

1

00:00:00,750 --> 00:00:01,640

Good morning everyone.

2

00:00:03,630 --> 00:00:06,360

It's now 9:30 AM and time for this hearing. To begin,

3

00:00:08,140 --> 00:00:11,520

I'd like to welcome you all to this issue specific hearing into the draft

4

00:00:11,520 --> 00:00:15,960

development consent order, which we'll refer to as the d dc the draft d c 0.

5

00:00:17,950 --> 00:00:20,410

Can I just confirm that everyone can hear me clearly?

6

00:00:21,500 --> 00:00:22,333

Thank you.

7

00:00:22,390 --> 00:00:23,570

Can I also confirm with Ms.

8

00:00:23,570 --> 00:00:26,290

Allen that the live streaming of this event has commenced

9

00:00:45,760 --> 00:00:48,540

for those people watching the live stream. Can I also advise that should,

10

00:00:48,680 --> 00:00:51,860

should we at any point adjourn proceedings this morning,

11

00:00:52,470 --> 00:00:57,180

we'll have to stop the live stream in order to give us clear recording files As

12

00:00:57,180 --> 00:00:57,640

a result,

13

00:00:57,640 --> 00:01:01,140

at the point at which you recommend commence the meeting and restart the live

14

00:01:01,140 --> 00:01:05,140

stream, you'll need to refresh your browser page and view the restarted stream.

15

00:01:06,110 --> 00:01:07,800

I'll remind you of, again, of this again,

16

00:01:07,800 --> 00:01:11,720

should we need to adjourn issue specific hearing on the draft.

17

00:01:11,880 --> 00:01:15,560

D C O is in relation to the application made by Anglia Water Services Limited,

18

00:01:16,420 --> 00:01:20,240

who we will refer to as the applicant for an order Debra granting development

19

00:01:20,240 --> 00:01:24,120

consent for the Cambridge Wastewater treatment plant relocation project.

20

00:01:26,520 --> 00:01:30,750

Thank you for attending this hearing. My name is Alex Hudson.

21

00:01:31,050 --> 00:01:33,510

I'm a chartered town planner and a chartered landscape planner.

22

00:01:34,010 --> 00:01:36,710

I'm a planning inspector employed by the planning Inspectorate,

23

00:01:36,930 --> 00:01:40,270

and I've been appointed by the Secretary of State for leveling up housing and

24

00:01:40,270 --> 00:01:44,470

communities to be the lead member of the panel To examine this application,

25

00:01:45,250 --> 00:01:48,590

I'm now going to ask the other panel members who have also been appointed by the

26

00:01:48,590 --> 00:01:52,110

same Secretary of State to examine this application to introduce themselves.

27

00:01:54,140 --> 00:01:54,430

Good

28

00:01:54,430 --> 00:01:57,830

Morning. My name is Paul Burley. I'm a chartered town planner and planning

29

00:01:57,830 --> 00:01:58,663

Inspector.

30

00:01:59,940 --> 00:02:02,110

Good morning. My name is Helena Reky.

31

00:02:02,330 --> 00:02:05,910

I'm a chartered town planner and planning inspector. I now hand back to Mr.

32

00:02:05,910 --> 00:02:06,743

Hudson.

33

00:02:09,070 --> 00:02:12,750

Together we constitute the examining authority for this application and we'll be

34

00:02:12,750 --> 00:02:16,230

reporting to the Secretary State for environment, food and Rural Affairs.

35

00:02:18,170 --> 00:02:18,520

Sorry,

36

00:02:18,520 --> 00:02:21,480

With the recommendation as to whether the development consent order should be

37

00:02:21,480 --> 00:02:22,313  
made.

38

00:02:24,950 --> 00:02:28,010  
Can I begin by asking if there's anyone here today who did not attend

39

00:02:28,010 --> 00:02:31,330  
yesterday's preliminary meeting or open floor hearing,

40

00:02:31,670 --> 00:02:36,290  
either in person or virtually, or did not watch the live stream of the event?

41

00:02:37,170 --> 00:02:38,630  
Um, 'cause if there are no new attendees,

42

00:02:38,630 --> 00:02:40,190  
then I can shorten the housekeeping matters.

43

00:02:44,990 --> 00:02:49,620  
So I can't see any hands in the room and I can't see any hands

44

00:02:51,560 --> 00:02:52,393  
up virtually.

45

00:02:57,090 --> 00:02:58,460  
Okay. I'd like to remind you of this,

46

00:02:58,460 --> 00:03:01,360  
that this hearing hearing is being recorded and this recording will be retained

47

00:03:01,360 --> 00:03:04,480  
for five years from the Secretary State's decision by the planning inspectorate.

48

00:03:05,980 --> 00:03:09,240  
An audio recording of today's meeting will be available on the project page of

49

00:03:09,240 --> 00:03:11,960  
the National Infrastructure Planning website as soon as practicable.

50  
00:03:11,960 --> 00:03:15,180  
After this hearing, when you speak,

51  
00:03:15,230 --> 00:03:18,300  
could you please speak clearly and give your name every time you do so.

52  
00:03:19,510 --> 00:03:23,010  
Can I also remind you to turn off phones and laptops or switch notifications to

53  
00:03:23,010 --> 00:03:23,843  
silent?

54  
00:03:26,460 --> 00:03:30,090  
We're not expecting any fire alarms today. If the fire alarm does go off,

55  
00:03:30,400 --> 00:03:34,290  
then the procedure is to leave the room out of any of the fire exits,

56  
00:03:34,600 --> 00:03:37,650  
head down the main stairs and assemble outside the front of the hotel.

57  
00:03:39,440 --> 00:03:43,750  
There are toilets in the lobby area and by the front reception desk. Um,

58  
00:03:43,850 --> 00:03:47,230  
we intend to take a break at 11 o'clock, about 11 o'clock this morning.

59  
00:03:48,850 --> 00:03:51,430  
Um, if for no further housekeeping matters, then I'll move on.

60  
00:04:00,080 --> 00:04:03,130  
This meeting will follow the agenda as published on the project page of the

61

00:04:03,250 --> 00:04:07,810

National Infrastructure website on the 10th of October, 2023 with examination

62

00:04:07,810 --> 00:04:12,730

library reference EV 0 0 4 A. Um,

63

00:04:12,850 --> 00:04:14,850

I just want to highlight a small error on the agenda,

64

00:04:15,100 --> 00:04:19,250

which is the item three should refer to Schedule 15 rather than schedule nine.

65

00:04:24,280 --> 00:04:25,960

I hope you have a copy of the agenda to hand.

66

00:04:26,140 --> 00:04:30,240

You'll see that we are currently on item one. The agenda is for guidance only,

67

00:04:30,340 --> 00:04:33,480

and we, we may add other considerations or issues as we progress.

68

00:04:35,150 --> 00:04:38,260

We'll conclude the hearing as soon as all relevant contributions have been made

69

00:04:38,360 --> 00:04:40,540

and all questions asked and responded to.

70

00:04:43,190 --> 00:04:44,890

If the discussions can't be concluded,

71

00:04:44,920 --> 00:04:49,690

then it may be necessary for us to prioritize matters and defer other matters

72

00:04:49,750 --> 00:04:52,250

to further written questions. Likewise,

73

00:04:52,350 --> 00:04:56,220

if you cannot answer the questions being asked or require time to get the

74

00:04:56,220 --> 00:04:57,060

information requested,

75

00:04:57,060 --> 00:05:00,260

then you can then can you please indicate that you need to respond in writing

76

00:05:03,410 --> 00:05:04,230

in a similar vein.

77

00:05:04,230 --> 00:05:07,510

Some of the questions that we may ask today may also appear in our first recent

78

00:05:07,830 --> 00:05:09,950

questions, which are due to be published next week.

79

00:05:10,770 --> 00:05:12,510

If you have answered the question in this hearing,

80

00:05:12,670 --> 00:05:16,590

I will submit in your written summary of your oral submissions to this hearing,

81

00:05:17,160 --> 00:05:21,470

which required by 20th of November, 2021 or deadline one.

82

00:05:22,300 --> 00:05:25,910

Then feel free to refer to this in your answer to the relevant written question.

83

00:05:28,390 --> 00:05:29,380

Throughout this hearing,

84

00:05:29,390 --> 00:05:32,140

we'll be referring to several key documents which you may wish to have easy

85

00:05:32,140 --> 00:05:32,973  
access to,

86

00:05:33,040 --> 00:05:37,940  
and these include the latest version of the draft d c o submitted by  
the

87

00:05:37,940 --> 00:05:40,820  
applicant in clean and track change versions.

88

00:05:40,880 --> 00:05:45,860  
And these have the examination library references as 0 1 0 and

89

00:05:45,880 --> 00:05:47,060  
as 0 1 1.

90

00:05:50,930 --> 00:05:52,190  
Uh, also, if there's a need,

91

00:05:52,200 --> 00:05:54,630  
we'll be using the latest version of the Land Plans and work plans,

92

00:05:54,720 --> 00:05:59,120  
which are referenced a p p 0 1 1 7 and a P P 0 1 8.

93

00:06:06,050 --> 00:06:09,070  
Let me briefly explain the purpose of this hearing into the draft d  
c o.

94

00:06:11,270 --> 00:06:14,850  
The draft d c o is an important document. It's a draft piece of  
legislation,

95

00:06:14,850 --> 00:06:19,210  
which if the Secretary of State decides to grant development consent  
forms a

96

00:06:19,210 --> 00:06:21,730  
legal basis for the delivery of the proposed development,

97

00:06:23,870 --> 00:06:27,330



it sets and secures the standards which the development must be constructed and

98

00:06:27,330 --> 00:06:29,730

secures the environmental performance of the development,

99

00:06:30,490 --> 00:06:34,330

ensuring that it does not exceed what is described as the rochdale envelope

100

00:06:34,330 --> 00:06:37,210

assessing the environment In the environmental statement,

101

00:06:38,440 --> 00:06:42,410

this hearing is being held on a without prejudice basis. So in essence,

102

00:06:42,480 --> 00:06:45,610

even if your position is that development consent should not be granted,

103

00:06:46,350 --> 00:06:49,330

and therefore the Secretary State should not make the draft D C o,

104

00:06:50,230 --> 00:06:53,530

you can make representations in this hearing on the drafting of the D C O

105

00:06:53,840 --> 00:06:57,250

without conceding your wider position that it should not be made.

106

00:07:02,050 --> 00:07:06,280

Those of you participating today can make comments that affect how the D C O is

107

00:07:06,280 --> 00:07:07,760

drafted, for example,

108

00:07:07,760 --> 00:07:11,360

relating to requirements which are the equivalent to the conditions,

109

00:07:11,700 --> 00:07:12,760

to a planning permission.

110

00:07:13,700 --> 00:07:16,960

You can do this even if your position is that the D C O should not be granted.

111

00:07:19,120 --> 00:07:22,370

It's important for the examining authority because we are under a duty to

112

00:07:22,370 --> 00:07:25,410

provide the sector state with the best draft of D C O that we can,

113

00:07:26,040 --> 00:07:29,730

even if we end up recommending that SEC State should not make the D C O,

114

00:07:30,940 --> 00:07:33,110

this is because we do not decide these applications.

115

00:07:34,330 --> 00:07:38,190

We make recommendations to the Secretary of State and they make the decision.

116

00:07:38,930 --> 00:07:42,430

So even if our reports were to recommend that development consent should not be

117

00:07:42,430 --> 00:07:43,263

granted,

118

00:07:43,610 --> 00:07:47,630

we would still append a draft D C O ensuring that the Secretary of State can

119

00:07:47,630 --> 00:07:49,230

decide to make one if they wish.

120

00:07:53,240 --> 00:07:56,090

I've been provided by the case team with a list of those who expressed,

121

00:07:56,230 --> 00:07:57,890  
who have expressed the wish to speak today,

122  
00:07:58,630 --> 00:08:02,890  
and they are people representing the following organizations. Um,

123  
00:08:03,120 --> 00:08:06,410  
Cambridge local authorities, which include the County Council,

124  
00:08:06,960 --> 00:08:10,650  
Cambridge City Council, and South Cambridge District Council,

125  
00:08:11,810 --> 00:08:14,250  
national Highways Fe and Parish Council,

126  
00:08:15,450 --> 00:08:19,850  
C P R E for Cambridge and Peterborough and Save Honey Hill Group,  
um,

127  
00:08:19,990 --> 00:08:24,690  
as well as the following individuals, Florian Zer and Fiona Orm.

128  
00:08:27,030 --> 00:08:29,050  
Um, I'm now going to ask those of you who have,

129  
00:08:29,150 --> 00:08:32,050  
who are participating today's meeting to introduce yourselves.

130  
00:08:33,280 --> 00:08:36,210  
When I state your organization's name, could you introduce yourself,

131  
00:08:36,520 --> 00:08:38,530  
stating your name and who you represent,

132  
00:08:39,150 --> 00:08:41,650  
and could you please also state how you wish to be addressed?

133  
00:08:43,990 --> 00:08:47,370  
Uh, can we start with the applicant, please and any of its advisors?

134  
00:08:49,670 --> 00:08:52,610

Yes. Thank you, sir. Good morning. Uh, my name's Paul May, uh,

135

00:08:52,790 --> 00:08:56,000

I'm a solicitor and partner ever, shed Sutherland. Uh,

136

00:08:56,000 --> 00:09:00,520

and I'm instructed on behalf of, uh, Ang and Water Services Limited.  
Um,

137

00:09:00,630 --> 00:09:05,120

I'll ask people to my left who may participate in the hearing this morning to

138

00:09:05,120 --> 00:09:06,600

introduce themselves to you separately.

139

00:09:06,690 --> 00:09:07,523

Thank you.

140

00:09:09,750 --> 00:09:11,880

Good morning, Mrs. Laura Beth Hutter,

141

00:09:11,880 --> 00:09:14,320

and I'm a solicitor and partner at Ever Shed Sutherland.

142

00:09:14,750 --> 00:09:19,240

Also instructed on behalf of, um, Anglia Water Services Limited, the applicant.

143

00:09:25,340 --> 00:09:28,840

Uh, good morning, sir. Uh, Andrew Pryor, director at a OSS infrastructure.

144

00:09:29,420 --> 00:09:31,800

I'm a consultant appearing for the applicant.

145

00:09:35,790 --> 00:09:38,200

Good morning, sir. Catherine Taylor for the applicant.

146

00:09:40,130 --> 00:09:42,200

Sorry, I couldn't quite hear. Is your microphone on?

147

00:09:43,340 --> 00:09:45,440

So Catherine Taylor for the applicant.

148

00:09:50,420 --> 00:09:53,790

Good morning. Um, Mrs. Sophie Stevenson for the applicant.

149

00:09:58,180 --> 00:10:01,830

Okay, thank you. Is that everyone from the applicant? Yes. Okay.

150

00:10:01,850 --> 00:10:06,630

Can we then move on to, um, other organizations? Um,

151

00:10:07,480 --> 00:10:12,190

could we start with the county council or the,

152

00:10:12,690 --> 00:10:13,750

or the local authorities?

