

ISH3_SESSION1_EASTNORTHANTS_08062 022

00:11

Mr Waldo, I think your audio may be muted.

00:16

Thank you.

00:18

Start again. Good morning. It's now 10 o'clock and this third issue specific hearing for the Eastern offence resource management. Facility Western extension is now open. My name is Simon water. I'm a charter town planner. And I've been appointed by the Secretary of State to be the examining authority for the application.

00:41

I have with me today, some colleagues from the planning Inspectorate No doubt you've already spoken to Mr. Yeo Hansen, who's sitting in for Mrs. Williams this week, also helping our Steven Parker and Alberto Santa Maria, who will be taking over from Steven, if we need to return after lunch.

01:02

If you have any questions regarding the application process in general, could I ask in the first instance that you direct this data to the case team.

01:13

So that's item one on the agenda item two, is housekeeping. And as you can I ask that all audible notifications for electronic devices are switched off, and could also help that and in order to reduce background noise, unless you have a speak and you have your microphone switched off as well.

01:34

The chat function for teams is not being used in this hearing, so please don't send any chat messages because they weren't being monitored. If at any point you wish to speak, please turn your camera and microphone on and speak up or use the raised hand function in teams.

01:54

A digital recording of the hearing is being made. And this will be available on the project page of the national infrastructure website in due course, if you take part in the hearing, it's important that you understand that your comments will be recorded, and that's the digital recording will be published and retained, usually for a period of five years from the Secretary of State's decision.

02:17

What this means is that the playing inspector is subject to the general data protection regulations, it shouldn't be very unlikely that anyone would need to put sensitive personal information into the public domain. However, if for any reason, you find that it is necessary to refer to personal information. Please speak to the case team in the first instance. And they can explore with you whether the information can be provided in a written form, and then appropriately redacted before being published.

02:49

I also remind you that this is the only official recording of the proceedings, and the digital recording will be placed on the national infrastructure of website. Any tweets blogs or similar communications arising from the meeting will not be accepted as evidence into the examination.

03:10

For the purposes of identification and ease of reference, could I ask that each time you speak give me a name and if you are representing an organisation who you represent.

03:21

The hearing will take the form of a structured discussion led by me The purpose is to hear matters principally relating to angling waters concerns regarding its pipeline, but also to update the examination on other matters.

03:36

The hearing is an also an opportunity for parties to set out their views. And it will provide me with the information I need to make a recommendation to the Secretary of State's

03:46

I presume that everyone has a copy of the agenda if not it is available on the National Infrastructure website.

03:55

So now moving on, perhaps I could ask those people who wishing to speak today to introduce themselves and if we could start with the applicant please.

04:10

Good morning sir.

04:12

Collabra care on behalf of the applicant. I am from Womble bond Dickinson, the legal advisors for the applicant on this project.

04:23

So I'll pass on to other colleagues of mine who are also be the for or acting on behalf of the applicant.

04:37

Good morning, sir. Gene Wilson, our Director of Environmental Planning at all Jian.

04:47

Thank you.

04:52

Good morning, sir Leslie Eastman from mjcca. I'm in the Augean team and leading the technical aspects of the application.

05:00

When

05:07

Mr. Lewis, you had your hand up. Is it something I will ask you to introduce yourself in due course. Is it something that can wait until then? Yes, certainly. So I will wait until I'm after simply putting my hand up to get into the order. I'll put my hand down and I'll switch off camera and mic. Thanks. Thank you.

05:28

Anyone else from the applicants? Team then wishing to speak today?

05:34

Good morning, sir. I'm Sandra Rolf Dickinson. I work for pipe technics limited, and I'm supporting Augean on the pipelines issues concerning the application.

05:50

Morning, sir, Kate asked us for the applicant. I'm also part of the legal team advising on the application, and we'll be speaking a little bit of today. Thank you.

06:06

Good morning, sir. Peter field I'm head of planning and permitting for June, representing the applicant.

06:14

That's everybody from the applicant side.

06:17

Right. I also had Eleanor Nicholson on the attendance list. Is she not intending to speak?

06:32

Does anyone know that Elena Nichols? Yes. Good morning, sir. I'm not intending to speak but I'm here in support of the applicant if need be. Okay, thank you for okay.

06:46

Right, well, in that case, shall we move on to Anglian Water then, Mr. Lewis?

06:54

Thank you very much indeed. And I'm sorry for jumping in prematurely, which I did by way of recording my interest. Yes. Good morning, sir. I am meritless I'm the barrister represent Ching Anglian Water. I can see that we've got Mr. Froggatt on the list as well and my solicitor, Mr. Steve leader, I may ask them to give in at appropriate moments, but probably the best thing is if I

07:22

be quiet and allow them to introduce themselves for the moment, thank you very much. Okay.

07:32

Good morning, sir. My name is Mark Froggatt. I'm Chief Engineer for Anglian Water

07:45

Good morning. My name is Steve Leto. I'm an in house solicitor for Anglian Water.

07:51

Thank you.

07:53

Right.

07:55

Northamptonshire Council

08:04

Good morning. So I'm Phil Watson. I'm the Development Control Manager at North Northamptonshire Council.

08:10

I will speak if necessary. Not sure I will need to on the agenda. But if necessary, I'll be speaking on the Council. Thank you.

08:20

And the Environment Agency.

08:25

Good morning, sir. Carrie monger planning advisor at the Environment Agency. I've also got my colleague in groundwater here, I'll let him introduce himself.

08:39

Good morning, sir. It's Jim Branson from Environment Agency here. I'm a groundwater technical specialist.

08:47

Thank you, Mr. Branson.

08:49

Now in the agenda, I had invited national grid and the Cecil estate family trust to attend the hearing. However, both have declined to participate today. I understand that representatives of the trust are however, listening in on the lives of live stream.

09:11

So if we move on now to item three on the agenda, and this is the smaller hole. I put this first in case attendees who don't want to attend for the Anglian Water discussion could leave at this point. But of course, everyone is welcome to stay if they wish. I'm not sure how far we're going to get on this item without the trust participation. But the first item I had intended to consider was the update on the survey on behalf of the trust. Now, I think in the applicants most recent submissions there was an indication of

09:52

once they considered that the trust survey had shown about the the location of the boundary

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I haven't received a survey from the trust. I don't know

10:06

whether misspoke you have anything more to add on the on the trust position, and as far as you understand it

10:14

Claverack for the applicant? Yes, very briefly. So and then I'll pass on to Peter Oldfield to give us a bit more information with regards to the survey.

10:25

We heard from Mr. Bosworth, around Hopper six last evening, with respect to the statement of common ground. And also, they provided a copy of their survey, as you've already mentioned, so we did make our views clear in rep 505 In terms of the implications of the slightly different boundary line with respects to the smaller hole. But I can just pass on to PL field just to give a bit more context for that if it would be helpful, sir.

11:02

And then we'll come back to the statement of common ground position under that agenda item.

11:07

Thank you.

11:13

Good morning, Sir Peter offered for the applicant. Yes, just to update on this. As you're aware, we have previously instructed a surveyor to mark our boundary. And at the company site inspection, the trust, we're going to instruct their surveyors. They have been undertaking that survey and the last submission

deadline five, we submitted a photo showing the the two lines that had been plotted out on the on the ground, as we noted, then there was a very marginal difference between the two survey lines of between point five and a metre difference. But the the key point being that the discharge point for the swallow hole is at least two metres from that boundary.

11:58

And so it remains sort of firmly underlined and under option. We advised the trust representative Maples Teasdale of this conclusion, as Miss Brooke has just said, we received late yesterday a copy of the trust's survey plan, which which has plotted those two boundaries on the on the on the plan. Again, all this does is confirm that there is a very marginal difference between the two survey lines have between point five and a metre. But it doesn't change the the position of fact that the discharge point for the swallow hole remains firmly on land and eruption by Biogen. Okay, thank you.

12:40

Thank you.

