the point. As you raised earlier with, with Mr. Lewis, so far as our current application is concerned, our position as you've heard from Miss Eastman, is that we will be pursuing our proposed way of dealing with this by virtue of a non material change, which we believe we can accommodate, recognising, you know, tight timescales, but within the

examination period for you to properly consider as to whether or not you accept said non material change and equally accept that it is not material in terms of the alternate, be it a diversion or otherwise, on the assumption that that is either within or out with the current order limits. I think it would be very difficult to conclude that that was anything other than a material change. I don't want to prejudge that. But in terms of the ability to address that, in terms of EIA affect any additional order land it would likely trigger the CA powers as you understand that it's out with the order limits now. Absolutely. We will look at and consider anything that can be put forward as you will, sir. But I think procedurally, it perhaps has more difficulties in terms of that latter option, but that's not for me to to address I said

50:02

this is your application, you to put forward proposed changes, I can take into consideration alternatives which Anglian Water or others may put forward. But I can't consider those as material changes or non material changes as a formal part of the application. It's simply a question of taking those into account as an alternative to the change that you would, you would

50:29

see. Absolutely. And as such whether or not for example, there is a preferable alternative in terms of that alternative assessment. Yeah, absolutely. Understood. So, yeah, yeah.

50:41

Okay. Shall we move on then to item G, which is other mitigation options? We've spoken about standoff distances, we've spoken about the crossing points. And we've touched on other protection measures, banks ability in leak detection, monitoring the season, is there anything else that you are proposing as part of the the submission that it will be helpful to be aware of now?

51:15

Luckily, he's been for the applicant? Thank you, sir. I think we have, as you pointed out, covered all those points, just to say that on the monitoring, there were two parts to the monitoring suggestions. One was the leak monitoring, which we talked about the other. If it's warranted by the concerns of Anglian Water, there is also the issue of possible monitoring of water flow in the bedding in the around the pipes to see if there is any change to that flow. So the suggestion was made to Anglian Water that we could suggest putting monitoring into those locations, and we've got eight to 10 years before any construction works need to take place in the adjacent areas. So that would obtain information on background flows. And that could be monitoring could continue to see if there is any material change. Following the construction works. I think all the other points are covered. So unless there's anything else I can help you with?

52:15

Well, the only thing that which has come up in discussion this morning, is Mr. Frog is concerned about the duration of the X the the point at which the adjacent cells will be left open, you've explained that for commercial or commercial point of view, it's in your interest to fill as quickly as possible. I'm just wondering whether there is anything that could go into the DCO in order to give some comfort that those periods can be kept to a minimum.

52:52

I mean, the the fact that they are kept to a minimum is is the reality the but the other point to bear in mind, sir, is that in terms of the risk assessment, if there was a failure of the slope, or if there was any change in the stresses of the soil, what the risk assessment calculations are showing there is no consequence from that. So whilst we will be filling those areas rapidly, even if we weren't, the risk assessments are showing that it's that it's that it's not an issue, that is going to translate into an effect on the pipelines. So we are already constrained by the phasing of the landfill, we are constrained by the life of the whole site. And if you work that back into the numbers of cells, and the rate at which those cells need to be constructed and filled, that that sort of comfort is already built into the into the DCO. As I understand it, I mean, it's not possible to leave that area of the site open and then go and fill another bit, because there's the phasing constraint within the sequence table in the deck.

54:02

I don't know whether it will be helpful for Mr. froglets point of view, if some type indicative timescale could be put on that in the in the assessment that you do too. So that he at least has an understanding of how long the bank will be exposed, the sound will be open.

54:22

Absolutely. So yes, we do intend to include that. So we can do that.

54:29

The Froggatt then are there any other measures which I fully take on board your preferred position is that the pipeline should be diverted, but in in the event that they're not diverted? Are there other other mitigation measures that you consider should be I should consider taking into account

54:56

Thank you, sir. Ma frog, Anglian Water As in the response, unfortunately, that seems to have come missing on the method statement. And as the seasons just outlined there, for me is understanding that that four phased approach, because there will be a period of the excavation area needed to provide clay to provide the bank work, etc. So there'll be a position where you've got excavations open and being closed on both sides. It's the phasing of that which is of interest to me, allied to that is the monitoring of bank stability. And that's bank stability, obviously, in the region of our pipeline, water monitoring, elite monitoring, they all seem like very reasonable suggestions.