153

00:10:14,940 --> 00:10:18,950

Good morning, sir. Selena Cahoon, council four, the county Council,

154

00:10:19,490 --> 00:10:24,110

the district council, and the city council. I'll allow Mr. Ka and Mr. Targa,

155

00:10:24,450 --> 00:10:26,390

Mr. Targa to, uh, introduce themselves.

156

00:10:26,720 --> 00:10:27,553

Thank you.

157

00:10:30,740 --> 00:10:34,310

Good morning. David Ufford, uh, principal Consents,

158

00:10:34,310 --> 00:10:36,190

project manager at Chemistry County Council.

159

00:10:42,070 --> 00:10:43,680

Good morning. Chen Taringa,

160

00:10:43,680 --> 00:10:47,520  
principal Planner for South Cambridge District Council, as well as  
City Council.

161  
00:10:48,280 --> 00:10:49,113  
I

162  
00:10:51,630 --> 00:10:52,920  
Okay, thanks very much. Um,

163  
00:10:53,440 --> 00:10:57,400  
I understand we have National Highways representative online for  
National

164  
00:10:57,400 --> 00:10:58,233  
Highways.

165  
00:11:01,360 --> 00:11:04,900  
Uh, good morning. I'm Alice Lawman, spatial planner for National  
Highways.

166  
00:11:05,160 --> 00:11:05,993  
You may be on mute.

167  
00:11:07,690 --> 00:11:08,523  
No, uh,

168  
00:11:08,610 --> 00:11:09,830  
No. Okay. That's, we can hear you now.

169  
00:11:10,690 --> 00:11:15,110  
Uh, yeah. Good morning. I, Alice Norman, spatial planner for  
National Highways.

170  
00:11:20,530 --> 00:11:23,660  
Okay, thank you. And f Deton Parish Council

171  
00:11:29,090 --> 00:11:29,940  
Charles Jones.

172  
00:11:30,340 --> 00:11:31,540  
Chairman Fe Deton Parish Council.

173

00:11:36,570 --> 00:11:40,270  
Um, C P r e I believe. Online?

174

00:11:44,090 --> 00:11:46,510  
Yes. Good morning, sir. Uh, Dr. Allen James,

175

00:11:47,840 --> 00:11:50,230  
first chairman of C P R E, Cambridge and Peterborough.

176

00:11:53,130 --> 00:11:55,680  
Thank you. And save Honey Hill Group.

177

00:11:59,640 --> 00:12:04,240  
Esther Rabkin, writer Council for Save Honey Hill. I'll let Mr.

178

00:12:04,330 --> 00:12:05,560  
Gilda introduce himself.

179

00:12:06,820 --> 00:12:10,000  
Yes, I'm, I'm Ian Gilda. I'm a planning and environmental consultant.

180

00:12:10,220 --> 00:12:12,080  
I'm also a resident of Hoing Sea.

181

00:12:17,210 --> 00:12:18,043  
Thank you.

182

00:12:20,690 --> 00:12:25,590  
And do we have Florian Za here either in the room or virtually

183

00:12:26,760 --> 00:12:30,130  
Technician on the list

184

00:12:41,050 --> 00:12:45,990  
And Fiona Orm. Okay. Um,

185

00:12:46,810 --> 00:12:51,710  
te from Parish Council. I I understand you're not speaking today.  
No. Okay.

186

00:12:52,090 --> 00:12:54,550

If you do wish to do so, then that's, that's also Okay.

187

00:12:58,330 --> 00:12:59,950

Um, I would just like to say that when speaking,

188

00:12:59,950 --> 00:13:02,750

please bear in mind that we have read all submissions made so far,

189

00:13:03,730 --> 00:13:07,510

and you therefore don't need to read out any previous submissions.  
However,

190

00:13:07,510 --> 00:13:10,190

if you, if you want to refer to something that you have submitted  
before,

191

00:13:10,420 --> 00:13:13,630

we'd be grateful if you can give the appropriate examination library  
reference

192

00:13:13,810 --> 00:13:16,950

so we can all follow. Um,

193

00:13:17,610 --> 00:13:21,470

can I just check that there's nobody else either in the room or  
virtually who

194

00:13:21,580 --> 00:13:22,830

intends to speak today?

195

00:13:29,050 --> 00:13:33,220

Okay. We have our National Highways, Mr.

196

00:13:34,350 --> 00:13:37,260

Sorry, environment Agency. Mr. Neville. Ben,

197

00:13:39,120 --> 00:13:40,850

Good morning, sir. Um, yes, good morning.

198



00:13:40,910 --> 00:13:42,890

I'm not coming down to speak about anything, but just in case,

199

00:13:42,890 --> 00:13:45,690

depending on what the conversation where it leads to this morning,

200

00:13:46,080 --> 00:13:47,450

just to let you know that I'm here, uh,

201

00:13:47,530 --> 00:13:50,850

I might put my hand up to make a comment at some point. Thank you. Okay.

202

00:13:50,860 --> 00:13:55,210

Thank you very much. Okay, that concludes this item of the agenda.

203

00:13:56,660 --> 00:13:59,650

Thank you. So if we could turn to articles and schedules,

204

00:13:59,650 --> 00:14:03,250

including requirements of the draft D C O,

205

00:14:05,640 --> 00:14:05,960

um,

206

00:14:05,960 --> 00:14:09,780

I'd like to start this item as indicated by the first three bullet points of the

207

00:14:09,780 --> 00:14:11,700

agenda item, uh,

208

00:14:11,720 --> 00:14:15,700

by asking the applicant to provide a brief overview of each part of the draft

209

00:14:15,700 --> 00:14:16,940

development consent order,

210

00:14:17,840 --> 00:14:21,500

and then highlight key changes which have been made since the original

211

00:14:21,500 --> 00:14:25,100

submission version. Um, if you could, within your brief overview,

212

00:14:25,100 --> 00:14:29,340

explain how the draft D C O secures mitigation, um, and the broad,

213

00:14:29,350 --> 00:14:33,020

broad areas of such which such mitigation covers.

214

00:14:36,370 --> 00:14:38,780

Certainly. So, thank you. Um,

215

00:14:40,200 --> 00:14:44,660

the approach to the drafting of the dcos is generally the case with all, uh,

216

00:14:45,050 --> 00:14:49,260

dcos as started, uh, with the former model provisions, uh, order.

217

00:14:50,040 --> 00:14:54,520

And then, uh, those model provisions have been adapted when necessary and,

218

00:14:54,540 --> 00:14:58,680

and relevant having regard to made, uh, D C O since, um,

219

00:14:58,820 --> 00:15:02,840

so that it specifically relates to the, uh, proposed development.

220

00:15:03,790 --> 00:15:07,520

Some, some elements of the drafting, uh, have also followed, uh,

221

00:15:07,570 --> 00:15:11,760

other made D C O such as the Thames Tideway Tunnel order 2014.

222

00:15:11,780 --> 00:15:16,640

And the reason for following that order is it's the only made order, um,

223

00:15:17,060 --> 00:15:21,760

in the field of wastewater, uh, uh, to date. So despite being, um, uh,

224

00:15:22,880 --> 00:15:26,080

somewhat old, it, it is, it is still relevant. Um, and also the, uh,

225

00:15:26,330 --> 00:15:29,240

Silvertown Tunnel order, uh, 2020.

226

00:15:29,740 --> 00:15:32,360

And one of the reasons why that's particularly relevant is,

227

00:15:32,420 --> 00:15:37,200

is it's another order where, uh, a direction was made under Section 35, um,

228

00:15:37,660 --> 00:15:41,760

in, in, in relation to that development. Uh, several other orders, uh,

229

00:15:41,760 --> 00:15:43,960

which have been, uh, used, um,

230

00:15:44,340 --> 00:15:49,040

to inform the drafting were also detailed in the explanatory memorandum.

231

00:15:49,220 --> 00:15:53,360

That's document a p P 0 1 0, uh, where relevant.

232

00:15:53,940 --> 00:15:55,280

So what I'll,

233

00:15:55,280 --> 00:15:59,720

what I'll now do is just to run through the structure and content of, uh,

234

00:15:59,940 --> 00:16:01,680

the draft D C 0, uh,

235

00:16:01,680 --> 00:16:05,800

as is detailed in the explanatory memorandum part by part, uh,

236

00:16:05,860 --> 00:16:10,200

to explain the, uh, the scope of the provisions that are included,  
uh,

237

00:16:10,200 --> 00:16:14,920

within each part. So, uh, starting with part one,

238

00:16:15,510 --> 00:16:20,120

part one sets out the preliminary matters included, uh, making, uh,

239

00:16:20,230 --> 00:16:25,160

provision for the order to come into force and matters, uh, of  
interpretation,

240

00:16:25,580 --> 00:16:28,040

uh, which are defined in Article two.

241

00:16:28,780 --> 00:16:33,080

And those defined terms are used throughout the order, uh,

242

00:16:33,210 --> 00:16:37,160

saved for those, uh, in schedule two, where Schedule two,

243

00:16:37,160 --> 00:16:41,080

which is the requirement, sets out, uh, additional defined terms,

244

00:16:41,130 --> 00:16:45,920

which are specific to the interpretation, uh, of those requirements.

245

00:16:48,110 --> 00:16:51,360

Part two of the order then contains the principle powers,

246

00:16:52,260 --> 00:16:56,120

and that part contains the articles dealing with the grant of  
development

247

00:16:56,120 --> 00:17:00,280

consent for the authorized development as described in Schedule one

248

00:17:00,990 --> 00:17:05,920

with reference to the works plans and also for the use and maintenance of

249

00:17:05,920 --> 00:17:09,680

the development and the limits within which the development must be undertaken.

250

00:17:11,060 --> 00:17:15,960

Limits of deviation are set out in Article six and refer to particular

251

00:17:16,130 --> 00:17:19,880

plans and sections that are submitted as part of the application.

252

00:17:20,900 --> 00:17:25,000

And part two also deals with the entity having the, uh,

253

00:17:25,000 --> 00:17:29,840

benefit of the order and makes provisions for the transfer of that

254

00:17:29,840 --> 00:17:34,040

benefit, uh, as is common to most made, uh, D c o, sir,

255

00:17:35,270 --> 00:17:36,800

also in that part, uh,

256

00:17:36,800 --> 00:17:40,360

there is a statutory defense to nuisance at Article nine,

257

00:17:40,740 --> 00:17:45,080

as is envisaged by section 1 5 8 of the Planning Act 2008.

258

00:17:47,440 --> 00:17:50,360

Part three of the order then deals with, uh,

259

00:17:50,780 --> 00:17:55,720

street powers and covers such matters as authorization to undertake

260

00:17:55,720 --> 00:17:58,200

street works as defined in Article 10.

261

00:17:59,460 --> 00:18:04,400

It also covers various powers, uh, to, um, uh, to create temporary diversions,

262

00:18:05,060 --> 00:18:05,280

uh,

263

00:18:05,280 --> 00:18:10,240

the provision of accesses and street powers required for the development,

264

00:18:10,710 --> 00:18:12,920

including traffic regulation.

265

00:18:14,260 --> 00:18:17,280

The powers in the articles generally then relate to further detail,

266

00:18:17,280 --> 00:18:21,960

which is set out in, uh, schedules three to nine of the order,

267

00:18:22,170 --> 00:18:26,920

which specify, uh, generally the streets or public rights of way,

268

00:18:27,220 --> 00:18:31,480

uh, to which those particular articles relate, uh, in more detail,

269

00:18:32,090 --> 00:18:36,960

again, referencing, uh, the highways Access and Rights of WAY plans.

270

00:18:39,830 --> 00:18:44,520

Part four of the order contains supplemental powers and covers things like

271

00:18:44,720 --> 00:18:49,040

the discharge of water measures, uh, relating to, uh,

272

00:18:49,040 --> 00:18:53,240

the ability to undertake protective works to buildings and structures,

273

00:18:53,740 --> 00:18:58,040

and the ability to survey and investigate and monitor land.

274

00:18:59,060 --> 00:19:04,000

It also deals with the removal of human remains and provides powers to

275

00:19:04,000 --> 00:19:06,840

fell and lock trees, shrubs, and hedges,

276

00:19:07,060 --> 00:19:11,000

all making provision of the one-stop shop envisaged, uh, under, uh,

277

00:19:11,000 --> 00:19:12,480

the Planning Act 2008.

278

00:19:14,190 --> 00:19:16,480

Part five then deals with, uh,

279

00:19:16,570 --> 00:19:21,320

power sort in relation to the compulsory acquisition of land and rights, uh,

280

00:19:21,460 --> 00:19:26,280

and temporary provisions, uh, temporary possession. Um, and I, and I note, sir,

281

00:19:26,280 --> 00:19:27,400

that in the Rule six letter,

282

00:19:27,410 --> 00:19:31,080

there was an explanation that you don't want to go into too much detail in,

283

00:19:31,080 --> 00:19:35,960

in relation to matters of compulsory acquisition, uh, uh, uh, today. And so, uh,

284

00:19:36,060 --> 00:19:38,600

the explanatory memorandum explains, uh,

285

00:19:38,900 --> 00:19:42,920

the general provision of those powers and the statement of reasons,

286

00:19:43,330 --> 00:19:44,320

which is, uh,

287

00:19:44,680 --> 00:19:49,400

document reference A P P 0 1 2 contains the

288

00:19:49,400 --> 00:19:54,200

applicant's justification for each of those compulsory acquisition powers, uh,

289

00:19:54,200 --> 00:19:55,033

that are sought.

290

00:20:00,070 --> 00:20:03,800

Part six of the order, uh, then contains, uh,

291

00:20:04,550 --> 00:20:07,080

what are termed miscellaneous and general provisions,

292

00:20:07,900 --> 00:20:11,800

and that includes a general provision in relation to rights on the river cam,

293

00:20:12,380 --> 00:20:16,800

uh, the precise drafting of which is, uh, currently being discussed with the,

294

00:20:16,860 --> 00:20:21,560

uh, cam Conservancy, along with, uh, related protective, uh, provisions,

295

00:20:21,560 --> 00:20:24,320

which I think we'll discuss at at a later agenda item.

296

00:20:25,710 --> 00:20:29,280

This part also includes commonly found D C O provisions, uh,

297

00:20:29,280 --> 00:20:33,920

dealing with the application of landlord and tenant law, uh, operational land,

298



00:20:34,610 --> 00:20:35,443  
crown land,

299

00:20:35,780 --> 00:20:40,280  
and the application dis application and modification of legislative provisions.

300

00:20:41,180 --> 00:20:44,960  
It also gives effect to the various protected provisions which are contained in

301

00:20:45,120 --> 00:20:45,953  
Schedule 15,

302

00:20:46,380 --> 00:20:49,720  
and includes provision relating to the discharge requirements and other

303

00:20:49,960 --> 00:20:51,480  
approvals. And finally,

304

00:20:51,740 --> 00:20:55,840  
it deals with the certification of plans and documents under the order and sets

305

00:20:55,900 --> 00:21:00,160  
out required procedures relating to the service of notices under the order and

306

00:21:00,160 --> 00:21:04,440  
provides the disputes under the order unless otherwise specified, uh,

307

00:21:04,440 --> 00:21:06,160  
to be dealt with by arbitration.