12:43

I'm not well,

12:45

it's probably not for you to answer on behalf of the trust. But do you do you know whether they're intending to submit that survey to the examination? I don't know whether they're intending to submit that to the examination. But they haven't contested the point that the discharge point from this one overhaul

13:09

we can append it to we can append the copy of that to our response if that would be helpful. So

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while

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it

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may be helpful, but on the other hand, I'm not sure that it's for you to submit information produced by other people. So perhaps

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via the case team, just sound out the trust and see what they are intending to do. I guess, information. Thank you. That's fine, sir. I just pass you're about to miss Brooke.

13:40

So what might be helpful? See, I'm in contact with Mr. Bosworth at Maples teesdale. And when we come back to the statement of common ground agenda items, it may well be that we can address that within the statement of common ground a final version, we have made very good progress with that, and they're not challenging our position. On this particular point. They're not putting forward any further evidence at this juncture, but they have reserved that position. But we can come back to and it's time to common ground and that B may well be a mechanism by which we can agree to incorporate that information for your benefit. So yeah, okay, that sounds helpful. Thank you.

14:25

Item three be on the agenda then was a surface water flows and drainage ditch design potentially affecting the trust land and here my points were really directed to the trust. I'm not sure that unless there's anything specific the applicant wants to say on that the

14:44

about the trust here to to flesh out their concerns. I'm not sure we can take that much further. Again, it may be something which is covered in the statement of common ground in due course.

14:58

Collaborate for the applicant and

15:00

Yes, sir, I think that's probably the best way to proceed. We've obviously seen the representations from the trust in their rep 513. We do have requirement three, four of the draft DCO, which requires the detailed design for the drainage to be approved prior to the commencement of any new works

15:24

pursuant to the DCO. So, other than that, I probably can't assist you any further at this stage.

15:32

But if you do have any questions related to drainage we can pass to Leslie hastened. Okay, thank you.

15:41

Before we finish on this item, then is there anything from the Council on the Environment Agency that you wish to contribute before we move on?

15:53

Phil, what's it north north Hampshire Council, nothing from Mesa

15:59

Jim Branson from New Orleans, I can see this. Nothing's to save it from me either.

16:04

Okay. Thank you. Well, in that case, we'll move on to Item four a, which is the general updates, starting with the permanent applications.

16:17

In the applicants, most recent submissions, I understand that the the treatment facility application had a consultation period, which ended on the sixth of June. And it's only a couple of days ago. Is there anything to emerge from that

16:35

process or any further updates that you can give us again, perhaps looking at this book to start with that perhaps it's he's

16:43

season?

16:50

Thank you, sir. Leslie, he's meant for the applicant. As you say the consultation period for the treatment plant application ended on the June we understand from the citizens space on site that the agents use for these consultations that there has been one response to the consultation, there may have been others and people might have withheld permission for it to be on the website. But typically, all of the responses are uploaded. So there is there is one response,

17:21

the consultation period for the landfill, is ongoing. And that ends on the 16th of June. So that started on the 17th of May. And that ends on the 16th of June, the one response on the treatment plant application related to queries on the nature of the emission control details and so on, which is certainly a subject that the environmental agency are

17:46

assessing anyway, and will be part of the permit

17:50

that might be issued.

17:53

In terms of your discussions with the Environment Agency, is there anything further to report there? Simply that there's just going to be very active, we are engaging with the Environment Agency, we have communications, we've got meetings. So whether requesting more information that's been provided and discussed. So it's a very active

18:14

stage of the application process. I'm pleased to report.

18:18

Thank you.

18:20

From the environment agencies point of view, is there anything more that you'd like to add?

18:25

Hurry manga Environment Agency, I don't think I've got too much to add. I did get updates from my colleagues in in permitting international permitting, but it's mostly been covered. Everything's ongoing. And there are meetings, where to discuss further information and things like that. So unless there's any specific questions that you have, I think it's it's ongoing with national permitting. Okay, thank you.

18:58

Next item was the letter of no impediment for the great crested newts, which I think was expected on the 22nd of June, again, which will be available at deadlines six, is that still the position?

19:17

Searching Wilson from OGN.

19:21

B, we've received a letter from Natural England on the sixth of June. And that confirmed two things firstly, that they have sufficient information to proceed with the application for the licence. And secondly, they've confirmed their intention to issue the low knee by the deadline six. Okay. Good. All right. Thank you for sure. Just

19:48

moving on then to item C, which is the protected provisions and whether there's any further discussion. Again, I understand that from correspondence

20:00

The National Grid that's discussions are an advanced stage. We'll probably come on to Anglian Water in due course, Western Power Distribution. Anything more to report there?

20:14

Yes, sir. Kay Sasha for the applicant. So in terms of national grid, they I believe we closed out the final two outstanding issues on the protective provisions on Monday. So, we are hopeful they are now agreed and will be incorporated into the next iteration of the DCO Western Power district distribution. And those protective provisions are also now agreed to they will also fall form part of the next version of the order that you see, in terms of Anglian Water. We have provided comments on the draft protective provisions on the 31st of May, and we're waiting for a response.

20:55

Thank you.

20:58

Mr. Lewis, is there anything you'd like to say on the protective provisions?

21:04

We'll come back to your concerns in the pipeline in due course.

21:10

Yes, thank you for that opportunity. I was proposing to come back to those later on. But without holding anyone in any sort of artificial suspense. I was gonna say that Anglian waters position is that given the potential for a threat to the stability of their infrastructure, and concerns, which

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heavens above Yes, one tries to avoid sort of water epithets, so those who say their concerns which flows from that.

21:44

Yeah, Anglian Water aren't content with the

21:49

proposed revised protective provisions as currently drafted.

21:55

Again, without holding people in suspense standoffs isn't the issue. It's more to do with resolving matters between Anglian Water and the applicants. But as I say, I'll come back to that later unless you want to hit me further on that, but at this at this point.

22:14

So there are there you have concerns which go above and beyond agreeing a standoff distance in respect of the perfect protected provisions.

22:26

Yes, absolutely, sir. Because even if, again, I'll cut to the case. And finish the point in that case, that even if one were to have

22:37

a 20 metre metre standoff, we've just been mooted. Again, that's not the same as the situation which currently exists where there's no limit on the standoff for the pipe, which runs past the edge of the of the waste facility. And so actually, if we're concerns about a catastrophic failure,

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Angular motor wouldn't wish to be constrained by

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the amount of manoeuvring space they have to get equipment in, and

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their calls are wonderful in remedying an area with the pipe. And so

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Anglian Water and the applicant simply need to resolve matters and what will come on the heater in accordance to the agenda, the extent to which that

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as applied for, but we're getting cut into the case on this way, Anglian Water is concerned that can probably be dealt with by some form of Grampian

23:56

measure

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as

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which is, which is the form which the current revised protective provision is in, but again, the essay is going to detail with that so so Anglian Water is not saying that an amendment needs to be made to the DCO, which would be more than non material. But, yeah, there's more discussion to be had about the terms of the Protect provision, as currently proposed.

24:27

Okay.

24:28

Well, let's, let's pop that there. And if we need to, we'll come back to as part of the discussion on the pipeline generally.

24:40

final part of the general update then is the statements of common ground

24:48

as I understand it, following from the last round of submissions,

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Western Power Anglian Water

24:58

the council

25:00

Natural England, the trust defence organisation Butterfly Conservation, we're all yet to be agreed.

25:10

Perhaps from the applicants side, someone could conduct me on where we stand with those.

25:18

Yes, sir Leslie, here's one for the applicant. I'll just run through the list. So just to update you on each of those that you mentioned, the national grid. Now the discussions are complete with respect to the protective provisions, which Kate just summarised for you. But that was the only issue left to agree. So the statement of common ground hopefully now will be signed off, given the protective provisions that are agreed. So what we're aiming for submission to the signed off version by deadline six, for you.

25:49

North Northampton ship Council, I would mentioned before that the text had been agreed with Northamptonshire that that has now been signed. So again, that will be provided for you at deadlines six, natural Inc, or sorry, also within Northamptonshire Council, I can say the section 106 has been agreed and that is now going through the signature process.