55:50

Thank you. One other point, which I just wanted to raise on on mitigation measures and how they're going to be dealt with. The applicant's most recent submissions includes proposed requirements in the event that an agreement with Anglian Water can't be reached on the specifics and enclose to have that it sets out limits of deviation between 70 metres and as it's currently worded x I assume that that x will be replaced by a figure if and when you submit a requirement formally to the examination?

56:34

Yes, sir Claverack for the applicant, I can confirm now further to the articulation of our actual proposed change that that x will become 30 as articulated and explained by Mr. Spaceman.

56:52

Okay. Any more mitigation measures? Well, let's move on, ah, was low level radioactive waste and the protection of risk of contamination. We've had that discussion, I think, earlier in the morning. Is there anything more in terms of the things we've discussed under items six B to six h, that people would like to arrange before we move on to the third part of the discussion, which is, from my point of view, the procedural implications of the changes which are being proposed was broken Come on? I'm not sure.

57:43

Yes, they I was just seeking some brief instructions there. Clearbrook. For the applicant, I think we're comfortable that we have covered off all of the points that are covered in points B through to H. And I think some of the other aspects will be dealt with and I in terms of some of those procedural points and the documentation, etc.

58:09

And so there's meritless, Anglian Water Yes, I'm making the same assumption unless Mr. Fraga jumps in and says there's anything else he wants to raise. But I think we've pretty much covered it. Thanks. So

58:25

it's the grandson view.

58:27

This is just one Dojin Branson Environment Agency. It's just one scenario that I don't think it's been accounted for with the pipeline burst is when the waist level become above the actual engineering of the size before it was capped off. And if there is actually a pipe burst, then the potential of the water to actually get onto the waist face and wash off onto the ground around it. I don't know if that's been included in any risk assessments that have been prepared or being looked at.

59:05

Something for you,

59:07

Leslie, he's the applicant, if I could, it's not included in the risk assessments as such, but it would be it's certainly something that we have discussed in terms of the operational controls that it would be prudent to instal at that point. So, as well as ditches, which you would expect on the outside of the operational area to keep clean water and any potentially contaminated water separately, it might be the inclusion of additional funding around those boundaries. So that if there is any, any burst in that time when that face is open, they will be diverted away from the waste rather than as you say, going into the waste space in that way. So we would see that as a detail of the design to be agreed with yourselves at the time.

59:49

Okay. Yeah. And also felt like getting it sort of kept as quickly as possible. afterwards.



59:57

Absolutely. And the other point about the You're capping as quickly as possible as of course, as soon as that faces Captain restored in terms of access, there's also areas of that restored area that can be used for, for access, the gradients are relatively Slack. So clearly not for the excavator that needs to be doing the repairs, but other vehicles, it could be used for stockpile storage, all of that sort of thing in temporary repair periods.

1:00:23

Yeah, as long as that's all accounted for, we would be happy with that. Okay.

1:00:32

Well, let's move on to the process, then. The examination guidance and pins advice notes do allow for changes to applications post accepted, post acceptance, providing they don't amount to a materially different project from the one applied for we've already discussed that there are the changes can be material or non material, the applicants position is that the changes in this case will be non material. Material applicate material changes require a process of consultation, non material changes don't necessarily require consultation. But normally, there will be some formal consultation in the interest of fairness. So, in this case, the applicant is proposing quite an extensive process of of consultation. Which is to be welcomed. I think I would simply make the point that the timescales in in the for the remainder of the examination are very tight. I had valid the case team an indication of what the applicant is proposing in terms of the submissions. And I've outlined that earlier, so submission on 17th of June with a 28 day consultation period, and the report to be submitted on the 20th of July. That would leave very little time for final comments before the close of the examination, which is on the second of August. So with that in mind, I wonder whether the applicant could just outline and or go into a little bit more detail on how they see the consultation process working and the rationale for the extensive consultation which is being proposed. That's something for us, Brooke.