308

00:21:08,080 --> 00:21:11,260  
Moving then into the schedules, sorry, um,

309

00:21:11,410 --> 00:21:15,620  
Just the statement of reasons was updated at as oh 13, just to

310

00:21:15,730 --> 00:21:16,563  
Highlight that.

311  
00:21:21,920 --> 00:21:26,700  
Uh, moving then to, to, to the schedules, schedule one, uh,

312  
00:21:27,180 --> 00:21:30,220  
describes, uh, the authorized development and the approach,

313  
00:21:30,240 --> 00:21:33,860  
the drafting of that, uh, schedule has been informed by the, uh,

314  
00:21:34,540 --> 00:21:38,980  
approach taken in, uh, the Silvertown tunnel, uh, order, uh,

315  
00:21:39,130 --> 00:21:42,580  
that I referred to earlier, which was also subject to a section, uh,

316  
00:21:43,200 --> 00:21:47,140  
35 direction. And indeed there, there is commentary on, uh,

317  
00:21:47,440 --> 00:21:52,420  
how the approach to, uh, describing, uh, that development has, has,

318  
00:21:52,520 --> 00:21:55,900  
has been, uh, undertaken in more detail in the, uh,

319  
00:21:56,100 --> 00:21:59,620  
schedule of amendments to the D C O application, uh, which is, uh,

320  
00:22:00,300 --> 00:22:03,220  
document number A P P 0 0 8.

321  
00:22:05,660 --> 00:22:07,940  
Schedule one also contains a list of further works,

322  
00:22:08,200 --> 00:22:10,860  
all of which must be necessary for the authorized development.

323  
00:22:10,860 --> 00:22:15,340  
And within the scope of the work assessed in the environmental

statement, uh,

324

00:22:15,430 --> 00:22:20,060

those works are listed such that they may be undertaken in any part of the order

325

00:22:20,060 --> 00:22:23,580

limits rather than within precise work areas,

326

00:22:24,400 --> 00:22:29,140

unless within the description of those particular works, uh, there is, uh,

327

00:22:29,200 --> 00:22:30,380

an applied constraint,

328

00:22:30,680 --> 00:22:33,220

and you will see that in relation to certain further works,

329

00:22:33,220 --> 00:22:37,860

which can only be taken, uh, within, uh, the landscape bond, which forms,

330

00:22:38,280 --> 00:22:42,580

uh, uh, part of the new treatment works, Uh,

331

00:22:42,920 --> 00:22:47,620

in Schedule two. Part one of the schedule contains relevant defined terms, uh,

332

00:22:47,730 --> 00:22:51,820

used in the schedule and then provides requirements with which the undertaker,

333

00:22:51,920 --> 00:22:55,460

um, must comply in the construction operation,

334

00:22:55,920 --> 00:23:00,380

use and maintenance, uh, of the authorized development. And those, uh,

335

00:23:00,380 --> 00:23:03,860

requirements cover a number of matters, um, which, uh,

336

00:23:04,060 --> 00:23:07,500

I suspect we may well discuss, uh, later on, uh, in the hearing.

337

00:23:07,880 --> 00:23:12,700

But they relate to things like, uh, phasing of the development, um, the, uh,

338

00:23:12,950 --> 00:23:16,980

submission and approval of various management plans to secure mitigation,

339

00:23:18,020 --> 00:23:22,660

detailed design, uh, construction arrangements, uh, and other detailed matters.

340

00:23:23,930 --> 00:23:27,540

Part two of, uh, schedule two then follows the, uh,

341

00:23:27,860 --> 00:23:31,900

planning inspectorates of Ice Note 15 and governs the procedure relating to the

342

00:23:31,900 --> 00:23:35,540

discharge requirements including, uh, any appeals.

343

00:23:38,500 --> 00:23:42,380

Schedule three, um, sets out the streets within the order limits,

344

00:23:42,380 --> 00:23:45,760

which are to be the subject of Street Works powers under Article 10,

345

00:23:47,600 --> 00:23:49,480

schedule four List Streets,

346

00:23:49,480 --> 00:23:53,200

which are to be subject to the alteration of layout under Article 11,

347

00:23:55,000 --> 00:23:56,800

schedule Five List Streets,

348

00:23:56,810 --> 00:24:00,760

which are to be temporarily closed during the carrying out of the development

349

00:24:00,760 --> 00:24:01,880

under Article 12.

350

00:24:03,600 --> 00:24:08,480

Schedule Six lists public rights of way and is split into parts.

351

00:24:08,750 --> 00:24:13,560

Part one deals with those which, uh, may be temporarily closed, uh,

352

00:24:13,560 --> 00:24:18,440

where substitutes being provided. And part two, details, um, uh, uh,

353

00:24:18,440 --> 00:24:22,920

or deals with the creation, uh, of a new right of way. Um, all under article,

354

00:24:23,140 --> 00:24:23,973

uh, 13,

355

00:24:27,160 --> 00:24:30,120

Schedule seven then deals with, uh, new accesses, uh,

356

00:24:30,180 --> 00:24:34,840

to be created and sets out, uh, in more detail what those accesses,

357

00:24:35,220 --> 00:24:39,440

uh, are to be used for being either construction operation or maintenance,

358

00:24:39,440 --> 00:24:43,920

or a combination of, of, of, of, of those, uh, three things. Um,

359

00:24:44,620 --> 00:24:49,560

that's, uh, under Article 14, schedule eight then deals with,

360

00:24:49,980 --> 00:24:54,360

uh, the imposition of speed limits with Part one, imposing some, uh,

361

00:24:54,800 --> 00:24:59,440

temporary speed limits and part two, relating to permanent speed limits,

362

00:24:59,860 --> 00:25:03,160

uh, as, um, anticipated under Article 16,

363

00:25:05,600 --> 00:25:10,040

schedule Nine sets out detail of traffic regulation matters required

364

00:25:10,390 --> 00:25:13,960

with part one of Schedule nine containing temporary regulation powers.

365

00:25:14,260 --> 00:25:16,160

And part two, um,

366

00:25:16,460 --> 00:25:20,640

new proposed prohibited movements under Article 17.

367

00:25:22,840 --> 00:25:27,760

Schedules 10 to 13 then relate to, uh, compulsory acquisition powers,

368

00:25:28,260 --> 00:25:32,800

uh, schedule 10 sets out land in which only new rights may be created,

369

00:25:33,380 --> 00:25:38,000

and contains the detailed purpose for which those rights may be acquired and

370

00:25:38,000 --> 00:25:39,600

restrictive covenants imposed.

371

00:25:40,340 --> 00:25:44,120

And those rights relate to the plots specified in the table in Schedule 10,

372

00:25:44,410 --> 00:25:46,680

which are shown, uh, on the land plans.

373

00:25:48,440 --> 00:25:51,600

Schedule 11 lists the relevant land, which is only, uh,

374

00:25:51,600 --> 00:25:56,120

to be subject to the acquisition of subsoil more than seven meters below, uh,

375

00:25:56,120 --> 00:26:00,240

sorry, beneath the surface. Um, together with the acquisition of, uh,

376

00:26:00,240 --> 00:26:04,880

surface rights and or the imposition of, uh, surface, uh, surface, uh,

377

00:26:05,120 --> 00:26:05,953

restricted covenants,

378

00:26:07,660 --> 00:26:10,780

schedules 12 sets out those parcels of land,

379

00:26:10,780 --> 00:26:15,460

which only to be subject to temporary possession and explains the purposes for

380

00:26:15,460 --> 00:26:17,420

which that temporary possession may be taken.

381

00:26:18,560 --> 00:26:23,500

And then Schedule 13 deals with the, uh, standard modification of relevant,

382

00:26:23,560 --> 00:26:26,380

uh, compulsory purchase, uh, legislation.

383

00:26:28,900 --> 00:26:33,700

Schedule 14, uh, is a schedule which, um, interacts with, uh,

384

00:26:33,730 --> 00:26:37,580

requirement four and contains, uh, uh,

385

00:26:37,590 --> 00:26:41,620

parameters within which, uh, the, uh, development must be undertaken.

386

00:26:41,620 --> 00:26:45,600

And I'll come back to that shortly when talking, uh, about, uh, mitigation

387

00:26:48,000 --> 00:26:52,960

Schedule 15 contains provisions for the benefit of various third parties, uh,

388

00:26:53,060 --> 00:26:57,080

to govern, uh, the interaction between assets owned by those parties, uh,

389

00:26:57,100 --> 00:26:59,160

and the authorized development, uh,

390

00:26:59,190 --> 00:27:01,760

more commonly known as protective provisions.

391

00:27:03,480 --> 00:27:08,240

Schedule 16 lists hedge rows and important hedge rows, which may be removed, uh,

392

00:27:08,300 --> 00:27:13,080

by reference to, uh, the relevant plans, uh, pursuant to Article 23,

393

00:27:14,560 --> 00:27:19,360

schedule 17. Um, then details legislative provisions, which are, uh,

394

00:27:19,580 --> 00:27:24,080

to be modified and misapplied pursuant to Article 49,

395

00:27:25,600 --> 00:27:29,800

schedule 18, uh, then is a list of plans and documents, uh,

396

00:27:29,820 --> 00:27:34,760

to be certified, um, upon making of the order, including their reference,



397

00:27:34,860 --> 00:27:39,360

uh, and revision numbers. Uh, they will of course be updated, uh,

398

00:27:39,360 --> 00:27:42,840

should further revisions be submitted, uh, during the examination.

399

00:27:43,820 --> 00:27:44,653

And then finally,

400

00:27:44,920 --> 00:27:49,120

schedule 19 includes the arbitration rules applicable to any arbitration

401

00:27:49,120 --> 00:27:54,120

process, uh, under the order. So that, that concludes,

402

00:27:54,420 --> 00:27:59,280

um, a a brief overview, uh, of each part of the D C O.

403

00:27:59,700 --> 00:28:04,240

Um, I'll then move on to briefly consider the second and third, uh,

404

00:28:04,260 --> 00:28:08,400

bullet points, uh, in the agenda. Um,

405

00:28:09,140 --> 00:28:09,680

so the,

406

00:28:09,680 --> 00:28:13,480

the second bullet point asked the applicant to briefly highlight changes made to

407

00:28:13,480 --> 00:28:18,360

the draft D C O since the, uh, original, uh, uh, uh, submission, uh,

408

00:28:18,360 --> 00:28:22,080

version. Um, but those changes were made, um,

409

00:28:22,460 --> 00:28:26,400

and submitted in response to the procedural deadline of the 29th of

September,

410

00:28:26,940 --> 00:28:31,360

uh, as requested by the examining authority. And those are, uh,

411

00:28:31,360 --> 00:28:35,080

reflected in the, uh, draft D C o, um,

412

00:28:35,920 --> 00:28:40,640

document number a S 0 1 0 for the clean version and a S 0 1 1, uh,

413

00:28:40,700 --> 00:28:45,320

for the tracked version. And along with the submission, uh, of, uh,

414

00:28:45,610 --> 00:28:48,600

those, uh, amended, that amended draft D C o, uh,

415

00:28:48,740 --> 00:28:53,480

the applicant's explanation of the changes made and responses, uh,

416

00:28:53,480 --> 00:28:57,160

to the items raised by the examining authority where changes have not been made,

417

00:28:57,580 --> 00:29:02,080

are set out in a document called the D c 0 Changes Tracker, uh,

418

00:29:02,080 --> 00:29:06,280

which is document a s 0 1 2. Um,

419

00:29:06,660 --> 00:29:10,640

I'm happy to go through those changes should it be required, but equally,

420

00:29:10,740 --> 00:29:13,120

I'm quite happy, sir, to take those documents as,

421

00:29:13,380 --> 00:29:16,320

as read as an explanation of the changes that that have been made.

422

00:29:18,740 --> 00:29:21,710

Yeah, I was just really after that, any key changes. So, um,

423

00:29:21,950 --> 00:29:26,870

I suppose particularly you've added two requirements, requirement 22 and 23.

424

00:29:26,990 --> 00:29:31,710

I think it'd probably be useful for a brief explanation as to the reason for

425

00:29:31,710 --> 00:29:36,350

that. Um, I suppose noting that the explanatory me,

426

00:29:36,410 --> 00:29:41,030

me memorandum wasn't updated and submitted alongside the,

427

00:29:41,050 --> 00:29:42,640

the updated D C O,

428

00:29:45,180 --> 00:29:48,920

Uh, certainly requirement, requirement 22, um, uh,

429

00:29:48,920 --> 00:29:51,760

forms the addition of an additional monitoring plan, um,

430

00:29:51,760 --> 00:29:56,720

called the operational water, uh, quality, uh, management plan. Um, uh,

431

00:29:57,590 --> 00:30:01,680

this, this effectively was a, was an omission, um, when, um,

432

00:30:01,680 --> 00:30:04,400

looking at the mitigation that should have been secured by the requirements,

433

00:30:04,400 --> 00:30:09,120

and the applicants now added that, uh, requirement in order to deliver, uh, uh,

434

00:30:09,310 --> 00:30:12,880

that mitigation, uh, that plan. As yet, uh,

435

00:30:12,880 --> 00:30:15,360

the outline plan has yet to be submitted, and that will be submitted.

436

00:30:15,440 --> 00:30:19,040

I understand the next deadline, so can actually see what the content, uh, of,

437

00:30:19,040 --> 00:30:22,040

of, of that plan is. Um,

438

00:30:22,790 --> 00:30:25,240

requirement 23, um,

439

00:30:25,390 --> 00:30:30,240

then relates to the operation of the Discovery Center, uh, which is in, uh,

440

00:30:30,380 --> 00:30:34,120

the, uh, gateway building and regulates, um, uh,

441

00:30:34,260 --> 00:30:38,800

the operation effectively of, of that Discovery Center, um, uh,

442

00:30:39,220 --> 00:30:42,400

by, um, requiring certain things, um, uh,

443

00:30:43,150 --> 00:30:46,640

such as attendance to be, uh, by appointment only, um,

444

00:30:46,780 --> 00:30:48,920

in relation to education programs or,

445

00:30:48,940 --> 00:30:51,840

or scheduled opportunities for local schools, uh, and groups.

446

00:30:51,940 --> 00:30:56,200

So it's effectively limiting, uh, the, the, the operation of, uh,

447

00:30:56,270 --> 00:31:01,080

that discovery center, uh, to those, uh, local educational,

448

00:31:01,340 --> 00:31:04,200

uh, opportunities, which is why those, um, uh, uh,

449

00:31:04,200 --> 00:31:07,960

wedding has been included and is consistent with, uh, how that, uh,

450

00:31:08,440 --> 00:31:11,600

facility is intended to work in accordance with the project description, uh,

451

00:31:11,600 --> 00:31:14,280

chapter in the, uh, draft development consent order.

452

00:31:18,910 --> 00:31:22,790

I will now move on, um, to consider, uh,

453

00:31:23,130 --> 00:31:26,750

how the draft D C o, uh, secures mitigation.