26:15

With Natural England, as previously all that is waiting for is the issue of the letter of no impediment. So we're hopeful that again, that will all come together at the same time. Hopefully for deadline six if we're if we have the Lonnie just before deadline six. And hopefully we can get that signed at the same time. But if not, it will follow shortly thereafter.

26:38

Western Power Distribution again, as you heard from Kate earlier, the protective provisions are now agreed. And again, that was the only remaining issue for agreement. And so that statement of common ground, we're working to get that signed off and aiming again for submission of that one also by deadline six, Butterfly Conservation that has been signed and agreed. So that's ready for submission to you.

27:04

The trust statement of common ground as Claire Brooks summarised for you earlier, we had some comments back on that from the trust yesterday. So that will progress.

27:15

And get that as moving as quickly as we can, as that's the first response we've had on the draft text. So we'll push that as quick as we can. And the defence infrastructure organisation. We had reported that we'd provided a revised bird Hazard Management Plan to them, we've now got their comments that we got on Monday this week. So they're only some very, very minor final things to be resolved on that which we're hopeful of doing imminently. And again, we hope to get that finalised by deadline six if we possibly can.

27:52

And so presumably, whatever the changes are to the bird management plan will be submitted to the examination. Yes, exactly. So that will be a replacement for the version that's in the deck currently. Appendix i of the deck.

28:08

Good. Okay. Thank you for that. Yes.

28:12

Moving on then to Item five, which is the update on the draft developments consent order.

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Only a couple of points on this one was the

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works three limits of deviation for a small, single, tall building.

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Based on the applicants most recent submissions, we're expecting a revision to the shedule deadline six, is that still the intention?

28:46

Okay, Tasha was for the applicant? Yes, sir. The revised text will be included at deadline six to address this challenge.

28:54

Good any indication of what the wording is likely to be yours.

28:59

At the moment, we're looking at limiting the scale.

29:04

So it's for one particular building can be of a certain height and get us up to 7.9 metres. So we're looking at actually amending the parameters table to make it very clear that there can be one. I think at the moment it's the storage shed of a certain scale and then any other plant and buildings must be of a lesser scale. You're just finalising those figures.

29:28

Thank you.

29:31

Be was standoff distance, limits of deviation. And again, as far as Anglian Water is concerned that probably will come under the next night. And are there any implications for other worlds as far as you as far as you've got? Are there any implications for other standoff distances arising from the

29:54

the issue with Welsh or with Anglian Water

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catastrophe

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applicant No, Sir as far as I'm aware of the three standoff distances, it is only the Anglian Water standoff. That's not

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the any change? I guess what I was concerned about was, would it any changes to the Anglian Water standoff distance assuming it can be agreed have implications for the other standard distances?

30:26

It wouldn't have implications for the standoff distances, what it may do is have implications for the exact location of the Western Power Distribution diversion

30:38

to ensure the standoffs work together, yeah. Okay. Thank you.

30:44

Right, well, that brings us on to Anglian Water and the other infrastructure crossing the site?

30:53

Well, I think what I'd like to do with this item is deal with it under three parts. So the first part is essentially item A on six, eight on the agenda, which is a general update on the position since the last round of submissions. And my hope is that this will identify any areas of agreement or dispute. And if there are substantive concerns, these can be covered by items, six P to six h on the agenda.

31:25

The third part then is Item six i, which I'd like to use to deal with the procedural implications

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of any changes and to agree action points for for everyone moving forward.

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I trust that makes some kind of sense.

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In terms of the update, then

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perhaps I could ask if the applicant could could start us off and then I'll come to you, Mr. Lewis to respond.

32:00

So I'm interested hearing the discussions exchange of information.

32:05

The applicant has put forward a

32:08

table of scope and table of scenarios or risk assessment standoff distances, realised profiles supplementary? Yes. So there's a lot to cover here. But if I was Brooke, are you going to kick us off on this one?

32:23

Claire book for the applicant? Yes. So if I may. And likewise, we were, as a team sort of contemplating that the best way to deal with these items,

32:36

you know, to support yourself so and to make effective use of the time today.

32:42

I'm very happy to just give a bit of background in terms of how we've arrived at this point. And our current proposals, and then that does then lead into our contemplated potential proposed change to the draft DCO. So I'm very happy to outline some of that background. And by all means, interrupt and interject as appropriate. And I can pass on to Leslie, he's been should we need to then get into the technical items, which I think do then flow from from six B to six h on your agenda, sir.

33:23

So I'll just give some brief background,

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some of which you will be aware of from our recent representations to the examination? Yes.

33:36

So in terms of where we were at, for the proposed development, we had agreed a seven metre standoff from the Anglian Water pipelines, with respect to the construction of the landfill development, and that was to be constructed accordingly. So we were in a position where

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we had been able to fix a standoff distance within the DEC document as part of our boundary design principles. So that that's the position that we were in until relatively late in the process. We we hadn't had an objection or a relevant representation from Anglian Water to stay. Otherwise. Now, I understand that the process and how we've got to the point where I'm concerned with

34:34

the position it was reached at the deadline five submissions. What's happened since then? Yes, absolutely.

34:44

So since that date,

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we've obviously just in terms of sequentially, we had the hearing on the on the 29th of March. We've then had further evidence from Anglian Water

35:00

On the 13th of April, and then during that time period, this then being a further statement from Mr. Froggatt on the 11th of May, which is the deadline five point

35:12

and in terms of the information that that we provided to the examination examination at that juncture as well, we heralded the potential for a change to the draft DCO to seek to address

35:28

the concerns that have been expressed by Anglian Water. We have referred to the risk assessment tables that we have provided both to the examination and to Anglian Water, to seek to agree the scope of any further risk assessment and potential EIA work that may need to be carried out.

35:51

There has been some degree of contact with Glen water.

35:58

Just let me check in terms of those precise date. Bear with me one moment.

36:05

I think we had a meeting with them.

36:08

Yeah, the first meeting was the fifth of April, which was the accompanied site visit. We then had a meeting on the ninth of May.

36:19

And in order to try and discuss the scope of of how we might address those concerns. In terms of interaction with Anglian Water, thin fat date, we haven't had feedback to date and Miss Lewis comments in terms of where Anglian Water are at. As to the scope of the assessment that we proposed in terms of any response to the proposed draft requirement, or those scenarios for further risk assessment work. What I would say is that that hasn't prevented us from continuing with that work, and completing that work with a view to moving to make

37:03

a non material change requests surrounding that.

37:08

So we have largely completed that work.

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And our current intention subject to what may or may not be said today by angular more that would be to lodge that request at the latest by next Friday the 17th of June. So in terms of procedurally where we're at in terms of timeframes.

37:39

Okay, and that the information that you would intend to submit, would be a risk assessment, a proposal for the standoff distances.

37:53

Any consequential amendments to the environmental statement and Livia revised site profiles?

38:04

Yes, so it's so in terms of consequential changes? Absolutely right.

38:12

We proceed on the basis of an updated requirement 19 as submitted at deadline five, we will amend the DCO and insert a short paragraph in the explanatory memorandum to explain that, that change to the standoff and the boundary design principles and we will amend deck the deck and Appendix B where that standoff is dealt with. We will submit a supplementary environmental statement which will

38:44

solely address impacts to the LPA

38:49

and then also the only other impact is with respect to the ecology chapter and the biodiversity net gain calculation. Now I am able to confirm that we've completed that one and it doesn't give rise to any new or materially different environmental effects and hence our view that the change should it be proposed is a non material in nature. In terms of other documents, we will submit an amended restoration profile contour plan.

39:23

And as my colleague Miss Ashworth has referred to work the works plans with respect to the electricity, cable and work number five, in particular, to ensure that we are able to deal with the appropriate standoff within our proposed requirements. We will also make a change to that plan and how are you in discussion with National Grid about Western powers suppose it is about

39:52

that consequential change to that to the diversion bear in mind. Yes, so we are we are

39:59

now

40:00

discussions are ongoing. So depending on how we're able to resolve opposition with Anglian, but but they are certainly in the loop on those discussions.