1:02:46

Yes, sir. Clearbrook for the applicant. Thank you for your summary. I'm happy to articulate further if you wish me to today in terms of why we currently believe that this is a non material change by reference to the guidance. I'm happy to come back to that. But to deal with your question regarding consultation. Absolutely, we've had very careful regard to the relevant advice net 16. And the examination guidance that that you said we'll be very familiar with. And despite our position that this is very firmly a non material amendment, that has actually a very limited impact both in terms of the application itself in terms of any different or new effects, for example, pursuant to the EIA, it also has a very limited effect we believe on on any other parties say for clearly Anglian waters own position. And that's what we are seeking to address and to continue active consultation with Anglian Water in particular. And in that regard, obviously, what we have in mind as well as that we want to ensure complete transparency and in the interests of fairness and to ensure that that no party is prejudiced in any way by reference to the proposed change, which we acknowledge is, is relatively late in the process. Still, within time, we believe. And I don't need to rehearse, while we find ourselves in this timeframe. As our current proposal stand for consultation, which again, we're very happy to share the precise detail of that with the case officer in advance of commencing that consultation, but it would include all section 44 consultees so in terms of those with interests and the various different categories under Section 44. We've propose to

take a more targeted approach with respect to the section 42 consultees. A good number of those will be consulted, including, for example, Peterborough Council, those that we will exclude are those whose function is really not impacted or affected directly or indirectly as a consequence of the proposed change. And will be very clear in our detailed justification and our consultation report as to as to why we've taken that view, and targeted the section 42 consultees accordingly. And then finally, so far as section 47, consultees, the local community, audience as applicant has had a very long standing principle of openness with local communities, in the vicinity of the site, and all of those parties who have taken an interest in the site and its development over a considerable period of time. And therefore, we will be consulting with all previous section 47 parties as part of this consultation that those are our broad proposal, sir.

1:06:07

So in terms of the the section 47 consultation, it's not going to be a general consultation with additional publicity going out to the community in general. It's it will be a targeted exercise than that.

1:06:29

Yes, it will be focused on the non material change in that regard. So I'm not quite sure what you mean by a more general approach?

1:06:39

Well, under Section 47, there's a requirement to, for example, consult with the local planning authority on who your who would be consulted, and how consultation would take place. Yes. Or are you simply targeting those people who, from what you've understood if the interest so far, might have an interest?

1:07:12

Yeah, the latter, sir. So exactly. That's for everybody that that was and has been involved in the previous agreed consultation process pursuant to section 47. And our statement of community consultation as agreed with the council we propose to mirror that and would also incorporate parish councils as well as a prudent measure.

1:07:35

Okay. Mr. Lewis,

1:07:44

thank you very much. So yes, I've put my hand up. Because from the point of view of consultations, we've heard from Miss Hayes Minh all about the extent of risks which he perceives to succeed the wholesomeness of drinking water, in a pipe in proximity to a landfill site, including low level radioactive waste, but it has been mentioned to me that obviously, the the body is concerned with some of the drinking water, particularly where radiological issues are concerned with the Public Health England and the drinking water Inspectorate. So it may well be that it's desirable that they should be included in consultation about this, to confirm this. Ms. He's buttons assertions as to the absence of he put it negative risk, just to get the benefit of their their views on that topic.

1:08:45

So is that something you're planning to do?

1:08:52

So yes, we'd be very happy to incorporate and include those parties as part of the consultation, so yes, no issue that.

1:09:12

Okay, well, as I said before, that leaves very little time between the 20th of July and the close of the examination for any comments which there may be on the on the consultation report is that I've got float this as an idea rather than a piece of advice, but is there any merit in considering whether that initial consultation period could be 21 days rather than 28? In order to leave a little bit more time at the at the end of the examination for a final round of consultation

1:10:02

Clap for the applicants. Yes, likewise, we had contemplated that position. And as you will appreciate, pursuant to the guidance, it's it's only in the context of a proposed material change, that the guidance stipulates a minimum of 28 days for that consultation. So, arguably, it would and could be a shorter time frame. Given our position on it's non materiality, clearly, it is for you, sir, to determine ultimately, whether or not you accept it as a non material change as opposed to a material one. So we have had that in mind in in clearly mirroring and taking a belt and braces approach. And hence, one we have indicated a 28 day period, we will be very comfortable to reduce that to 21 days. Alternatively, we have also contemplated whether or not we might encourage those that have been consulted to respond within an interim two week timeframe, but have an absolute long stop of 28 days. So we do have those options. And then certainly, what we will endeavour to do is at the latest, we hope to submit the non material change by the 17th. If we can do it slightly sooner, we certainly well. And partly that might be dependent on how quickly we get some information from Anglian Water, but we can wait and see where we could get to and we will submit Come What May on the 17th. At the latest. And then in terms of the consultation report, in which we currently, if the consultation were to end on the 15th of July, and that's the 28 day period, then we're very happy to lodge some interim interim consultation information very quickly, for the benefit of you certainly examining authority. Should that be of assistance rather than a weight? That the 20th with a final report?