454

00:31:28,250 --> 00:31:32,510

And I think that the, the, the, the draft d c 0 deals, uh,

455

00:31:32,700 --> 00:31:36,870

with mitigation in a, in a number of ways. First, firstly, there is, um, uh,

456

00:31:37,100 --> 00:31:40,430

what is termed embedded mitigation, which is effectively mitigation in the,

457

00:31:40,690 --> 00:31:44,710

in the design of the project. Um, and, uh,

458

00:31:44,820 --> 00:31:48,310

that is secured either spatially through, um,

459

00:31:48,690 --> 00:31:53,390

the various work areas, uh, that are identified on, uh,

460

00:31:53,650 --> 00:31:55,750  
the work's plans. Uh,

461  
00:31:55,890 --> 00:32:00,550  
and those work areas are subject to limits of deviation as are,

462  
00:32:00,770 --> 00:32:04,990  
uh, specified, um, under article, uh, six.

463  
00:32:06,770 --> 00:32:11,590  
Uh, secondly, then, uh, there are, um, obligations,

464  
00:32:11,890 --> 00:32:16,550  
uh, to comply, uh, with the maximum parameters, uh,

465  
00:32:17,050 --> 00:32:20,950  
in terms of the built form of the development matters such as  
maximum building

466  
00:32:20,950 --> 00:32:25,910  
heights, uh, for example, uh, which are taken directly from, uh,  
chapter two,

467  
00:32:26,610 --> 00:32:29,990  
uh, of the environmental statement. That's the project description  
chapter.

468  
00:32:30,530 --> 00:32:34,830  
And those are detailed, um, at, at length in Schedule 14.

469  
00:32:35,490 --> 00:32:38,950  
And then there is a, a, a, a corresponding, uh, requirement,

470  
00:32:39,080 --> 00:32:43,200  
which is requirement four to ensure that the development, uh,

471  
00:32:43,830 --> 00:32:48,520  
that comes forward accords with those, uh, parameters, uh, in, uh,

472  
00:32:48,800 --> 00:32:52,320  
schedule 14. And then finally there, uh, there,

473

00:32:52,320 --> 00:32:55,680

there are the remaining requirements which, uh, secure the, the,

474

00:32:55,680 --> 00:33:00,560

the provision of and compliance with, uh, various, uh,

475

00:33:00,650 --> 00:33:04,960

management plans, all of which, uh, uh, deal with, uh,

476

00:33:05,000 --> 00:33:09,920

securing mitigation, either during construction or, um, operation, uh, of,

477

00:33:10,020 --> 00:33:14,280

of, of the proposed development. Uh, and there is, um, uh, uh,

478

00:33:14,400 --> 00:33:17,920

a mitigation tracker, uh, which is, uh, uh,

479

00:33:18,320 --> 00:33:23,320

document a S 0 5 5. Uh, that's, that's for the clean version, uh,

480

00:33:23,320 --> 00:33:27,920

which aims to set out all the various, uh, mitigation, uh, commitments,

481

00:33:28,580 --> 00:33:29,640

uh, within, uh,

482

00:33:29,640 --> 00:33:34,120

the application and refers to where in the draft D C O, uh,

483

00:33:34,390 --> 00:33:38,680

it's intended, uh, that those, uh, mitigation commitments, uh, uh, uh, uh,

484

00:33:38,700 --> 00:33:43,320

are secured. Uh, I should also probably comment, uh, uh, uh,

485

00:33:43,320 --> 00:33:46,600

at this point. So there is, there is a further layer of mitigation,

as it were,

486

00:33:46,970 --> 00:33:49,960

which is, uh, mitigation, which it will be anticipated,

487

00:33:49,960 --> 00:33:52,960

will be secured in re uh, uh, via, uh,

488

00:33:53,120 --> 00:33:57,880

the operation of environmental permits. And having regard to, um,

489

00:33:58,620 --> 00:34:03,200

uh, the advice in, uh, section 3.7 of,

490

00:34:03,500 --> 00:34:07,320

uh, the wastewater m p s, uh, the, uh,

491

00:34:07,320 --> 00:34:12,120

applicant's approach is not to try and, uh, effectively double regulate, um,

492

00:34:12,380 --> 00:34:16,400

uh, on those matters. Um, and where it's anticipated that, um,

493

00:34:16,740 --> 00:34:19,760

in the normal course of events, uh, uh, those matters,

494

00:34:19,900 --> 00:34:23,840

but then they tend to relate to, primarily to operational matters, uh, will be,

495

00:34:23,900 --> 00:34:27,040

uh, secured and regulated through the environmental permitting regime. That,

496

00:34:27,110 --> 00:34:30,400

that that'll be the permit that, that secure those functions. And again,

497

00:34:30,400 --> 00:34:33,600

the mitigation tracker will explain where that expectation occurs.



498

00:34:38,480 --> 00:34:42,460

So I think, sir, um, running through the first, uh, three agenda items,

499

00:34:42,550 --> 00:34:44,900

those are the, the matters that I wanted to, to highlight,

500

00:34:44,900 --> 00:34:47,380

unless there's anything else on those that I can help with at this station.

501

00:34:48,600 --> 00:34:52,380

No, that's very useful. Thank you. Um, can I just check if anybody has any

502

00:34:54,240 --> 00:34:57,200

comments on what we've just heard before we move on?

503

00:35:01,170 --> 00:35:05,660

Okay. I can see no hands up and no hands raised virtually either.

504

00:35:10,420 --> 00:35:13,320

Uh, okay. So as indicated in the, in the agenda,

505

00:35:13,540 --> 00:35:17,360

we are now going to ask a range of questions on some of the articles,

506

00:35:17,520 --> 00:35:19,600

schedules and requirements. Um,

507

00:35:19,600 --> 00:35:22,640

just to reiterate that some of these questions may also appear in our first

508

00:35:22,640 --> 00:35:26,640

written questions, which will be due out next week. Uh,

509

00:35:26,640 --> 00:35:30,640

those questions will also include other D c o questions as well.

510

00:35:30,640 --> 00:35:33,960  
Perhaps maybe more simple typo phrasing queries.

511  
00:35:36,400 --> 00:35:40,720  
I should just say here that I have a list of questions to ask the applicant. Um,

512  
00:35:40,740 --> 00:35:44,880  
if anyone else wants to come in with some of the comments or questions relating

513  
00:35:44,880 --> 00:35:46,080  
to the specific topic area,

514  
00:35:46,080 --> 00:35:50,480  
please let me know either in the room or with the hands up teams function.

515  
00:35:51,800 --> 00:35:52,040  
I will,

516  
00:35:52,040 --> 00:35:55,240  
of course ask everyone in the room and virtually for any comments or questions,

517  
00:35:55,820 --> 00:35:59,040  
uh, anyway, before we move on to other agenda items.

518  
00:36:00,180 --> 00:36:04,480  
So if you could begin please with, um, article two,

519  
00:36:08,250 --> 00:36:09,190  
and it's the,

520  
00:36:09,190 --> 00:36:13,710  
just some clarification over the definition of the term commence.

521  
00:36:19,330 --> 00:36:24,160  
So the definition of commence in the D C O means to carry out a material

522  
00:36:24,350 --> 00:36:26,760

operation and section 50,

523

00:36:26,760 --> 00:36:31,640

section 1 55 of the Planning Act 2008 defines this as any

524

00:36:31,640 --> 00:36:35,640

operation except one of a prescribed description.

525

00:36:36,810 --> 00:36:41,080

There are no prescribed descriptions in the definition in the D C O.  
Um,

526

00:36:41,080 --> 00:36:44,840

however, requirement three, which relates to phasing and requirement  
15,

527

00:36:44,840 --> 00:36:46,080

which relates to drainage,

528

00:36:46,690 --> 00:36:51,440

would seem to allow the enabling phase to commence prior to

529

00:36:51,440 --> 00:36:53,560

certain details being submitted and approved.

530

00:36:53,660 --> 00:36:57,520

And we're wondering how this lines with the definition of the term

531

00:36:59,120 --> 00:37:01,240

commence. And also,

532

00:37:04,670 --> 00:37:07,280

yeah, I'll leave it there for now, if you just answer that question,  
please.

533

00:37:16,920 --> 00:37:20,280

I, I suppose, actually, but further to that,

534

00:37:20,280 --> 00:37:24,800

would any works at all occur prior to say the discharge requirement  
nine,

535

00:37:25,370 --> 00:37:28,240

which relates to the construction environmental management plan?

536

00:37:33,100 --> 00:37:37,360

Uh, thank you, sir Paul May for the applicant. Um, I think probably the answer,

537

00:37:37,460 --> 00:37:41,120

the answer to this question is, is, is in two parts. Firstly, there,

538

00:37:41,120 --> 00:37:43,560

there is no intention to, um,

539

00:37:43,560 --> 00:37:47,240

effectively carve out anything from the definition, uh, of, of,

540

00:37:47,300 --> 00:37:50,720

of commence for the purposes of the order. So I, I think that's a, a,

541

00:37:51,560 --> 00:37:54,520

a fairly clear approach from the applicant's point of view. Um,

542

00:37:54,900 --> 00:37:59,120

in relation then to, uh, the discharge of requirements. Um,

543

00:37:59,700 --> 00:38:02,760

the, uh, the requirements are, are,

544

00:38:03,020 --> 00:38:07,800

are drafted to enable them to be discharged on a phase by phase basis.

545

00:38:08,860 --> 00:38:12,080

Um, and, uh, the intention is, uh,

546

00:38:12,260 --> 00:38:17,040

for the applicant to submit a phasing plan which details the various

547

00:38:17,290 --> 00:38:18,640

works, um,

548

00:38:18,770 --> 00:38:23,680

which are to be contained within each phase under, uh,

549

00:38:23,750 --> 00:38:24,840

requirement three.

550

00:38:26,980 --> 00:38:29,080

The exception to that

551

00:38:30,970 --> 00:38:34,310

Is in relation to what is termed the enabling phase,

552

00:38:35,570 --> 00:38:38,960

which is essentially a predefined phase

553

00:38:41,530 --> 00:38:46,150

so that the enabling phase does not need to be identified pursuant to

554

00:38:46,300 --> 00:38:50,550

requirement three and the effect of predefining.

555

00:38:50,900 --> 00:38:54,430

That enabling phase then enables, um, uh,

556

00:38:54,600 --> 00:38:56,270

those requirements to be dis,

557

00:38:56,480 --> 00:39:00,390

which are said to be discharged on a phase by phase basis to move straight into

558

00:39:00,390 --> 00:39:03,430

that discharge phase. In, in essence, it's,

559

00:39:03,430 --> 00:39:06,870

it's to enable the applicant in relation to, uh,

560

00:39:07,420 --> 00:39:10,310

certain upfront works, uh,

561

00:39:10,970 --> 00:39:15,110

to try and make a swifter start, uh, as possible. Um,

562

00:39:15,450 --> 00:39:19,510

so perhaps to take, um, to take an example of what, of,

563

00:39:19,510 --> 00:39:24,470

of what the intention is. And, and, and you mentioned, um, uh, uh, the,

564

00:39:24,570 --> 00:39:28,710

uh, the C E M P under, uh, requirement nine, uh,

565

00:39:28,710 --> 00:39:32,110

requirement nine one, uh, prevents, um,

566

00:39:32,370 --> 00:39:36,190

any phase of the authorized development being commenced until a, until a, uh,

567

00:39:36,470 --> 00:39:41,310

construction environmental management plan for that phase has been, uh,

568

00:39:41,310 --> 00:39:43,030

submitted, uh, and approved.

569

00:39:43,850 --> 00:39:47,910

And then requirement nine two sets out what, uh,

570

00:39:47,910 --> 00:39:50,990

the content of that, uh, uh,

571

00:39:50,990 --> 00:39:54,910

of that construction and environmental management plan must contain. And,

572

00:39:54,930 --> 00:39:57,190

and what you'll note is that, uh,

573

00:39:57,260 --> 00:40:01,950

requirement two A and requirement two B are slightly

574

00:40:01,950 --> 00:40:05,550

different in terms of what the scope of that plan is. And,

575

00:40:05,550 --> 00:40:08,350

and there's a slightly reduced scope, um,

576

00:40:08,890 --> 00:40:13,390

for works comprised within the enabling phase than, um, uh,

577

00:40:13,870 --> 00:40:16,630

compared to other phases. Uh, and,

578

00:40:16,650 --> 00:40:20,430

and that's simply due to the nature of the works that are, are defined within,

579

00:40:20,850 --> 00:40:25,270

uh, that, uh, enabling phase, not, not necessarily triggering all of the,

580

00:40:25,770 --> 00:40:30,230

uh, all of the, um, uh, mitigation plans that are referred to, uh,

581

00:40:30,290 --> 00:40:31,830

in requirement nine two B.

582

00:40:35,300 --> 00:40:40,270

Okay, so, sorry, so before requirement nine,

583

00:40:40,270 --> 00:40:45,190

before requirement nine, anything in those discharged can, any works,

584

00:40:45,780 --> 00:40:46,830

what, what works would,

585

00:40:46,880 --> 00:40:50,470

would happen on site before requirement nine is discharged or can,

586

00:40:51,060 --> 00:40:53,670  
because commence is any material work?

587

00:40:54,170 --> 00:40:54,470  
It is,

588

00:40:54,470 --> 00:40:56,870  
No, basically nothing could happen before those works,

589

00:40:57,050 --> 00:40:58,270  
before those are discharged

590

00:40:58,340 --> 00:41:01,030  
Effectively, in respect of the enabling phase, nothing, nothing,

591

00:41:01,030 --> 00:41:04,790  
nothing would happen until, um, the, uh, the,

592

00:41:05,010 --> 00:41:08,790  
the Construction Environmental Management plan as described in  
requirement nine

593

00:41:08,810 --> 00:41:10,430  
two A has been discharged.

594

00:41:11,340 --> 00:41:15,150  
Okay. So effectively before nine two A is discharged, you couldn't,

595

00:41:15,150 --> 00:41:19,110  
you wouldn't even like do vegetation clearance or anything like that

596

00:41:19,780 --> 00:41:24,750  
because that is a potentially material operation because

597

00:41:24,930 --> 00:41:28,630  
you haven't defined anything in the term to commence, which

598

00:41:29,770 --> 00:41:34,600  
In, in, in, in data, um, to my understanding,

599



00:41:35,100 --> 00:41:38,200  
um, that is, that is, that is correct. And, and indeed,

600  
00:41:38,240 --> 00:41:39,640  
I think in that particular example,

601  
00:41:39,650 --> 00:41:43,960  
there will be mitigation that is required prior to certain  
vegetation clearance

602  
00:41:43,960 --> 00:41:47,680  
in any event. So that will be something that will be envisage to be  
secured, uh,

603  
00:41:47,680 --> 00:41:48,800  
through that C M P.

604  
00:41:50,110 --> 00:41:51,520  
Okay. But, so just to be clear,

605  
00:41:51,580 --> 00:41:55,480  
you are saying that vegetation clearance couldn't happen before  
requirement nine

606  
00:41:55,500 --> 00:41:59,160  
is discharged, or, or nine two a effectively?

607  
00:41:59,580 --> 00:42:00,413  
Yes.

608  
00:42:00,990 --> 00:42:01,840  
Okay, thank you.

609  
00:42:09,110 --> 00:42:13,170  
Or any kind of excavation the work which may affect, say, for  
example,

610  
00:42:13,180 --> 00:42:15,890  
archeology or anything like that?