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And then in terms of other documentation to address the concerns that have been raised the date by Anglian in their respective

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proofs of evidence and statements by Mr. Fraga in particular, we've also prepared a pipeline risk assessment and a specialist pipeline engineering report which would accompany

40:36

the information with respect to the EIA. But we can we will discuss the findings of that work, which is again largely being completed as part of the other agenda items that you've noted. So. Okay.

40:54

Mr. Lewis,

40:58

is there anything you wish to add on?

41:01

updates since the deadline five submission?

41:07

No, thank you very much, sir. Because it's us. Yes, Miss Brooke has summarised what discussions there have been, but the fact of the matter and that's why Anglian waters position is that yes, what needs to be discussed is what one does about and waters position. The fact of the matter is that angle was takes a few the despite what may have been scoped in to the original environmental assessment, despite the assumption search, simply accommodating the pipes by means of standoff difficult standoff distances would have been a sufficient means of

41:54

safeguarding Anglian waters apparatus. That's not the position they now take. So, the question is what one does about that, from Anglian waters point of view that

42:08

that goes to what is contained in any protective provisions. As I hinted if I didn't say out loud, earlier, Anglian Water doesn't take the view that any adjustments which might need to be made to take account

of deposition would give rise to anything beyond the non material amendment to the scheme as proposed by the applicant. And again, in terms of

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scoping the environment statement or whatever. Yes, that's, that's a matter for the applicant. But

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it's simply a question about what the applicant does about Anglians position, as is, despite what assumption was may have been made on the applicants part originally,

43:02

in the presumed reliance on a seven metre standoff difference, which is the standard standoff for a non hazardous situation, but we'll come on to that.

43:19

As I understand it, the applicant has sought to engage with Anglian Water on the

43:28

new and revised information that it's proposing to submit at on the 17th.

43:37

Ah, is angling water intending to engage with that before the submission is made? Or are you going to simply respond to a final version of the document?

43:49

If and when it's submitted the documents?

43:54

To answer answers to that question, yes, unquestionably, Anglian Water will engage. But given their position is

44:06

effectively that Anglian Water should yes, there shouldn't be a discussion about standoff differences at distances Forgive me Anglian Water is entirely agnostic of how the landscape effects may be of whatever may be anticipated by the applicant in relation to how one has lamps form. I can appreciate on that particular issue you

44:37

to maybe an agnostic, but there are presumably assumptions going into the risk assessment and other technical assessments that the applicant is proposing to do which Anglian Water may or may not have a view on and it I'm terribly sorry you're talking across us. And yes, to the extent that they do have a view

45:00

Who they will contribute their thoughts. But, again, that that doesn't shift their position, which is that

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as as before, when the

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when the landfill was

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first, put over the pipe, the pipe was moved the pipes plural were moved to accommodate the proposal. There's no change. There's no reason for not doing the same and if that's resolved by an Anglia Anglin

45:38

provision to protect both parties positions will then that so out of which the far as Anglian Water concerned it can be dealt with by non material amendment and what the detail may be will be at that Anglian Water may wish for your benefits to give any comments. Ultimately, Anglian waters position is that so long as their

46:05

apparatus their their infrastructure remains unaffected, then that their content for the application to go ahead, sir.

46:19

Yeah, I'm

46:23

just trying to understand what that means. In practical terms, does that mean that

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but as far as Anglian Water concerns there may be a potential standoff distance that

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would satisfy Anglin waters concerns or would nothing less than the diversion of the pipelines around the extension area be acceptable to Anglian Water?

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As I understand it, and I'll invite either Mr. Froggatt or Mr. Leader to come in on this is that yes, short answer. There is no standoff distance, which,

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as currently advised, would resolve and Anglian waters concerns

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where the potential for some kind of accident involving the pipeline is involved. As I was saying, earlier, sir, will be ahead of the agenda item that Eve on with a standoff with the 20 metres in terms of the kind of position which may result if there were a water main burst with all that's involved, first of all, with a massive plume of water, which we've all seen Mr. froglets, given pictures in his evidence of that, or which one sees on the news whenever there's a watermain bust that is something which

48:03

causes

48:05

considerable damage and earthmoving.

48:09

All of those will have knock on consequences for the integrity of the soil and foundations of the pipes themselves. And the further it goes, the more there's potential for actually affecting the stability of the landfill itself and so, when it comes down to it, so, the actual zero risk risk option might be such it involves diversion of the name altogether.

48:43

Again, I made I made the I use the expression agnostic about a bit of what that does to say, landscaping issues or whatever. Of course, they you will be concerned about the extent to which contemplating relocating the main gives rise to more than a non material amendment. But if I put put it this way, in my respectful submissions, that if it's put in a Grampian form, if that's what results, which is the ultimate product of discussions between anger and the applicant.

49:24

That's something which can be dealt with on on another day. What

49:32

assessment at the moment has if one looks at in terms of Rochdale envelope is a red line area, which contemplates at the moment standoffs for a pipe. If you don't have standoffs through a pipe? Well, then yes, the landfill has a slightly different form because it simply taps over where some pipes would once have been, if, in the fullness of time, in accordance with any Grampian provision

50:00

The pipes have put out side. I would respectfully submit, sir, that there's not a sort of a sort of salami slicing problem with them. One's got the landfill on the one side, and then sometime in the form of the time after Scott, when Ron reaches it in

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a number of years to come when Ron reaches the pipe, and it has to be relocated, well, that's something which can be scoped and environmentally assessed at that stage.

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It's not, I'm not sure that that

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is

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going to be acceptable in as much as I need to make a recommendation on a set of proposals now.

50:46

If there is some form of Grampian

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arrangement, there needs to be

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that needs to be defined and scopes so that it can be assessed in the environmental assessment for this proposal now, and a reasonable worst case scenario dealt with if it simply left that, at some stage in the future, someone will come up with an idea about how it can be diverted, then that can't possibly be assessed under a Rochdale solution, and I don't think that that will be an acceptable outcome.

51:28

Well,

51:31

well, yes, thank you. So obviously, I respect to that.

51:39

I respect what you say in relation to that.

51:46

But Anglian waters position is what Anglian waters position is animals. It doesn't wish to create any particular problem in relation to that, but then you've given us the benefit of your views about what Rochdale or

52:06

Rochdale considerations may cause one

52:12

to think about that I did put it earlier that I didn't think there'll be a problem, but it's ultimately regarded as a problem. Well, then it's a problem. But it doesn't seem to be to be a problem, which can be resolved by saying, oh, we'll It'll be all right. If simply, the TCL goes ahead with the pipeline, incorporated within it, because that goes right back to Anglian waters initial position on the dcl application, regardless of what may have been said about they will seven metres as the standard standard off. Yes. Well, I think we've moved on from the seven

52:53

that

52:55

I'd be I'm so sorry. I keep talking across you. Yes, please do finish what you're going to say that I was going to come back later short point.

53:04

But simply to say that I think it's well understood that everyone has moved on from the seven metre standoff and that that's some other distance which the applicant will propose and that Anglian Water will need to respond to

53:21

Yes, well, thank you very much indeed. So, the only point I was going to make about that is that

53:27

the current position is Nevermind the seven metres and I take that point entirely. But if there's a standoff of say 20 metres or whatever it may be.

53:38

The fact of the matter remains and this is one of your agenda, right.