1:12:06

Yes. I wonder whether that makes things more rather than less complicated

1:12:13

if I understand what you

1:12:17

bought, and then say, well, there's another report coming in five days. And and that doesn't sound as though that's conducive to an efficient process to be honest.

1:12:27

Yeah, I mean, if we are able to get all all responses that we we anticipate, and we can turn it around very quickly. If it is the 15th of July is the deadline? We'll certainly do that. Yeah.

1:12:40

Okay. On this point about the non material change, I assume that your submissions will include a statement on why you consider it is a non material change as opposed to a material change?

1:13:01

Yes, sir. We We've prepared, effectively a covering document that sets out that position very clearly by reference to the guidance, which we've taken into account. So yes, that will be a separate document that's made available with the change request.

1:13:17

Okay. Mr. Lewis, do you have any other points on the process which the applicant is proposing to follow?

1:13:28

No, thank you, sir. I was simply popping up to kind of confirm that's that that's the position. So yes, we know the timescales from Anglian waters. Point of View? Yes, obviously, we will just cooperate with the process. And we'll be getting back to you. Within what everyone acknowledges either quite tight, tight, tight deadlines. But yeah, just just to confirm that that's what some of those things.

1:13:56

Well, that would certainly be very helpful. I think, some constructive engagement from this point on, I think is going to help everyone in the process. Thank you for that. Just looking at Mr. Watson from the from the counsellors point of view, we haven't heard from you. In the hearing so far. Is there anything that you'd like to say about the the process which the applicant is proposing to to affect these changes?

1:14:26

To Watson, counsel? Nothing in particular, I mean, obviously, as you just discussed, the timescales are pretty tight. It's going to be a challenge for everybody. But from our perspective, we don't have any, any requirements to go to any committees or anything, so we won't be hindered by any pre consultation in having to, you know, work to committee days, so I don't see it being a problem from the counsellors. perspective to respond in the appropriate period.

1:15:03

Okay, thank you. Miss Branson. Are you still with us? Is there anything you'd like to say? Let's say for Mr. Bryson first if he's got anything to say and then Miss Brooks got a hand up.

1:15:20

Jim Brenton environments agencies? I can't see any problem with the timescales involved from ourselves. Obviously, we're more concerned with the permitting side of things.

1:15:34

was broke, I think you wanted to come in.

1:15:39

So yes, Clearbrook for the applicant. Just one other suggestion that that we ourselves had sort of been looking at in terms of the timetable and your examination timetable, the rule eight letter, recognising that the final deadline is deadline seven on the 20th of July, which which is perfectly acceptable. But again, you will be fully aware that it is at your behest, you may be able to introduce a further procedural deadline, prior to the second of August, if you feel that you want to get final responses from any parties and to ensure that there is a deadline around that. I just thought I would mention that because we had ourselves wondered if that might be of use. Yes. It's a matter for you. Yes.

1:16:27

I'm certainly take that into account when I've received your formal proposals, and then that and then I've considered whether there's any requirement to to amend the inquiry timetable. Yes.

1:16:42

Thank you, sir. Okay, that was on.

1:16:46

Any other matters on this point, or anything else from the agenda that people would like to raise?

1:16:58

So less Anglian Water, again, as I did earlier, not tremendous in water. Unless I'm told otherwise, either. I'm Mr. Froggatt or my systems leader who's also on the call, I'm assuming there's nothing else but inviting them to put their hand up. Is there anything that crosses their minds? No hands up, which I can. So I think that's a no from us. Thank you.

1:17:26

Right, well, that case, that concludes the substantive part of the hearing. Thank you very much for participating today, it's been very helpful. As I've already said, there will be a digital recording of the proceedings as soon as possible on the infrastructure webpage. And again, as set out in the examination, timetable, please submit in writing the points that you've made here today for publication on the website, the deadline for that is the deadline six, which is the 22nd of June. Those submissions are very helpful to me and encourage you to make the submissions as fully as possible. So this is the last timetable hearing for the examination, although as we've heard, there will be more opportunities for other written submissions, and they're set out and the examination timetable just remains to say thank you for your contributions and the professional way that it's really hearings have been conducted. I do appreciate that. And so it's now 18 minutes past one, and this issue specific hearing is closed.

1:18:45

So thanks very much indeed.