611  
00:42:20,150 --> 00:42:23,090  
That's certainly my understanding, sir, yes. Okay. If, if, if,

612

00:42:23,090 --> 00:42:25,410

if I'm incorrect in that, then obviously we'll,

613

00:42:25,700 --> 00:42:30,530

we'll identify what those things are, um, in, uh,

614

00:42:30,670 --> 00:42:34,210

future written submissions and, and if necessary, um,

615

00:42:34,740 --> 00:42:38,370

amend the definition of commence. But, uh, uh, as far as I'm aware,

616

00:42:38,370 --> 00:42:39,250

that's not the intention.

617

00:42:39,560 --> 00:42:40,393

Okay. Thank you.

618

00:42:47,620 --> 00:42:50,960

Uh, moving on to articles 10, 11, 13, 14 and 15,

619

00:42:52,620 --> 00:42:53,000

um,

620

00:42:53,000 --> 00:42:57,880

I note we note that Cambridgeshire County Council raised a few

621

00:42:58,020 --> 00:43:01,440

issues and in their relevant representation,

622

00:43:02,570 --> 00:43:05,640

which is r r 0 0 1, um,

623

00:43:07,390 --> 00:43:12,110

relating to streets and public rights way access and maintenance.

And,

624

00:43:13,210 --> 00:43:18,030

um, has there been any further discussions around this between the parties since

625

00:43:18,930 --> 00:43:22,910

the relevant representation was submitted? Um, if you could provide an update,

626

00:43:22,910 --> 00:43:25,710

please. Um, I'll ask the applicant first.

627

00:43:26,810 --> 00:43:27,643

Uh,

628

00:43:31,190 --> 00:43:34,530

To my knowledge, there are, there are, there are ongoing discussions in, in,

629

00:43:34,630 --> 00:43:37,930

in relation to, uh, that relevant rep, including the, um,

630

00:43:38,070 --> 00:43:42,570

the scope of protective provisions, uh, with, with with the county council, um,

631

00:43:42,700 --> 00:43:47,450

those, those constructions that, uh, uh, um, uh, constructive,

632

00:43:47,710 --> 00:43:51,890

uh, what what may help, uh, is, if, is,

633

00:43:51,890 --> 00:43:54,730

if I outline what the operation of, um, uh,

634

00:43:54,730 --> 00:43:58,730

article 10 et cetera actually is in terms of its interrelationship with the

635

00:43:58,730 --> 00:44:01,570

Street Works Act, um, because the,

636

00:44:01,630 --> 00:44:04,410

the intention of Article 10 is, um,

637

00:44:05,310 --> 00:44:09,370  
simply to create statutory authority or statutory right

638  
00:44:10,270 --> 00:44:15,250  
for, um, the Undertaker as defined in the order to undertake works,  
uh,

639  
00:44:15,350 --> 00:44:18,250  
as described in Article 10, essentially,

640  
00:44:18,720 --> 00:44:23,690  
that avoids the need for the undertaker to seek a specific Street

641  
00:44:23,690 --> 00:44:28,210  
Works license under section 50 of the New Roads and Street Works Act  
each time

642  
00:44:28,230 --> 00:44:32,520  
it wants to, um, undertake, um, uh, uh, those street works.

643  
00:44:33,300 --> 00:44:36,200  
It doesn't disengage the rest of, uh,

644  
00:44:36,780 --> 00:44:40,760  
the notification coordination obligations, et cetera,

645  
00:44:40,760 --> 00:44:45,520  
that then follow on, um, from, uh, uh, other provisions,

646  
00:44:45,860 --> 00:44:50,040  
uh, of, of, of the Street Works Act. And, and that's, um,

647  
00:44:51,260 --> 00:44:56,160  
that's the intention I think that, uh, is, is, is revealed in  
article,

648  
00:44:56,540 --> 00:45:01,400  
um, uh, uh, ten three But apart,

649  
00:45:01,460 --> 00:45:02,520  
but apart from that, there is,

650

00:45:02,520 --> 00:45:04,160

there is an ongoing dialogue with the county council.

651

00:45:04,550 --> 00:45:04,860

Okay.

652

00:45:04,860 --> 00:45:09,640

And do you expect any changes to those articles as a result of that ongoing

653

00:45:09,750 --> 00:45:11,280

dial dialogue? Uh,

654

00:45:13,320 --> 00:45:15,920

Possibly. Possibly. So I can say that because it, it,

655

00:45:15,950 --> 00:45:19,280

what we'll do is we'll look at the, the, the overall way in which, uh,

656

00:45:19,280 --> 00:45:23,080

those works are regulated. It, it, it, it may be the case that, uh,

657

00:45:23,110 --> 00:45:25,080

that comes forward either in amendments to the article,

658

00:45:25,080 --> 00:45:28,320

it might be amendments to protected provisions and, and those kind of things.

659

00:45:28,320 --> 00:45:29,640

But those discussions are ongoing.

660

00:45:31,070 --> 00:45:31,903

Okay. Thank you.

661

00:45:33,300 --> 00:45:36,840

So, yes. Um, I don't wish to repeat things, but, but, uh,

662

00:45:36,840 --> 00:45:39,600

you've had the position of the county council and its relevant rep.

663

00:45:39,940 --> 00:45:44,720

We are in discussion. The, the singular concern of the Highway Authority,

664

00:45:44,940 --> 00:45:46,920

as with in many dcos,

665

00:45:47,020 --> 00:45:51,880

is to ensure that the Highway Authority is properly involved

666

00:45:51,980 --> 00:45:55,120

in the process. Our specific concerns, however,

667

00:45:55,420 --> 00:45:59,120

not so much to do with the Street Works itself are the,

668

00:45:59,260 --> 00:46:03,360

the Greater Highway Authority works, uh, and the protective provisions,

669

00:46:04,020 --> 00:46:08,520

that's where things are, are potentially more split,

670

00:46:09,660 --> 00:46:13,520

but, um, the, what the authority is doing is,

671

00:46:13,620 --> 00:46:16,920

is approaching and looking at the protective provisions to see if they can make

672

00:46:16,920 --> 00:46:18,600

them work. But it fundamentally,

673

00:46:18,740 --> 00:46:23,400

our concern is that we think the Highways Act should apply and that 2 7 8 should

674

00:46:23,400 --> 00:46:27,120

be the relevant, um, context for any works. But,

675

00:46:27,300 --> 00:46:31,200  
but that's just to highlight where those those points are. Um,

676  
00:46:31,260 --> 00:46:32,840  
and we are clearly in discussion.

677  
00:46:34,550 --> 00:46:36,640  
Okay. Thank you. So you were,

678  
00:46:38,280 --> 00:46:41,600  
I think you were talking about agreeing timing and nature of works.

679  
00:46:43,520 --> 00:46:43,780  
I mean,

680  
00:46:43,780 --> 00:46:47,600  
is that the kind of thing you're expecting to see amended in the  
articles?

681  
00:46:49,220 --> 00:46:49,990  
Um,

682  
00:46:49,990 --> 00:46:50,750  
It's,

683  
00:46:50,750 --> 00:46:55,520  
Forgive me sir. It, it, it's, it's, it's more to do with,

684  
00:46:55,630 --> 00:46:58,680  
with the process of, of, of, um, consultation with the,

685  
00:46:58,680 --> 00:47:01,000  
with the street works and making sure that, um,

686  
00:47:01,060 --> 00:47:04,240  
we can monitor and keep control to such that extent,

687  
00:47:04,240 --> 00:47:05,520  
keep control of what happens.

688  
00:47:06,070 --> 00:47:08,080

Okay. And that's more in the protective provisions,

689

00:47:08,140 --> 00:47:09,680

is it rather than in the articles

690

00:47:11,630 --> 00:47:14,800

Through the 2 7 8 process? Yes, the, but two, the, the,

691

00:47:14,800 --> 00:47:19,800

the protective provisions don't necessarily deal with, with,

692

00:47:19,800 --> 00:47:23,560

with the Street works themselves. So it's, it's the Greater Highway works that,

693

00:47:23,560 --> 00:47:24,393

that are we concerned?

694

00:47:24,580 --> 00:47:29,560

So obviously there's a 91 Act and then there's the 1980 Act. Um, I, I,

695

00:47:29,760 --> 00:47:30,920

I quite understand that,

696

00:47:31,070 --> 00:47:34,760

that the street works is normally dealt with through these articles. Mm-hmm. Um,

697

00:47:34,820 --> 00:47:36,240

so there may be tweaks in that,

698

00:47:36,300 --> 00:47:39,360

but I think our overhaul concern is the Highways Act issue.

699

00:47:40,430 --> 00:47:44,040

Okay. Is that fair? Um, we'd like to say anything in response to that.

700

00:47:48,700 --> 00:47:52,440

Um, not in a great deal of detail. So I, as I say,



701

00:47:52,440 --> 00:47:56,520

I think there is an ongoing discussion. Um, there is, uh, a discussion around,

702

00:47:56,980 --> 00:47:58,920

um, uh, the appropriate,

703

00:47:59,340 --> 00:47:59,830

Uh,

704

00:47:59,830 --> 00:48:02,560

Vehicle for securing protection, uh,

705

00:48:02,580 --> 00:48:05,680

in relation to undertaking of the more significant highway works that are

706

00:48:05,680 --> 00:48:07,600

contemplated, uh, by the order,

707

00:48:07,750 --> 00:48:11,160

whether that's through a separate 2 7 8 agreement on each occasion,

708

00:48:11,540 --> 00:48:15,560

or whether that's through the incorporation effectively of section 2 7 8

709

00:48:15,560 --> 00:48:19,600

provisions within the protected provisions, uh, in, in the order.

710

00:48:19,980 --> 00:48:22,640

And that's the nature of the discussion that's currently being, uh,

711

00:48:22,640 --> 00:48:27,080

undertaken between, uh, the applicant and the county council. Um, I,

712

00:48:27,200 --> 00:48:31,160

I think probably in relation to the more minor matters under Street Works, uh,

713

00:48:31,450 --> 00:48:35,320

we'll refer back to the process under the Street Works Act, but also then there,

714

00:48:35,320 --> 00:48:37,160  
there may be possible to, uh, uh,

715

00:48:37,460 --> 00:48:41,280  
update certain aspects of the C O C P or the Kemps, for example,

716

00:48:41,300 --> 00:48:45,000  
in order to deal with precise ways in which that, that, that, um,

717

00:48:45,230 --> 00:48:48,440  
that notification process and and regulation process comes forward.

718

00:48:49,790 --> 00:48:50,100  
Okay.

719

00:48:50,100 --> 00:48:54,880  
So you are talking to each other and you expect to reach

720

00:48:56,330 --> 00:48:58,120  
agreements at some point on this

721

00:48:59,170 --> 00:49:03,120  
There, there may be agree to disagree on certain points, but, but certainly I,

722

00:49:03,200 --> 00:49:06,600  
I think that we can well refine where we, where we stand is.

723

00:49:07,230 --> 00:49:09,640  
Okay. Thank you. I'll leave that there for now in that case.

724

00:49:12,760 --> 00:49:13,593  
Yes, please.

725

00:49:17,690 --> 00:49:22,080  
Thank you. Um, save Honey Hill had raised in,

726

00:49:22,080 --> 00:49:26,400

in the relevant representations, a concern about the scope of Article 13.

727

00:49:26,520 --> 00:49:29,680

I dunno whether you want to take that now since we are running sort of

728

00:49:30,080 --> 00:49:32,600

numerically through the order or whether you want to wait until later.

729

00:49:33,420 --> 00:49:38,320

Uh, yeah, we'll, yes, we're on Article 13, so yes, please go ahead. Well,

730

00:49:38,580 --> 00:49:40,960

The substance, sir, which is very brief in our,

731

00:49:41,060 --> 00:49:44,720

our relevant representation is one is a point that we've made, um,

732

00:49:44,820 --> 00:49:48,600

in earlier consultations, discussions with the applicant. Um,

733

00:49:48,940 --> 00:49:53,520

and it concerns managing the public use by vehicles of low-end

734

00:49:53,840 --> 00:49:56,920

driveway immediately adjacent to the main site, um,

735

00:49:57,810 --> 00:50:02,240

which is clearly unsatisfactory as a vehicular highway, um,

736

00:50:03,860 --> 00:50:05,920

for general use. Um,

737

00:50:05,990 --> 00:50:10,760

clearly there are significant problems in regulating that use, um,

738

00:50:11,480 --> 00:50:15,480

'cause it also provides access, um, to a number of properties. Um,

739

00:50:15,910 --> 00:50:20,840

it's a matter we've raised before. And my understanding, sir, is that,

740

00:50:20,840 --> 00:50:25,160

that neither the applicant nor the county council were very willing to take it

741

00:50:25,190 --> 00:50:29,160

into the provisions of the order. I mean, our view, so would be that,

742

00:50:29,750 --> 00:50:32,560

that Article 13, if, if,

743

00:50:32,780 --> 00:50:36,720

if they're prepared to accept that there needs to be the permanent closure of

744

00:50:36,720 --> 00:50:38,880

part of that highway to vehicle clear use,

745

00:50:39,300 --> 00:50:44,200

it would need appropriate amendment to Article 13 and to the schedules.

746

00:50:47,840 --> 00:50:50,610

Okay. Are you proposing a permanent closure to, to that road,

747

00:50:51,430 --> 00:50:55,530

Uh, sir Andrew Pryor Aoss infrastructure? No, we are not. Um,

748

00:50:56,790 --> 00:51:00,330

the development doesn't impact that no.

749

00:51:00,330 --> 00:51:03,290

And driveway use other than for a short period at the start of the development

750

00:51:03,290 --> 00:51:04,290

to allow access.

751

00:51:04,830 --> 00:51:09,650

And therefore the status of that highway is not related

752

00:51:09,750 --> 00:51:12,770

to the permanent operation of our development.

753

00:51:14,950 --> 00:51:18,800

Yeah, I've, I've not seen anything about clo closure of that, um,

754

00:51:19,780 --> 00:51:23,040

public right of way or byway to permanently.

755

00:51:24,600 --> 00:51:27,840

I, I would hope so that, uh, the applicant will,

756

00:51:28,310 --> 00:51:31,760

will respond with the reasoning for that, for that position.

757

00:51:31,900 --> 00:51:35,680

I'm aware that informally we've had those sort of discussions in earlier stages

758

00:51:35,740 --> 00:51:38,960

in the past, um, in, in my view,

759

00:51:38,960 --> 00:51:42,840

because it immediately bounds the site to the north, um,

760

00:51:44,140 --> 00:51:45,880

to the north of the site. Um,

761

00:51:46,450 --> 00:51:50,760

there are implications for how it's used and how it should be controlled as a

762

00:51:50,760 --> 00:51:53,360

mitigating measure that attaches to the works.

763

00:51:55,660 --> 00:51:59,040

Um, so now Andrew, Andrew Prime Aoss, um, we,

764

00:51:59,040 --> 00:52:03,360

we have had discussions with the two local, um, authorities on this,

765

00:52:03,360 --> 00:52:08,200

the Highway Authority, uh, Cambridge Shire and the, uh, district,  
uh,

766

00:52:08,200 --> 00:52:13,120

council about various methods that could change the status of that  
highway.