53:45

Where the original environmental assessment of the applicants proposal is concerned, they looked merely at groundwater and surface water. They didn't look at the implications of what retaining a pipe within two pipes within their landfill might be. There's one the point where you've raised about major accidents or disasters. And then anyway, there's support points about

54:16

it. We've covered in Mr. froglets evidence about what the implications may be for keeping I was going to keep nearly saying a water pipe keeping two water pipes running through a landfill which, okay, it's low level, hazardous waste, which has had hazardous waste in it, and what the potential may conceivably be for contamination

54:42

or equally if there is a pipe pipeline or to pipeline failure, what the implications may be in terms of the effects on water quality, again, beyond major accidents, or disasters, and that's simply something which is

55:00

has never been covered

55:04

as an issue. Yeah. And that's the those are the issues that I understand the information which the applicant is currently preparing, will seek to address. Yeah, it will get. Yes indeed. So but it's secret seeking to address from the point of view of they're saying they don't think it's a problem. But Anglian Water does think it's a problem. I appreciate

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that will leave me in a position where I have evidence from

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the applicants. And hopefully we'll have evidence from Anglian Water and I will need to,

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to determine between them.

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I, my hope and expectation was that as far as possible, the two parties would engage as it's another, narrow down the issues and come to

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a view on, you know, the, the core dispute between you and and no, that would leave me with

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a more manageable

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it's to deal with, at the moment, it seems that the, you know,

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the applicant is in the process of preparing evidence, which I haven't seen, so I'm not in the position to take a view on and Anglian Water is maintaining its concerns but isn't engaging with the applicant, on on the evidence that it is, is

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in the process of preparing.

56:48

So I think I'm very sorry. So what will be helpful is to move on to Item B on the agenda. And to get into a bit more detail on the specific concerns. Mr. Frog, you've got your hands up. Did you say anything?

57:09

I'm so sorry, sir.

57:11

Sorry. I'm so sorry. So I yeah, I keep talking across you. And I really will switch off my mic, camera. In just a second.

57:21

Anglian Water has been in discussion with the applicants. Those discussions haven't concluded and I wouldn't wish the tools to be understood to

57:32

sank in water is not prepared to engage. Of course, you need views on either side in this debate, but what I simply sort to say an idea that well, I've been talking quite a lot this morning. I did say I would ask Mr. Fraga to or Mr. Leeds to come in. And Mr. Fogg, it's about to come in, which is all well and good. Yes, of course. We appreciate that you need to go away with as much information as you can from the parties. But it goes back to the point you made for me, to me when we first met on this case, that yes, that like quite a lot to get through to reach a point in terms of discussions

58:15

and understandings. Certainly, Anglian Water has been engaging, but it's a question of how far one has got or can realistically get given the timeframes which there are on DCO examinations. So, I will simply be quiet now. And giveaway to Mr. Froggatt if that's okay. And then subject to that we can move on your next agenda item. Thank you.

58:41

Good morning, sir. Mark Provet, underwater chief engineer, just to to close off a point on engagements and discussions have been very open to to engage and discuss and take advice from counsel also, there was a response sent on the first of June to Mr. Jean Wilson from myself as regarding the proposed risk assessment. So that has been responded to so.

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But from from an engineering standpoint, my my fundamental position must be

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of wanting to protect both the public's drinking water and our assets. And such the initial position has been brought by the fact that the main run through the existing works and was diverted. We see no reason why the same should not apply in the second case of

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this book

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do you want to say something on the on the app on the updates before we move on to the specifics?

1:00:02

Yes, sir Clearbrook for the applicant. Firstly, if I may, it was it was helpful to hear them from Mr. Froggatt, who mentioned that he'd been in touch with Jim Wilson on the first of June. Unfortunately, we we haven't received that communication.

1:00:21

Dr. Wilson is is is sat with me today and has just checked his email box. So we don't appear to have received a response to the risk assessment tables and scenarios. So if there's been an error there in terms of communication, it be really helpful to resolve that and we can progress those discussions. So I just wanted to make Mr. Phogat aware that Dr. Wilson doesn't appear to have received that that communication. Okay, well, perhaps I could just ask Mr. Frog

1:00:54

through the airing to to resend his email of the first tune, and hopefully that will help make some progress. Yeah, so many thanks, and much appreciated. And well, we'll look out for that. I'll let Mr. Fraga respond.

1:01:12

Yes, sir. i My sincere apologies if that's not been received, according to my outbox. It was sent at 16 minutes past seven an evening of the first of June.

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I will resend that, of course I will. I'm just concerned that it may due to size of email be lodged somewhere in maybe some form of filter, but I will resend and I will try and compress the file.

1:01:39

Thank you.

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Right, shall we move on to Item B?

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Sir, if I may interject, Clearbrook. On behalf of the applicant, I wondered if it may be helpful. Just before we get into the detail of each of the items from beyond words, would it be helpful if we articulated the detail of our proposed change in particular by reference to the requirement and the standoff distances to to set out what our current proposed actual change constitutes and why. And if I may pass on just Leslie, he's been just to very briefly outline

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the detail of that for everybody's benefit, and then very happy to get into the detail. So following on from that.

1:02:31

Thank you, Leslie. He's moved here, sir, for the applicant. As Kobuk said, I'll just summarise where our risk assessments have got us to, and therefore what the application is based on. And there's obviously

a whole pile of detail underpinning that. And we can go through that in as much detail as you'd like in your other agenda items. But in very high level summary, we have with the support of specialist pipeline engineer carried out calculations on what the maximum crater size might be in the event of very unlikely event of a catastrophic failure. Because as has been identified previously, a catastrophic failure if it occurred, if it created a crater, there are two points to consider there. One is that it might affect the engineering of the adjacent landfill site, both in terms of affecting the structure of the containment landfill site as well, and also the potential for contamination to be released outwardly from the landfill, if that if that occurred. So those calculations have been carried out. Based on the assumptions that we've had to make worst case assumptions we've had to make because we still don't have the as built details for the pipelines. But assumptions have been made. calculations have been carried out based on the fact that both pipes may fail, not just one, but both pipes. And those calculations show that if both those pipes fail, the distance at the crater would extend beyond the boundary of each pipe. So there's lots of different distances one is the total distance one is a boundary from the pipe, I'm talking about the boundary from each of those pipes. And that crater distance from the edge of each of those pipes is less than four metres. So it's about four metres. So it's a crate total crater size of 12 point something metres. So what we have you'll recall in the design, sir, is that we got seven metres from the outside of the pipe to the fence. We then have another two and a half metres from the fence to the outside of the excavation of the landfill. So that's where the containment engineering is. So we've got total of nine point 9.5 metres there of which a worst case failure scenario would only extend as far as four metres. So from a risk point of view or risk to the landfill, there is no consequence as a result of that failure. The second P key point that feeds into the disk

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difference between the landfill in terms of risk, the the landfill and the sorry. And the water pipe is whether the process of excavating that landfill will change the stresses in the soil around the landfill in such a way that it would affect the stability of the pipe and potentially then the integrity of the pipe. Again, those calculations have been done. And we can talk about those and the the assumptions that have been made in those calculations. But those calculations are telling us again, and these are standard calculations that are done all the time understand for pipelines construction, and it's related to the width of the pipeline and the distance from that pipeline. But based on the information that we have, and the worst case assumptions, if the, the activity, the excavation, in this case, and the release of possible stresses and strains on the clay takes place more than just under four metres from that pipeline, the consequences and the effects of that do not reach and therefore do not affect the support of the soil and the other structures around that pipeline. So again, the figures are very similar, we have more than enough space to give us the confidence that in this

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in this situation that we have here as designed, there is no risk of instability to the pipelines as a result of that. So I'm jumping through all the detail which we can go through. But the consequence of that is that the standoff distance that's included in the design is more than adequate for the risk aspects that have been discussed. And the next stage that you take is that actually what is driving the required standoff is not risk because that's covered within the standard standoffs, not unsurprisingly, of Anglian Water and indeed, of other water companies, because we've of course, gone and looked at what their standoffs are as well. So it's comfortably within those standard distances. And therefore, the point at

issue here is driven by the access space that is required in order to carry out any repairs if there were any, either leaks or failures of the, of the pipeline.

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So we have done our own estimates, we've seen the the ideal distance which Mr. froglet has put in his submission of 20 metres and again, this is 20 metres from the side not 20 metres in total distance 20 metres from the side. And without going into the detail here, the distance effectively, of those ranges that you come up with which depend on how flexible you are or not able to be with where you put relative positions of plant and so on, can be anything from 8.5 metres up to Mr. froglets, ideal 20 metres. So there's clearly discussion to be had somewhere in that range in order to allow access for repair. And we accept that because there are two pipes, you need to have that access from either side. So we are talking about distance from each pipe not distance over the over both pipes. And therefore our proposal in terms of putting forward the non material change application is to suggest a limit of deviation or proposal limits, not deviation. I'm told that's the wrong language. Apologies. So a standoff range from the water pipes, or from the seven metres which is the current design to a figure of 30 metres, which is our proposed outer range. It's not that we think for a minute that 30 metres is a distance that is necessary by any means. But we believe that with the risk assessments that we've done, the assessments of the requirements for access a distance of 20 metres is more than adequate. Although we consider we can justify a lower distance, the additional 10 metres that we're including in the change application allows for a three and a half or four metre wide strip outside the access, if it's needed, it's necessary because it could overlap for the electricity cable that would just be on the northern side, together with just an extra allowance for uncertainty of debate and agreement, not any uncertainty on our part regarding the conclusions of the risk assessment or the requirement for that size of access, which by the way, gives a total space of 65 metres in that corridor.

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We have included that 30 metre change range in all our assessments that are going to be in the non material change application. So that's just the high level behind what we're presenting. And then also again, in summary, the landscape risk Lcia concludes there's no change in terms of the overall conclusions that are being made due to that increase in separation distance, and then clearly anywhere in between the the conclusions would be the same. The bng again, there is no change in the bng calculations, because of the nature of the way those areas would be managed. And we can go through those details also. So if that would be helpful

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Thank you for that

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was Shall we move on then and probably flesh out some of that in the in the specifics.

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If we look at

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the risk of failure of the pipeline with them without the proposed development, which from my point of view, I think is an important consideration, because

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there are a clearly the higher the risk, the the more justification there is for taking

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more significant precautions or mitigation measures. So, I am interested in in and I appreciate this is not an exact science, but coming somewhere close to quantifying what the risk is with them without the proposed development.

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Mr. Fogg, its most recent submission includes a method of assessment,

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albeit that it's, that method appears not to take into account the the specifics in this case in terms of ground conditions between the two in pipelines.

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One of the outputs from that assessments is planned at a very large scale showing the risk of failure of pipelines across Anglian waters network. I have to say I struggled to get anything very

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definitive from that plan.

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Whether perhaps, Mr. Fraga you'd like to speak about that your risk assessment in more detail, and then I'll come on and ask the applicant for its views on that and how it's going to approach that

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issue. And certainly, sir, I do apologise if the information that I was trying to give the high level approach to the management of our 88,000 kilometres of distribution

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pipelines and how we assess that for our regulator for his view on how we formed our maintenance and the operation of about pipelines. So I do apologise if it was high level. In between times, I have gone back into our data from one of our specialists that we use VCs who look after our corrosion management of our steel pipelines, our main trunk veins, and from the recent survey that we did last year, we concluded from 2010 We've had 31 Major bursts on 343 kilometres of trunk main, these are trunk mains is our large diameter mains, if you like we have also recorded to date, we're not one burst with a leak on on the the South Main of the twinned mains, just before it enters the proposed area between phase 19 and 18. Just on the on the boundary there we had one leak. The concern I have on the evidence that I've seen so far is that for some reason, the we normally installed cathodic protection on our mains in that area, whether it's been damaged.

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And these these soils in that particular area are described as as corrosive. So we need that in that preparation to prepare against corrosion, may not be functioning on that twin section at the moment, which is a great concern for me and we're about to initiate some more investigations there. But there is a real risk of of bursts and leaks as our evidence would suggest from our own analysis of 31 bursts within 343 kilometres effectively, one bus could burn 11 kilometres. And we've already seen evidence on that particular main of a leak which was repaired

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two years past. So I am slightly concerned. And we would normally

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we do give great importance to the maintenance of our maintenance, employing specialists such as BCS to maintain our corrosion management on these mines. But it is a real risk that we can have failures. And just going back to the calculations that had been referred to we've not obviously seen those at the moment so I can't really comment on the mechanism and the standard approach etc. which I'm sure is all good and aboveboard. However what we tend to have is mains tend to leak before they burst.

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And the problem comes with how much disturbed stabilisation they do in the area that they have before they finally let go. Sometimes we can see a leak.

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Sometimes we can't see a leak. And that's the if you like the hidden danger of buried services. So that's always uppermost in our mind. So we try and monitor and maintain. But as you would appreciate the trunk mains, are sizable and lengthy. And we have a 80,000 kilometre plus network to look into. So we can only look where we can look. And we try to make the best balance we can. So we have to go on a risk based approach.

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Based on the evidence that we have, and at the moment, we would suggest that these steel mains be genuinely in good condition. But the there is a risk within the next 10 to 20, even 50 years of potential failure. So we do have to look into what provisions we might need to do in either moving, augment, augmenting, or upgrading, etc. For our pipelines. So that's an ongoing consideration. So that that's risk of some form of failure. Yes, in and obviously 10 to 50 years is quite a wide margin, but that.

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But that's based on the pipeline as it currently stands, rather than the pipeline as it would be if the landfill was

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constructed. As proposed.

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The Yes, the pipeline is the pipeline, and at each condition is currently this time

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in its lifespan. It is what it is. We will do some further investigations to that.

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As I say, until I do some real in depth investigations. All I know is that we've had one leak due to corrosion in that vicinity already. Yeah. Which does, I think my concerns, what I'm

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inching towards is

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if that is the risk of the pipeline in its current condition condition.

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What What if any increased risk is there to the pipeline, as a result of the implementation of development, again, without seeing the calculations that have been assessed as regards the potential as I outlined for long term exposure of that ground with extreme weather conditions of even swell, which will possibly lead to stress in that pipe work, along with vehicle movements, excavation, vibration, etc. All these things can actually impact upon our pipeline, whether it's in a fragile or a semi fragile state, or whether it's in a robust state, we have to be considerate of the fact that the moment this pipeline sits within an agricultural fairway,

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the only loadings it generally has from its stable condition is occasional traffic in from agricultural vehicles, then we are taking that main into a position where we are having significant excavations local to it, we're having significant traffic movements, and over it, which has yet to be defined, which is a great concern. And I've yet to see proof of how that is managed.

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We turn them to the applicant then and

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in the first instance, whether you have any comments on the risk assessment in the submissions, which Anglian Water have made to date? And secondly, how you are proposing to assess risk failure in this case.

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Thank you, sir. Leslie, he's for the applicant.

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You've gone quiet.

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I'm sorry. I'm not usually that quiet as replaying the microphone.

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The risks that Mr. Froggatt had mentioned in terms of effective vibrations and factors of excavation, all of those points. We can we can talk about those risk assessment.

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And quiet again, I'm sorry, I shall move my finger away from the mouse. Apologies. The the risk assessments that lead us to those conclusions. We can go through the details of those but the overarching point that we would like to make, I think in response to the risk of failure, is that, as Mr. Rago just mentioned, the you have small leaks before you have big leaks. And we recognise that and therefore it seems

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an opportunity for the applicant who has suggested to Anglian Water that they

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The installation of monitoring for leaks in this section of the pipeline might be an option that could give Anglian Water some additional comfort, in addition to the conclusions of the risk assessments that we will be presenting, so additional comfort, we don't believe it's necessary as mitigation, because we think the risk assessments are, are very robust in the way that they've been carried out. But we do understand that additional comfort might be appropriate in the circumstances. And if you have

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leak acoustic loggers, and that's, that's fairly standard technology in the pipeline industry, I'm informed then these, these low scale leaks could be detected at an early stage, they can be identified or they can be repaired in advance of them progressing to any

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more

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larger scale, catastrophic failures. And, and again, I'm told and my colleague here on the pipeline specialist can can talk in a lot more detail if you would like but the nature of the pipeline is its steel, it's not a brittle material, and therefore it is unlikely to be subject to the sort of catastrophic suddenly cracking suddenly going in in a major way, it's more likely to start from from a minor corrosion point that then can wear away, if that's not recognised. And that's, that's the case as the pipeline is now that's the that's the case whether the landfill development was or wasn't there at any point into the future. Okay.