767

00:52:13,780 --> 00:52:17,120

Um, in those discussions, neither was felt to be, uh,

768

00:52:17,220 --> 00:52:21,800

an appropriate linkage to our development to allow the closure of  
that highway.

769

00:52:21,940 --> 00:52:22,773

And similarly,

770

00:52:22,940 --> 00:52:26,800

the applicant does not see a linkage between the closure of that  
highway and the

771

00:52:26,800 --> 00:52:27,200

development.

772

00:52:27,200 --> 00:52:31,760

And that will be therefore difficult to justify its inclusion in the  
D C O. Um,

773

00:52:31,830 --> 00:52:36,320

when we come to speak on section 106 and anti-social

774

00:52:36,760 --> 00:52:40,280

behavior, there may be some linkages to that status of that highway,

775

00:52:40,420 --> 00:52:42,880

and we can talk about that at that time. 'cause at the moment,

776

00:52:42,940 --> 00:52:46,320  
for the purposes of the D C O, we don't intend to, uh,

777  
00:52:46,780 --> 00:52:48,880  
be affecting the permanent status of that highway.

778  
00:52:52,190 --> 00:52:52,780  
Okay. Thank you.

779  
00:52:52,780 --> 00:52:57,200  
And you'll respond to the relevant representation at Deadline one in any case?

780  
00:52:59,430 --> 00:53:00,490  
Yes, please. Could

781  
00:53:00,490 --> 00:53:02,930  
I just add that Charles Jones ton Parish Council,

782  
00:53:03,070 --> 00:53:06,610  
it is great concern to us because the low friend drove at the Southern End

783  
00:53:06,960 --> 00:53:11,570  
impacts on connects to High Ditch Road. And we believe that, um, Mr.

784  
00:53:11,950 --> 00:53:14,890  
P's assertion it won't, it won't see any connection to the works.

785  
00:53:15,000 --> 00:53:19,730  
It's probably not right because under many circumstances we can see, um,

786  
00:53:19,830 --> 00:53:23,290  
people wishing to access the work via hard ditch road and low-end drove.

787  
00:53:24,230 --> 00:53:27,120  
So we are very concerned about this being excluded. Thank you.

788  
00:53:29,860 --> 00:53:33,840  
So just so I understand you, you want it to be closed to certain

traffic,

789

00:53:34,340 --> 00:53:35,360

but why?

790

00:53:36,780 --> 00:53:40,240

Um, partly be, partly to reduce the load on, um,

791

00:53:40,620 --> 00:53:45,600

on Hide Itch Road. And partly as, as we've alluded to elsewhere,

792

00:53:46,500 --> 00:53:47,333

the

793

00:53:48,230 --> 00:53:53,120

low-end drove itself is quite an important environmental site.

'cause the,

794

00:53:53,300 --> 00:53:57,960

um, some of the rare and endangered protected species are actually found in the

795

00:53:57,960 --> 00:54:01,920

ditches. And along that, that road line, if it's open to a lot more use,

796

00:54:02,550 --> 00:54:06,280

then there will be more danger of damage to the ecology there.

797

00:54:08,060 --> 00:54:10,400

And why would it be open to a lot more use?

798

00:54:11,150 --> 00:54:15,720

Because it would provide a relevant shortcut from anybody

799

00:54:16,120 --> 00:54:20,960

approaching the works from the East wanting to get there without having to go to

800

00:54:20,960 --> 00:54:22,120

Milton and come back again.



801

00:54:25,130 --> 00:54:28,220

Okay, I understand. Okay. Thank you.

802

00:54:29,710 --> 00:54:31,460

Would the applicant like to respond on that point?

803

00:54:31,640 --> 00:54:34,500

Uh, yes please, sir. Andrew? Andrew prior, um,

804

00:54:34,800 --> 00:54:39,660

the works has a bespoke access that has been developed for it.

805

00:54:39,660 --> 00:54:42,500

So there will not be any opportunity for, uh,

806

00:54:43,440 --> 00:54:46,860

the public to approach the works other than through the bespoke access.

807

00:54:46,860 --> 00:54:49,940

And there wouldn't have be no access along low-end driveway.

808

00:54:52,040 --> 00:54:52,720

We, we,

809

00:54:52,720 --> 00:54:56,580

the applicant doesn't see any linkage between the status of low-end driveway,

810

00:54:57,440 --> 00:55:01,100

uh, the existing status and the operation of the development.

811

00:55:02,160 --> 00:55:06,660

And people can use that road as they wish already as a shortcut between Horing

812

00:55:06,660 --> 00:55:09,740

Zero Road and um, DU Road already.

813

00:55:10,410 --> 00:55:11,260

Okay. But as

814

00:55:11,340 --> 00:55:15,860

I understand it from the transport section of the ES and the

815

00:55:16,410 --> 00:55:19,820

related mitigation plans during peak hours,

816

00:55:19,820 --> 00:55:24,420

there will be restrictions on people using that proposed access that you

817

00:55:24,850 --> 00:55:27,900

will be providing on Hing Sea Road. Is that correct?

818

00:55:29,040 --> 00:55:30,340

Yes, that's correct, sir. So

819

00:55:30,340 --> 00:55:32,780

Doesn't that present a, a, um,

820

00:55:32,910 --> 00:55:36,220

temptation even for other people to use the,

821

00:55:36,220 --> 00:55:38,900

the shortcut that Defend Parish Council talking about?

822

00:55:42,030 --> 00:55:42,863

Um,

823

00:55:44,120 --> 00:55:47,810

someone I presume saying someone that drown,

824

00:55:49,100 --> 00:55:53,210

Sorry, sir. Um, microphone liked, uh, difficult to understand, um,

825

00:55:53,210 --> 00:55:55,170

Andrew prior aos, um,

826

00:55:57,680 --> 00:56:00,650

this seems to be a situation where someone might be trying to get to the works,

827

00:56:00,840 --> 00:56:04,970

traveling westwards along High Ditch Road would then turn right,

828

00:56:05,470 --> 00:56:07,730

follow loaf and driveway all the way round,

829

00:56:08,120 --> 00:56:11,890

then turn left and come down to access the site, uh,

830

00:56:13,880 --> 00:56:15,290

from Horing zero.

831

00:56:16,450 --> 00:56:21,170

I don't think that would occur under the current proposed

832

00:56:24,160 --> 00:56:27,570

traffic regulation orders, but we can come back to that on a, on a,

833

00:56:27,570 --> 00:56:28,403

on a written

834

00:56:28,490 --> 00:56:31,170

Response. It would be helpful to see that that is covered in the,

835

00:56:31,390 --> 00:56:33,490

the mitigation plan that you're proposing.

836

00:56:33,670 --> 00:56:38,170

It would be pretty torturous and difficult shortcut given the status of that

837

00:56:38,170 --> 00:56:42,380

road surface. But we will have a look and do come back to us. Yes. Thank you.

838

00:56:42,380 --> 00:56:42,750

Thank you, sir.

839

00:56:42,750 --> 00:56:45,770

Is, is this a concern that the county council has at all?

840

00:56:47,370 --> 00:56:51,430

Uh, sir, uh, I will ask Mr. Kafer to, to speak on that, but,

841

00:56:51,450 --> 00:56:55,110

but I was simply going to confirm what was said earlier about discussions, uh,

842

00:56:55,130 --> 00:56:59,750

uh, um, between the highway authority and the applicant, uh, on this matter,

843

00:57:00,770 --> 00:57:03,230

on the specific matter, but on the, on the wider issues.

844

00:57:03,940 --> 00:57:07,830

Yeah, just, just to confirm, we have had discussions about Lowen drove. Um,

845

00:57:09,910 --> 00:57:13,710

I think, um, from our view, we haven't identified, um,

846

00:57:13,930 --> 00:57:18,670

the shortcut as described as as, as being, um, uh,

847

00:57:19,330 --> 00:57:23,670

an issue. Um, this stated that low-end drove particularly from that,

848

00:57:24,500 --> 00:57:28,910

that side does not really promote vehicles wishing to go down that way.

849

00:57:29,450 --> 00:57:33,390

Um, so, and I I do know, um, uh, that,

850

00:57:33,390 --> 00:57:36,790

that there are difficulties for vehicles using low-end drove. So it's not,

851

00:57:37,290 --> 00:57:41,670

it doesn't lend itself as an obvious or clear to anyone,

852

00:57:42,210 --> 00:57:46,310

uh, to use as a shortcut that, um, obviously we, we,

853

00:57:46,400 --> 00:57:48,790

we'll continue discussing that with the applicant and, and,

854

00:57:48,810 --> 00:57:50,670

and work with them to give an answer back to you.

855

00:57:51,740 --> 00:57:54,110

Okay. Thank you for that. Yes, please.

856

00:57:57,340 --> 00:58:01,710

Charles Jones, since these discussions are taking place, um, you know,

857

00:58:01,710 --> 00:58:03,790

beyond our, the competence of the Parish council,

858

00:58:04,320 --> 00:58:08,590

could I just make the point that one of the drivers for making shortcuts,

859

00:58:08,810 --> 00:58:10,030

if that's the right word to use,

860

00:58:10,330 --> 00:58:13,430

is actually the fact the A 14 quite regularly gets, um,

861

00:58:13,720 --> 00:58:16,150

let's just say stuffed up as one of a better word.

862

00:58:16,450 --> 00:58:20,070

And that leads to a lot of people short cutting through f in all sorts of

863

00:58:20,070 --> 00:58:20,903

different ways.

864

00:58:20,930 --> 00:58:25,590

And I think that consideration of what happens in the outta design

condition

865

00:58:25,930 --> 00:58:29,710

is very much what informs our opinion about use of as a shortcut.

866

00:58:30,720 --> 00:58:31,070

Thank

867

00:58:31,070 --> 00:58:32,150

You. Okay, thank you,

868

00:58:32,570 --> 00:58:36,830

Sir. I may, may very briefly. Um, so those conditions exist already.

869

00:58:37,200 --> 00:58:40,430

Those won't be added to by our development and the, uh,

870

00:58:40,430 --> 00:58:43,070

traffic regulation orders. We propose, uh,

871

00:58:43,180 --> 00:58:46,350

prevent a left hand turn into the site from Hoing zero roads.

872

00:58:46,350 --> 00:58:49,510

So there would be no shortcut to our development. Um,

873

00:58:49,640 --> 00:58:53,590

those are people who are taking a inconvenient rat run already,

874

00:58:53,650 --> 00:58:54,590

and that will not change.

875

00:58:55,350 --> 00:58:58,990

I think the concern we'd like you to come back on as well is that you were

876

00:58:59,110 --> 00:59:01,950

creating a new destination for traffic. Um,

877

00:59:02,210 --> 00:59:04,550

so if you could deal with that when you come back to us,

878

00:59:04,550 --> 00:59:05,383  
that would be very helpful.

879

00:59:06,450 --> 00:59:07,470  
We will do, sir. Thank

880

00:59:07,470 --> 00:59:12,270  
You. Okay. Thank you. I'll move on,

881

00:59:12,570 --> 00:59:15,550  
sir. Sorry. Sorry, I had my hand up. Apologies. Um,

882

00:59:16,010 --> 00:59:17,070  
Can you also, sir,

883

00:59:17,130 --> 00:59:21,720  
ask the applicant to consider the circumstances in which low-end  
driveway is,

884

00:59:22,020 --> 00:59:26,080  
is brought up to the standard of a reasonable surfaced highway? Um,

885

00:59:26,180 --> 00:59:28,680  
it happens not to be in parts at the present time,

886

00:59:28,980 --> 00:59:30,600  
but there is no reason why it shouldn't be.

887

00:59:31,320 --> 00:59:33,880  
'cause most of it is a highway maintainable at public expense.

888

00:59:37,690 --> 00:59:40,440  
Would that not promote more usage of the road? Well,

889

00:59:40,440 --> 00:59:44,280  
It would, but it's also something that's not in the applicant's  
gift. Um,

890

00:59:44,300 --> 00:59:46,920  
but it's certainly in the gift of the county council, um,

891

00:59:47,340 --> 00:59:52,240

to change the surfacing of that road and to increase the extent to which

892

00:59:52,270 --> 00:59:55,760

it's used to access, um, land close to the site.

893

00:59:56,470 --> 00:59:59,560

Yeah. But why would it be necessary to upgrade the road if you,

894

00:59:59,560 --> 01:00:02,080

you'd want to use by traffic so upgrading it may,

895

01:00:02,130 --> 01:00:03,920

would that not promote it's used by traffic?

896

01:00:04,260 --> 01:00:06,120

I'm not, I'm not promoting it, sir, but it's,

897

01:00:06,120 --> 01:00:10,760

it remains a possibility that the county council in pursuit of its

898

01:00:10,940 --> 01:00:15,400

powers and responsibilities as a highway authority will be persuaded either by

899

01:00:15,400 --> 01:00:17,280

joining landowners or others, um,

900

01:00:17,740 --> 01:00:22,000

to surface it in a manner which would allow it to have much greater public use.

901

01:00:30,130 --> 01:00:34,300

That that's a separate matter for, for, for the highway authority. Um, uh,

902

01:00:34,860 --> 01:00:35,693

I don't think,

903



01:00:36,020 --> 01:00:39,780

I think what is being said is that somehow outta this D c O further

904

01:00:41,260 --> 01:00:43,580

responsibilities should be put on the highway authority,

905

01:00:43,580 --> 01:00:46,980

which is clearly not appropriate. But, um, we understand what,

906

01:00:46,980 --> 01:00:48,580

what save Honey Hill is saying.

907

01:00:52,200 --> 01:00:56,130

Yeah. Uh, I mean, is that in your, have you,

908

01:00:56,150 --> 01:00:59,610

that's in your relevant represent representation? Is it, or have you,

909

01:01:00,230 --> 01:01:01,610

if you want to put it in written reps,

910

01:01:01,610 --> 01:01:04,290

it can be responded to after the next deadline.

911

01:01:05,030 --> 01:01:08,770

Um, we may add that sir, to, to the written reps. Um, yeah,

912

01:01:08,770 --> 01:01:12,810

we understand the difficulties in controlling use of that road. Um, Mr.

913

01:01:12,810 --> 01:01:17,450

Burley rightly asked applicant to address the question of them creating

914

01:01:17,770 --> 01:01:19,490

a new destination in the countryside,

915

01:01:19,540 --> 01:01:23,650

which is immediately adjacent to that road. Um, and I think that's,

916

01:01:23,950 --> 01:01:28,450

that's the fundamental point that drives our concerns about access being

917

01:01:28,450 --> 01:01:33,210

increased. Um, Ms. Jones has raised a different sort of rat running point,

918

01:01:33,230 --> 01:01:36,330

but the, the more general point is that the question is,

919

01:01:36,870 --> 01:01:40,730

is is whether because people will come routinely to, um,

920

01:01:41,250 --> 01:01:44,570

recreate on the site adjoining, um, the works,

921

01:01:44,880 --> 01:01:49,810

whether they will also increase the amount of use they make of that road

922

01:01:50,070 --> 01:01:54,930

to access other paths and other parts of the site land away

923

01:01:54,970 --> 01:01:58,650

from the site effectively, um, off to found, drove way.