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So your risk assessments, Mr. Frodo talked about the underbelly, this is really coming on to point C as well. But you know, the physical impacts of the proposal in terms of excavation, capping and filling

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changes to the groundwater regime and the surface water regime in the vicinity of the pipe, and the physical effects of vehicle movements, all of those things are work, you tell me Presumably, they will be covered in the risk assessment, which, absolutely, so yeah, so So what we have done, so it's the list in in, so all the things that you listed there, and in your points, they're also all the things that we've identified in the tables of risks that were circulated that hopefully will now get that feedback from, from Mr. Froggatt on and we can make sure we've covered all the points, that anything in addition that he's raising, but yes, it's exactly those that are addressed individually. So there's a whole bundle of things wrapped up in in many of the comments and concerns. So what we sought to do from the beginning, is to separate them out, identify each one address each one individually, and to provide the response on each of those so. So

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physically digging a slope, and the stability of that slope you dig is one thing that we've looked at, that is different from the changes in the in the stresses in the soil that might so because as you remove the soil from that hole, that the soil sort of relaxes, if you like, in terms of the pressure that it was under, and that relaxation of the soil could transfer to change the properties of the soil surrounding the area in which the pipe is located. And if that occurred, then it could cause a change in the stability and support around the pipeline. And that is what we understand is the concern that Anglian Water identifying so we've identified that as a different risk that we've assessed and done the calculations on. And that is separate, again, from the concerns regarding the potential for surface water drainage to enter the bedding in the pipe, and an increased volume of that water to then erode the bedding or destabilise the bedding in some way. And again, that's fairly straightforward. The surface water management plan is designed to mimic exactly the same surface water management systems. But that's another risk assessment that we have carried out separately. So we've pulled them apart to make sure we identify each one and addressed each one individually.

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And is this assessment based on

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additional site investigation? Or is it based on information you already have?

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In terms of site information, so it's based on information we already have the client site is very well known. We've been working there, or GE and have been had a site there. They've been operating it since the the early 2000s. The landfill there has been operated since about 2000. We have clay data,

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construction quality assurance data for the nature of that clay but every single phase of landfill construction that's been carried out through the existing landfill. We've also got boreholes in the new

area, which confirms that it's unsurprisingly the same clay, the same detail. It's so we have a lot of information about that clay, we know it very well. And so we're able to use that information in those risk assessments. And that's and that's what we've done. So we haven't carried out any further site investigations because there have been extensive investigations carried out already. And that's helpful there.

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In giving us confidence that we we do know, the clay material and how it behaves. And it's a very strong clay. It is also, of course, you know, the clay that is providing the support to the to the pipelines currently. So there's a lot of information about that about one of the Progress concerns was that the claim may be particularly corrosive. has the potential to increase

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the likelihood of leaks? Is there any chemical analysis of the

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claim? I mean, I interested to hear Mr. Roberts comments on what he means by corrosive but the clay is the clay is the clay it's what's there. And already, we're not introducing new clay. So I'm not quite sure what what the concerns are related to that, and how that is affected by the proposed development.

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Well, Mr. froglets, impact, would you like to respond to that specific? Yes, certainly. Thank you, sir. Agreed, I thank you for the fact that you've taken the time to, to do these calculations, I've yet to see the the in depth detail that you've gone to. My principal concerns are, of course, the behaviour of plays when they're unloaded from their current position. Because effectively you move the as quite eloquently described, you move the load away from it, that lay wants to actually then expand and rise, the the nature of the excavation periods would leave potentially, these areas in a series of phasing. I've yet to see the actual phasing from the details to understand how that differential loading could occur. What would the event would be, we had an as some of you may remember, it was termed the beast from the east, where we had a really cold spell across the region across the country. And a lot of water companies lost provision to provide water to customers because of the effects of that on their ground conditions of the event as well. We obviously have concerns. Thankfully, we didn't see that to a great degree in our region, although we did have over 700 bursts in that event. But we managed to maintain supply because we understood that we had provision in place for it. The question is, is how I got provision in place at the moment do I understand the implications of this, and I've not seen the calculations on the in depth analysis yet. So I don't fully understand that. There's regards the corrosivity of the the ground conditions, we use our external experts to do our assessments on ground corrosivity. And this particular region where we run through with a glaze and soils in this particular area, it is deemed as corrosive both to a mid and a serious

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level, which is a mixture of the results of groundwaters mixing with the clays etc. which give us this this this condition.

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Again, we take our advice from our specialists, our specialists tell us that we need to protect the mains, by separate means in these areas, that hence why we do and impressed current

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corrosion measures on most of our steel pipelines running through these areas. My key fundamental concerns are the period of construction. And Phil changes the properties in and around that pipeline. And we're exposed to long term position of between the first initial excavation to the final cupping fill. The question is with environmental changes which are occurring and we'll see where we get more rain, more extremes of weather conditions. How is that being catered for in the assessment? And at the moment? I had no evidence to say that has been catered for.

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So it will remain a risk for me until it's quantified. Yeah.

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The season? What are those factors? So we've got the corrosivity of the clay, and we've got the period when the X or the period over which the excavation will take place are those factors which are taken into account in your risk assessment? Well, the corrosivity of the clay, the point that goes to the probability of a failure not obviously to any consequence of the development. So I don't think that's what Mr. Crockett is suggesting. I think he's talking about the overall vulnerability of the of the pipeline, and it's my understanding, just one point to clarify there is that he talked about groundwater and corrosive effect, but these pipelines, of course, are well above the level of the groundwater in this

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area. So if you recall, the the base of the landfill in that area is about seven metres below the pipeline's and the groundwater in that area is about eight metres below the base of the landfill. So in terms of contact with wet, potentially acidic groundwater, that's again not not a pathway or of concern in this site setting if that's if that's the situations that I could understand, if you had an aggressive groundwater condition, then that certainly I could understand that in terms of corrosion. But this is it's high, it's dry, other than for any surface water that might be present in the, in the pipe bedding, on the point about the stability of the of the excavations and the duration of those

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slopes being being left open and unsupported. Those slopes are, are designed and approved through the environmental permit application in terms of stability. So in terms of design, stability, construction, quality assurance, that's all very detailed control imposed on that through the construction quality assurance plan, that's part of the environmental permit. So they are monitored for the period that they are being constructed, and engineered and filled. And the

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the the factors of sleep safety that they have have to be demonstrated. And each phase is is excavated, it's engineered, it's filled, and it's kept in in a very short period. And it's no more than a few years. So no excavation, excavated slope is going to be open for more than a short period of a few

months, because as soon as you've engineered it, it makes business sense, you're gonna get straight in there and start filling against it. So those are not like a quarry, where those slopes would stay open for a long period, it followed up very quickly by filling. And of course, once the engineered slope is filled to ground level, will recall of course, there's then more filling above that, but once it's filled to ground level, those slopes are supported fully by the waist, then that is that is placed against those slopes. And the the monitoring of those slopes throughout the period is part again of the of the routine operational requirements of the of the environmental permit. So we have covered those points. And those details are emphasised in the risk assessment.

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The stability of those slopes and their longevity is one issue that is separate from the other point which I think Mr. Profit is making, which is about the ground pressures that might change as a result of the excavation that I mentioned. And the quantification of those is presented and and I accept that Mr. Probert hasn't had the opportunity to see those yet. But my understand my understanding from the specialist pipeline engineer is that that's a fairly standard approach that's taken, it's set out in a budget standard. And that we're a new pipeline design is undertaken. If the trench widths or the surrounding supporting soil is greater than a factor of 4.3 times the outside down to the pipes, it's very precise calculations there, the native soil, so it's the clay here. And therefore any changes or stresses or pressures in that soil near to the pipe is deemed not to have an effect on the structure or behaviour of that pipe. If it's more than that distance from that when those changes occur. So for our purpose, the distance is the distance to where those excavations are taking place. So our pipeline damages point eight metres

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4.8 times, or I'm using five times because it's easier on the maps and takes us to point eight times five, sorry, point eight times five, which is four metres. So that's the distance beyond which so if the pipeline was within four metres to the edge, then there is a potential for changes and stresses to have an effect. And you'd need to look at that in more detail to determine what those consequences might be that because we are

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well outside that distance. So we're 9.52 metres totally. So seven up to the fence, another 2.5. So we're 9.5 metres from the pipeline. Therefore, the consequences of that excavation will not extend anywhere close to the to the pipeline to be able to have an adverse effect on it. And that five meet or that five multiplier. Does that vary according to the soil time was that standard? I would need to ask that question. Nope. I'm being told no, it doesn't.

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I mean, we have to make assumptions in these calculations, as I mentioned before, about things like the depth

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The pipe, for example. So we still haven't had confirmed what the depth of the pipe is. So it'd be very helpful to, to get critical information like that. And absolutely as much of the as built information as

Anglian Water can supply that we've been requesting, which we still haven't received, unless it's in that email at the first of June, in which case, we'll be delighted to have that information.

1:35:24

Right.

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Do you want to come back on anything you've heard? Mr. If, Robert, if I may respond, sir. Yeah, thank you. I do appreciate the calculations are,

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are as per if you'd like British Standard. That's great. And I understand the parameters in which you're describing. So again, I've not seen the calculations. So I can't do comment any further, except for the fact that that is an assumption that the ground that we're working in is a virgin class, and the reinstatement and the area that trench with initially was as we assume, so again, that's kind of information that needs to be confirmed. But on the subject of the Aza bills, if I could just trying to, as I alluded to before, with 80,000 kilometres of pipeline, the paperwork required to, to maintain 80,000 kilometres would take a warehouse, we have been over the process over a number of years of digitising this information and building it into our GIS model, which we do have that information in a GIS model, which is gives type depth locations etc. We try, we're still trying to find if there is an old paper copy somewhere, but most of those have been digitised and turned into ArcGIS models. So please forgive me if we have not provided a a physical copy at the moment. But we are more than welcome to share what information that we can from our GIS model. And just my last point, there is always groundwater permeating through to our pipeline. Be it rainfall, the the natural moisture levels within the clay, this is whilst described as dry, there is a level of moisture contained within that trench at all times.

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Okay, I think the distinction that misfeasance was making was between surface water infiltration and the underlying groundwater but okay.

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I think

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that discussion probably covers B and C except for the vehicle movements and crossings. And up until now there has been there seems to be an agreement that the details of those can reasonably left be left for another term. Is that still the position of the applicant and Anglian Water?

1:38:01

Lesley, he's in here for the applicant, sir. That is certainly our understanding and it suitably covered off in and when waters pervert preferred protective provisions regarding the crossing arrangements and that was confirmed in the submission from Anglian Water at rep four zero 14. So that is our understanding of the way that we would normally proceed. Anglian Water obviously couldn't can comment on their views on that. But if I could also just summarise another of the risk assessments that

we have carried out and we'll include in all the application information is calculations on whether or not the pipes can accommodate vehicular loading. And it's accepted that those pipes weren't originally designed to accommodate significant loading. But they do comfortably pass all the assessments that have been carried out with a factor of safety against buckling, which is significantly greater than the required value, which is a factor of safety of two in all loading cases. And that even takes into account the assumption that the original pipeline thickness might have been reduced as a result of corrosion and so on. But notwithstanding those conclusions, it's good practice in a matter, of course, that designated crossing points would be identified and would be constructed to allow vehicles to move across pipelines. And that's that's a standard approach that we would take. And it's mostly to make sure that the ground surface doesn't deteriorate because if you get rotting, then of course the material available above the crown of the pipe but there's a risk that that becomes less and therefore the risk of an effect on the pipe would increase. So, the crossing point is as much to firstly keep keep vehicles to particularly location but also to make sure that the ground surfaces is maintained, and therefore the distance above the playground is maintained in accordance

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With the calculations that have been been carried out,

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Thank you,

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Mister for finally on vehicle movements and crossings.

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Thank you, sir. Frog, Anglian Water. Yes, it is a great concern towards

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our own investigations into main failures often highlight the risk of external loading factors, a proximities to roadways and major traffic areas has been a contributory if not a leading cause of failure. So, the thought of vehicles having to cross our two key mains is obviously a great concern to us. And we need to make sure that full provision is made to actually remove. It's not just the vehicle appoint loading, but it's the vibration, which is a long term issue for us with such pipelines, and normally we would insist with if we were doing work with highways, etc, that we even make additional provision of

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it if you'd like spare ducted pipe work on the crossings, which we're not to a position at the moment where we're insisting that we will do this. But what we are insisting on is evidence that due consideration has been done. And to ensure the safety of our mains. One of the things that we usually would have is a bridged

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structure where we would effectively remove the loading condition off the top of the pipes by spawning over the top of it, that would probably lead to localise piling. And that in itself would mean that that by

duty of installing the piles could actually lead to concerns of the pipe stability. So we would like to see these calculations in these assessments. At the moment, I've not seen any evidence to those I understand fully that the great work that sounds like is being done up not seen yet. But I am very happy to review that with my team. Okay, but are you content that the details of that

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assessment and the design that would flow from it

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is

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left for another day? Or is that something which you would think should be part of this on the assumption? So sorry, on the assumption that the pipeline is staying where it is? Yeah.

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Obviously, I would, I would have a great deal of interest in in the proposal and the detail, but not removed from our initial position, such to minimise risk. You remove it from the area, and then you don't I understand that that is your overriding position. But

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I'd be happy to engage and review at any stage as we have right from the onset. Okay, thank you.

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Right. In that case, I think what was Brooke, did you have something more to say on this particular point?

1:43:19

So yeah, sorry to interject, Clearbrook for the applicant, I just wanted just very briefly to pick up. It was very helpful for Mr. Froggit to confirm that there is a GIS model in existence. You know, we appreciate they may have found it difficult to currently find the as built drawings, but it would be immensely helpful if they are able to provide that GIS model information.

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I also don't know if Mr. Pro gets in a position to confirm the depth of the pipeline in this location. At this juncture, I assume the GIS model will confirm that. Clearly, we've done our risk assessment work based on worst case, assumptions around depth and information. But obviously, the actual data and having that as soon as possible would be immensely helpful. Yeah, yeah.

1:44:10

If I may, sir. Well, underwater, I will be happy to provide any information. As an aside. I've had our network team actually go out to site to, to do some assessment as well. So we can confirm what we understand from the model is correct. You also understand I can share this information with you. But

that is shared as part of we have to be mindful that this is critical national infrastructure. So we're very conscious about that within the public domain.

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Does that mean certainly

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if

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any information which is submitted through the examination would normally be publicly available on the National Infrastructure

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website, if there are elements of that GIS information that you think shouldn't be publicly available, then arrangements will have to be made for it to be redacted before it's posted on the website.

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Thank you very much.

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So yes, just just finally, my experts also asked that the original wall thickness, it will be very helpful, again, if that information is available, again via the model or otherwise. And certainly if the information is provided to us, we would absolutely recognise the confidential nature of that information and would revert to yourself in terms of how and if that information is provided to the examination as part of the ongoing risk assessment work. Clearly that the sooner we can get that information, the better in order to take that into account prior to us making our non material change application which were on target for the latest next Friday. So appreciate what you can do with in terms of turnaround. Thank you. Absolutely. I will endeavour to get you everything you need. Thank you very much. Mr. Fogg.

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Thank you, sir. Thank you for that. Well, I think what we'll do is we'll have a break now we've been going for an hour and three quarters. I think that's more than long enough on the on the

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virtual event. So if we break now until 12 o'clock, and then we'll resume on item 60 on the agenda.

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Thank you very much.