924

01:01:59,560 --> 01:01:59,870

Okay.

925

01:01:59,870 --> 01:02:03,170

So may perhaps we can have an action point where you respond to that point. Um,

926

01:02:04,230 --> 01:02:07,370

Um, it may, uh, forgive me if you, if you've already visited,

927

01:02:08,440 --> 01:02:11,970

then that's then of course I won't encourage you to go again. But it,

928

01:02:11,990 --> 01:02:14,010  
it is one of those rows you do need to see.

929  
01:02:14,550 --> 01:02:16,130  
We haven't been along that road. Yes.

930  
01:02:18,210 --> 01:02:18,740  
Yeah, just

931  
01:02:18,740 --> 01:02:23,730  
That so pullout for the applicant. I, I, I as, as, um, uh, save  
Honey hill,

932  
01:02:23,770 --> 01:02:26,650  
I think hopefully pointed out here, two, two issues to which we'll  
respond.

933  
01:02:26,650 --> 01:02:29,890  
Firstly, uh, the possibility of wrap running in,

934  
01:02:30,070 --> 01:02:33,570  
in connection with development of operational and,

935  
01:02:33,570 --> 01:02:37,050  
and construction development traffic. And then secondly, uh,

936  
01:02:37,160 --> 01:02:41,330  
this point of further traffic being attracted, um,

937  
01:02:42,270 --> 01:02:45,930  
due to a perceived possibility of, of,

938  
01:02:45,990 --> 01:02:49,210  
of the development being a recreational destination.

939  
01:02:49,790 --> 01:02:54,290  
Um, and also in the context of your proposed mitigation plan for  
the,

940  
01:02:54,390 --> 01:02:55,223  
the traffic.

941

01:02:55,390 --> 01:02:56,223

Indeed. Yeah.

942

01:02:56,460 --> 01:02:57,293

Thank you.

943

01:02:58,920 --> 01:03:03,630

Okay. Thank you. Uh, I'll move on to 30.

944

01:03:05,250 --> 01:03:06,790

Uh, sir, I've got my hand up. Apologies.

945

01:03:06,930 --> 01:03:09,270

Got virtual hand? Yes, Dr. James?

946

01:03:11,570 --> 01:03:15,950

Uh, yes sir. If I can just put a practical, um,

947

01:03:16,140 --> 01:03:19,830

comment in here. Um, in our experience,

948

01:03:20,710 --> 01:03:24,750

delivery drivers to construction sites are paid by the load,

949

01:03:25,620 --> 01:03:30,160

and if they can avoid, uh, a holdup, they will. Um,

950

01:03:30,420 --> 01:03:34,400

it doesn't matter how many TR0s you put in place, they will ignore them.

951

01:03:35,180 --> 01:03:39,440

We have another site at North sto, which has CR0s and, uh,

952

01:03:39,650 --> 01:03:43,920

designated delivery routes and the construction, what the,

953

01:03:43,920 --> 01:03:48,160

the construction traffic, what it, what it does, it, it plays tricks.

954

01:03:48,580 --> 01:03:52,920

It even even takes minor, um, um, what's the word,

955

01:03:52,920 --> 01:03:56,520

diversions in order to, to u to use one particular route,

956

01:03:56,940 --> 01:04:01,280

go past the site and come back again in the designated, uh, direction.

957

01:04:02,300 --> 01:04:05,320

So we think there are pr, there are practical issues here,

958

01:04:05,320 --> 01:04:09,640

which have to be considered. And, um, uh, we understand fully the, uh,

959

01:04:09,640 --> 01:04:12,520

parish council's concerns particularly about construction traffic.

960

01:04:15,050 --> 01:04:15,883

Okay. Thank you.

961

01:04:16,950 --> 01:04:21,420

Thank you, Dr. James. Um, is there anything specific that you wanted to,

962

01:04:21,720 --> 01:04:25,220

any specific comments to make in relation to the D C 0?

963

01:04:25,220 --> 01:04:28,300

We will be coming onto this matter in written questions,

964

01:04:28,440 --> 01:04:30,860

the points that you've raised. Um,

965

01:04:31,120 --> 01:04:33,460

but today we are focusing on the D T 0,

966

01:04:37,370 --> 01:04:42,060

Just in relation to the, to the management of this particular road.

And,

967

01:04:42,200 --> 01:04:46,620

uh, we think that, uh, the controls on it during the construction period,

968

01:04:47,320 --> 01:04:48,500

um, should, uh,

969

01:04:48,500 --> 01:04:52,180

they need to be ve they need to be considered very carefully and,

970

01:04:52,180 --> 01:04:55,500

which I'm just supporting what the parish council is saying about it. Okay.

971

01:04:55,670 --> 01:04:56,900

Thank you. And that's noted.

972

01:04:57,950 --> 01:05:00,140

Thank you. Okay, I'll move on to Article 30.

973

01:05:01,320 --> 01:05:05,580

So this article relates to acquisition of land limited subsoil more than seven

974

01:05:05,580 --> 01:05:08,140

meters below the surface. Uh,

975

01:05:08,210 --> 01:05:13,060

does this allow for any acquisition of rights at the surface as well?

976

01:05:14,040 --> 01:05:18,440

Um, if so, why? And could you please clarify why this land is shown as pink,

977

01:05:19,570 --> 01:05:23,600

which is effectively freehold acquisition on the land plans if it only relates

978

01:05:23,660 --> 01:05:27,160

to subsoil seven meters below the surface?

979

01:05:29,820 --> 01:05:30,653

Uh,

980

01:05:31,180 --> 01:05:32,720

Uh, thank you, sir. So as, as you say,

981

01:05:32,720 --> 01:05:36,720

the article provides for the acquisition of the substrata of land, uh, that it,

982

01:05:36,820 --> 01:05:40,720

it that sort the depth of, of more than seven meters, uh, below the surface,

983

01:05:41,180 --> 01:05:44,040

and, and it applies to land, uh, which is, uh,

984

01:05:44,320 --> 01:05:47,800

required for the wastewater transfer, uh, tunnel. Um, that's,

985

01:05:47,800 --> 01:05:52,720

that's work number 27. Um, the relevant land is shown colored pink,

986

01:05:53,340 --> 01:05:58,240

um, because effectively the acquisition being sought is a subterranean

987

01:05:58,360 --> 01:06:02,480

freehold interest. So it's, it's designated in,

988

01:06:02,580 --> 01:06:04,520

in denoted on the,

989

01:06:04,540 --> 01:06:08,240

the land plans in exactly the same way as the acquisition of other freehold

990

01:06:08,520 --> 01:06:09,260

interests.

991

01:06:09,260 --> 01:06:14,160

But the operation of Article 30 is to state that such

992

01:06:14,160 --> 01:06:19,080

freehold acquisition can only be below, uh, uh, seven, seven meters.  
So that's,

993

01:06:19,080 --> 01:06:22,880

that's why it's shown, um, on, uh, uh, uh,

994

01:06:22,940 --> 01:06:24,280

the land plans in that way.

995

01:06:24,620 --> 01:06:28,200

And then the relevant land is then specified in Schedule 11,

996

01:06:28,420 --> 01:06:32,600

to which that particular article applies by, uh, by, uh,

997

01:06:33,240 --> 01:06:37,200

reference, uh, to, to, to plot. So that means that, uh,

998

01:06:37,550 --> 01:06:40,440

land shallower than seven meters, as it were, uh,

999

01:06:40,900 --> 01:06:43,720

cannot be compulsorily acquired. But nevertheless,

1000

01:06:43,720 --> 01:06:47,040

some surface activities may still, uh, be carried out.

1001

01:06:47,180 --> 01:06:51,800

And those activities are the ones that, uh, are noted, uh, in  
article,

1002

01:06:52,180 --> 01:06:56,840

uh, 32, uh, which are, uh,

1003

01:06:57,340 --> 01:07:00,440

uh, writes under Article 20 to, uh,



1004

01:07:00,510 --> 01:07:05,200

undertake protective works to any buildings and structures. Um, it's,

1005

01:07:05,340 --> 01:07:10,160

um, writes under Article 21 to enter land in order to, uh, uh,

1006

01:07:10,290 --> 01:07:12,640

carry out surveys. Um,

1007

01:07:12,940 --> 01:07:17,720

and also it's the ability still under Article 35, uh,

1008

01:07:17,820 --> 01:07:20,120

to take temporary possession, uh,

1009

01:07:20,180 --> 01:07:24,840

of the land for the purposes of carrying out works or maintaining,

1010

01:07:25,380 --> 01:07:27,840

uh, the, uh, authorized development.

1011

01:07:31,290 --> 01:07:32,123

Okay.

1012

01:07:36,600 --> 01:07:40,300

So where, where does it talk about rights over the land?

1013

01:07:40,800 --> 01:07:43,460

It just refers to subsoil.

1014

01:07:44,360 --> 01:07:48,860

Yep. A a Article 33, um, uh, uh, uh,

1015

01:07:50,200 --> 01:07:54,420

it permits the acquisition of, of new rights and the imposition of, uh,

1016

01:07:54,420 --> 01:07:58,620

restrictive covenants over the land for the purposes that are specified in

1017

01:07:58,620 --> 01:08:03,580

column three, uh, of, uh, of, of Schedule 11. So,

1018

01:08:03,880 --> 01:08:04,100

uh,

1019

01:08:04,100 --> 01:08:07,060

the purposes of those new rights and restrictive covenants that are set out in

1020

01:08:07,060 --> 01:08:07,580

column, uh,

1021

01:08:07,580 --> 01:08:11,220

column three and Schedule 11 refer to the packages of rights of restrictive

1022

01:08:11,420 --> 01:08:15,800

covenants that are more than fully, uh, described, uh, in, uh,

1023

01:08:16,020 --> 01:08:16,880

in Schedule 10.

1024

01:08:17,750 --> 01:08:22,550

Okay. Thank you. Uh,

1025

01:08:22,550 --> 01:08:24,550

moving on to article 35 9.

1026

01:08:36,580 --> 01:08:40,170

So this relates to

1027

01:08:44,970 --> 01:08:49,950

the temporary use for carrying out the authorized development. Um,

1028

01:08:54,010 --> 01:08:58,710

35 9 says that the undertaker may not compulsory acquire

1029

01:09:00,140 --> 01:09:02,280

the land referred to in paragraph one ai,

1030

01:09:03,740 --> 01:09:06,560

except that it's not preclude precluded from acquiring rights

1031

01:09:09,820 --> 01:09:10,680

or subsoil.

1032

01:09:12,180 --> 01:09:16,880

But this relates just to temporary possession on the land plans.

1033

01:09:17,320 --> 01:09:18,153

Temporary possession is

1034

01:09:19,650 --> 01:09:24,420

shown as a different color and does not indicate that you also

1035

01:09:24,600 --> 01:09:27,980

intend to acquire rights over that land. So

1036

01:09:30,190 --> 01:09:33,510

does the article,

1037

01:09:34,840 --> 01:09:39,470

which which relates to temporary POS possession also allow for you to acquire

1038

01:09:39,490 --> 01:09:44,350

rights, and if so, would affect the parties, be fully aware of that,

1039

01:09:44,880 --> 01:09:47,630

given that it's only relating to temporary possession and there's also no

1040

01:09:48,510 --> 01:09:53,070

apparent crossover between the TP schedule and the schedule for rights.

1041

01:09:53,490 --> 01:09:54,323

Uh,

1042

01:09:54,840 --> 01:09:58,150

Thank you Sir Paul mail for the applicant. Um, I, I, I think to,

1043

01:09:58,330 --> 01:10:01,870

to cut to the chase on that, the applicant concedes that, um, uh,

1044

01:10:02,950 --> 01:10:06,990

subparagraph A and B of article, um, 35 9, uh, uh,

1045

01:10:07,370 --> 01:10:11,310

should be, uh, should be removed. Uh, it's not a, it's not a power, uh,

1046

01:10:11,310 --> 01:10:15,310

that the, uh, that the applicant's seeking on this occasion. Um, apologies.

1047

01:10:15,310 --> 01:10:19,510

That's simply a sort of hangover from a, a previous model provision, um, that,

1048

01:10:19,510 --> 01:10:23,070

that that's been copied across and not, um, and not dealt with. That'll,

1049

01:10:23,070 --> 01:10:26,150

that'll be updated in the next draft of, uh, uh, the D C O that's submitted.

1050

01:10:27,420 --> 01:10:31,830

Okay. Thank you. Uh, so article 44,

1051

01:10:32,930 --> 01:10:34,830

so this relates to rights over the river cam,

1052

01:10:49,600 --> 01:10:54,380

and could you clarify the reasons for the power sorting article 44 B,

1053

01:10:55,830 --> 01:11:00,100

which would appear to allow the permanent extinguish extinguishment rights over

1054

01:11:00,100 --> 01:11:02,500  
the river in work number 32,

1055  
01:11:03,790 --> 01:11:08,060  
which is sheet three of the land plans, a p P oh one eight, um,

1056  
01:11:08,060 --> 01:11:11,220  
and also plots 19 a and 19 K on,

1057  
01:11:13,490 --> 01:11:18,190  
on the land plans. And this appears to extend around halfway across  
the river.

1058  
01:11:19,370 --> 01:11:20,310  
And so if

1059  
01:11:21,810 --> 01:11:24,910  
it allows the permanent ex extinguishment rights, then

1060  
01:11:26,420 --> 01:11:30,350  
what subsequent implications would there be for users of the river  
and say

1061  
01:11:30,400 --> 01:11:31,233  
navigation?

1062  
01:12:01,650 --> 01:12:04,790  
Uh, thank you sir. Paul May, uh, for, for the applicant, um,

1063  
01:12:05,740 --> 01:12:10,430  
work number 32 is the outfall structure. So, um, uh, the,

1064  
01:12:10,490 --> 01:12:15,150  
the applicant is, is, is seeking powers, um,

1065  
01:12:16,400 --> 01:12:20,540  
to effectively build a structure, uh, within, uh, within the cam,

1066  
01:12:20,540 --> 01:12:25,180  
within the parameters that are defined, um, in, in Schedule 14. Uh,

1067

01:12:25,180 --> 01:12:29,220  
obviously once that structure is there and constructed, um,

1068  
01:12:29,550 --> 01:12:33,260  
navigation along that particular part of the cam will not be possible.

1069  
01:12:34,080 --> 01:12:39,060  
And therefore, uh, the, the, the purpose of Article 44 B is to, uh,

1070  
01:12:39,060 --> 01:12:41,820  
permanently extinguish any rights, uh,

1071  
01:12:41,820 --> 01:12:45,780  
that might subsist a navigation across that section of the cam,

1072  
01:12:45,910 --> 01:12:49,140  
which will be permanently acquired following, uh, following the construction,

1073  
01:12:49,140 --> 01:12:49,973  
the out form. Okay.

1074  
01:12:50,240 --> 01:12:53,900  
It may be useful if you could put up sheet three of the, um,

1075  
01:12:54,930 --> 01:12:56,820  
land plans, I think is probably best.

1076  
01:13:35,890 --> 01:13:38,920  
I think it's the next plan up from that

1077  
01:13:43,600 --> 01:13:47,380  
or Yeah, geographically up from that. Yeah, so there we go.

1078  
01:13:48,280 --> 01:13:51,860  
So if you could zoom into effectively plots,

1079  
01:13:53,890 --> 01:13:55,110  
say 19 a

1080

01:13:56,220 --> 01:13:56,750  
Yeah, so

1081  
01:13:56,750 --> 01:13:59,670  
That, so that plot

1082  
01:14:02,150 --> 01:14:05,400  
extends around halfway across the river, so just so we understand  
it,

1083  
01:14:05,860 --> 01:14:09,320  
you're effectively seeking to, um,

1084  
01:14:09,770 --> 01:14:11,160  
extinguish all rights,

1085  
01:14:11,710 --> 01:14:15,160  
including navigation rights over that bit of the river.

1086  
01:14:15,220 --> 01:14:19,960  
So the od parts of the river that could be used would be the, the  
bit in yellow,

1087  
01:14:20,990 --> 01:14:23,940  
which is about halfway, half half of the river.

1088  
01:14:28,180 --> 01:14:32,340  
I understand the point mate, sir, as, as being one of,

1089  
01:14:32,360 --> 01:14:36,740  
of effectively, um, why I think, why do you need so much land  
within, uh,

1090  
01:14:36,740 --> 01:14:38,180  
within, within that plot,

1091  
01:14:38,800 --> 01:14:42,780  
And also why those particular, right. Why those permanent rights?

1092  
01:14:43,880 --> 01:14:45,180  
Um, well I think, um,

1093

01:14:47,610 --> 01:14:50,980

what I suggest we do is, is we'll, we'll take that, we'll take this one away.

1094

01:14:51,270 --> 01:14:54,580

We'll look at the extent of works that are, are planned to be undertaken in,

1095

01:14:54,580 --> 01:14:55,820

in the river, and we'll,

1096

01:14:55,820 --> 01:14:58,540

we'll provide more clarity in our post-hearing submission. How,

1097

01:14:58,640 --> 01:15:01,460

How does it currently work? Isn't there an outfall right now?

1098

01:15:02,130 --> 01:15:03,860

It's still a different area, yes.

1099

01:15:03,860 --> 01:15:08,220

And is there any re similar restriction on the river in association with that?

1100

01:15:11,610 --> 01:15:14,500

That that's something I can't, I can't answer. Obviously there isn't, isn't

1101

01:15:15,180 --> 01:15:15,370

Existing

1102

01:15:15,370 --> 01:15:15,920

Helpful

1103

01:15:15,920 --> 01:15:17,340

Now poised to answer that.

1104

01:15:22,980 --> 01:15:25,880

I'm, I'm sorry, we can't hear. You might have to lean into the microphone.

1105



01:15:25,880 --> 01:15:28,080  
Catherine Taylor for that. That's better. Thank you. One minute.

1106  
01:15:28,180 --> 01:15:29,160  
The existing outfall,

1107  
01:15:29,160 --> 01:15:34,120  
there is no impact on navigational rights to answer your

1108  
01:15:34,240 --> 01:15:34,690  
question

1109  
01:15:34,690 --> 01:15:38,000  
There. Sorry. There is no impact or No, no. Okay. You can use the

1110  
01:15:38,000 --> 01:15:38,833  
Full width of the river.

1111  
01:15:39,310 --> 01:15:42,400  
Okay. So perhaps following on from this question, you could,

1112  
01:15:42,780 --> 01:15:44,400  
you could go away,

1113  
01:15:44,400 --> 01:15:48,520  
think about it and come back as to why you're seeking those  
particular rights,

1114  
01:15:48,520 --> 01:15:50,760  
Adjust drawing as to which is pink and which is yellow.

1115  
01:15:53,790 --> 01:15:56,520  
Yeah, certainly. So I think that we, we, we,

1116  
01:15:56,620 --> 01:15:58,560  
we understand what your concerns are. We'll, we'll,

1117  
01:15:58,560 --> 01:16:00,520  
we'll take it away and we'll, we'll provide a okay.

1118  
01:16:00,720 --> 01:16:04,800

A a considered explanation of, um, what those works relate to, uh,

1119

01:16:04,920 --> 01:16:07,440

and the justification of the amount of land, uh,

1120

01:16:07,440 --> 01:16:11,560

that's being sought for inclusion, uh, within that area colored pink. Okay.

1121

01:16:11,610 --> 01:16:14,600

Thank you. Um, and uh, and, and, and just explain the position. Okay.

1122

01:16:14,640 --> 01:16:15,840

I, I understand we've got, um,

1123

01:16:15,840 --> 01:16:19,560

representative from the Cam Conservancy with us as well.

1124

01:16:21,210 --> 01:16:23,830

If you could just state your name and then who you represent please.

1125

01:16:29,390 --> 01:16:31,250

Thanks. My name's Helen Cleary.

1126

01:16:31,270 --> 01:16:34,490

I'm the c e o for the conservators of the river cam. Um,

1127

01:16:34,660 --> 01:16:38,290

we're not here to really make any statements because we are still quite

1128

01:16:38,290 --> 01:16:41,810

significantly engaged in discussions. Um,

1129

01:16:41,830 --> 01:16:46,530

and on the legal terms regarding the protective permit, uh, provisions,

1130

01:16:46,790 --> 01:16:49,890

the statement of common ground and such documents,

1131

01:16:50,390 --> 01:16:54,810

our biggest concern is navigational rights and, um,

1132

01:16:54,900 --> 01:16:57,970

protecting the navigation users and our enforcement rights.

1133

01:16:58,470 --> 01:17:00,530

So in terms of this, uh,

1134

01:17:00,530 --> 01:17:05,530

being accurate with wording around permanent extinguishment of

1135

01:17:05,530 --> 01:17:06,850

our powers, um,

1136

01:17:07,110 --> 01:17:10,760

and or the navigation and rights to navigate in this area,

1137

01:17:10,940 --> 01:17:15,800

it would be extremely important for us to understand it and be able to engage

1138

01:17:16,270 --> 01:17:20,000

legally on it because it's our statutory responsibility to maintain that

1139

01:17:20,000 --> 01:17:24,000

navigation as well as the impact on its environment. So, um,

1140

01:17:24,780 --> 01:17:29,000

we are in engaged in that, but that was of significant concern to us.

1141

01:17:29,620 --> 01:17:31,080

Thanks. Okay, thank you.

1142

01:17:31,180 --> 01:17:36,160

So I'm going to leave it now with yourselves and maybe you can liaise with

1143

01:17:36,160 --> 01:17:41,120

the Cam Conservancy as well over that and come back to us and we'll make

1144

01:17:41,120 --> 01:17:42,760  
an action point to do that. Thank you.

1145

01:17:46,310 --> 01:17:47,840  
Okay, so moving on.

1146

01:17:49,990 --> 01:17:54,290  
So schedule two part one, enabling works.

1147

01:17:58,640 --> 01:18:02,820  
The definition of enabling works in schedule two part one.

1148

01:18:09,590 --> 01:18:11,130  
Uh, thank you, sir. Yes. Um,

1149

01:18:11,580 --> 01:18:14,490  
Sorry, I'll just find, sorry, then I'll ask, I'll ask the question.

1150

01:18:22,340 --> 01:18:26,400  
Okay. Uh, yes. So

1151

01:18:27,940 --> 01:18:31,750  
there's reference, first of all, there's reference to paragraph 3.18

1152

01:18:34,910 --> 01:18:36,370  
in ES chapter two.

1153

01:18:38,960 --> 01:18:42,720  
I think the correct reference may be 3.16

1154

01:18:44,460 --> 01:18:48,640  
and that may be just hasn't been updated due to changes to the

1155

01:18:50,080 --> 01:18:51,720  
ES document perhaps. Um,

1156

01:18:52,910 --> 01:18:57,200  
also paragraph 3.17 of the ES chapter

1157

01:18:58,190 --> 01:19:00,200

also specifies further enabling works,

1158

01:19:00,200 --> 01:19:04,960

which do not appear to have been mentioned in the schedule part  
schedule two

1159

01:19:04,960 --> 01:19:06,080

part one description.

1160

01:19:06,900 --> 01:19:08,760

And I was hoping you could just clarify the reason for that.

1161

01:19:12,000 --> 01:19:16,990

Thank you sir. Paul, may for the applicant, um, uh, still with the  
first point,

1162

01:19:17,130 --> 01:19:21,550

uh, yes, apologies, that reference should be to paragraph three  
point, uh,

1163

01:19:21,770 --> 01:19:26,710

one six, not 3.18. We will, uh, we will correct that, uh,

1164

01:19:26,870 --> 01:19:28,550

I suppose whether you do update any documents,

1165

01:19:28,550 --> 01:19:33,230

maybe do a search for paragraph references and double and cross  
reference.

1166

01:19:33,490 --> 01:19:37,390

Indeed, sir. Yeah. Yes. And then, um, the, uh,

1167

01:19:37,930 --> 01:19:42,630

cross-reference to, uh, paragraph 3.17, um,

1168

01:19:45,110 --> 01:19:45,730

tho those,

1169

01:19:45,730 --> 01:19:50,370  
those works should not be included because they are not intended to  
be included

1170  
01:19:50,390 --> 01:19:54,210  
within the enabling phase. Um, it, it,

1171  
01:19:54,870 --> 01:19:56,690  
it effectively, there are

1172  
01:19:58,600 --> 01:20:03,420  
two phases of enabling works, um, if I could put it like that.

1173  
01:20:03,680 --> 01:20:06,900  
It is only those described as being within enabling,

1174  
01:20:06,960 --> 01:20:11,200  
enabling works phase one as detailed in, uh,

1175  
01:20:11,310 --> 01:20:16,000  
paragraph 3.16 that are intended to form the enabling

1176  
01:20:16,260 --> 01:20:20,200  
phases, uh, defined in, in in schedule two. So,

1177  
01:20:20,300 --> 01:20:25,080  
so the works that you see in, in 3.17 are deliberately excluded from  
that,

1178  
01:20:25,340 --> 01:20:29,680  
and they'll be picked up in, uh, part of the general phasing, um,  
uh,

1179  
01:20:30,320 --> 01:20:33,040  
approach and requirements, uh, envisaged under the, under the,

1180  
01:20:33,040 --> 01:20:33,960  
under the schedule two.

1181  
01:20:36,920 --> 01:20:41,410  
Okay. I wonder if, should that be perhaps made clearer somewhere?

1182

01:20:41,830 --> 01:20:46,170

Um, because what, where are those works picked up?

1183

01:20:48,460 --> 01:20:50,880

So would they, would they come as part of

1184

01:20:52,750 --> 01:20:53,760

requirement nine,

1185

01:20:54,940 --> 01:20:59,640

not the enabling works the further the, the other works beyond that?

1186

01:21:00,940 --> 01:21:02,960

In, in, in, in data, and I, I,

1187

01:21:03,240 --> 01:21:07,160

I appreciate there possibly could be some confusion between having two things

1188

01:21:07,190 --> 01:21:11,400

described as enabling works in the project description chapter, but only one in,

1189

01:21:11,540 --> 01:21:15,920

uh, in, uh, in the requirements. Um, there's,

1190

01:21:16,460 --> 01:21:19,280

uh, we, we can probably make it clearer in the explanatory memorandum,

1191

01:21:19,320 --> 01:21:23,040

I think is, is is one way of approaching it that those enabling works,

1192

01:21:23,040 --> 01:21:27,520

phase two are, uh, deliberately excluded and that they will be, uh,

1193

01:21:27,520 --> 01:21:30,200

picked up, uh, as, as part of, uh,

1194

01:21:30,270 --> 01:21:35,200

firstly the phases identified under requirement three and then the operation

1195

01:21:35,200 --> 01:21:37,960

of, uh, the other requirements on a phase by phase basis.

1196

01:21:38,830 --> 01:21:42,960

Okay. Thank you all. Make an action note for that. Um,

1197

01:21:44,060 --> 01:21:44,893

yes, please.

1198

01:21:45,370 --> 01:21:49,480

Thank you, sir. Appropriate moment. Um, for me, sir,

1199

01:21:49,480 --> 01:21:54,280

perhaps via you to ask the applicant to explain the reasoning

1200

01:21:54,420 --> 01:21:58,280

for enabling works, um, little J which is the

1201

01:21:59,840 --> 01:22:02,280

bringing forward of the installation of the, um,

1202

01:22:03,110 --> 01:22:05,840

directionally drilled tunnel under the, um,

1203

01:22:07,230 --> 01:22:09,680

Cambridge Kingston railway line. Um,

1204

01:22:10,340 --> 01:22:13,040

why does that have to form part of the enabling works phase one?

1205

01:22:18,260 --> 01:22:20,550

Okay. Can the applicant please answer that question?

1206

01:22:21,610 --> 01:22:25,990

Um, I think the answer, the answer sir, uh, Paul May for the applicant, uh, uh,

1207

01:22:26,130 --> 01:22:30,590



the, the answer to that is, uh, to enable,

1208

01:22:30,640 --> 01:22:34,590

works to be undertaken in conjunction with the construction of the proposed new

1209

01:22:34,590 --> 01:22:37,790

Water beach station. So, uh,

1210

01:22:37,910 --> 01:22:42,150

e effectively the station isn't constructed and they then has to, you know,

1211

01:22:42,150 --> 01:22:46,430

part of it or it's car park has to be dug up later, um, and, uh,

1212

01:22:46,930 --> 01:22:50,830

to enable the construction of the, of, of, of, of the Water beach pipeline.

1213

01:22:50,830 --> 01:22:54,790

So it, it's, it, it's simply to enable the more effective coordination of works.

1214

01:22:56,540 --> 01:23:00,790

Okay. And that couldn't happen anyway without a number of management plans being

1215

01:23:01,030 --> 01:23:04,390

approved under requirement nine in any case as I understand it.

1216

01:23:07,450 --> 01:23:08,510

Yes. Thank you. So, um,

1217

01:23:08,620 --> 01:23:13,230

clearly there are going to be management plans pr brought into play, um,

1218

01:23:13,610 --> 01:23:17,470

in relation to the enabling works. Um, that particular work is a,

1219

01:23:17,530 --> 01:23:22,390

is is is rather different in nature, um, from the others on the, on the list,

1220

01:23:22,450 --> 01:23:27,110

the majority of which are investigative works or, or relatively minor works.

1221

01:23:27,410 --> 01:23:31,350

Um, this is a very substantial, um, direction drill tunnel.

1222

01:23:34,870 --> 01:23:37,040

Okay. So I suppose it's a definitely it's what is,

1223

01:23:37,040 --> 01:23:39,400

what it's enabling and you're saying it's, it's,

1224

01:23:39,430 --> 01:23:43,560

it's enabling a another parts of a different development.

1225

01:23:45,020 --> 01:23:46,920

So that's why it's, you are calling it enabling works

1226

01:23:48,980 --> 01:23:53,000

In, in Indeed and of it, it effectively goes back to my earlier point, sir,

1227

01:23:53,000 --> 01:23:54,720

that enabling works.

1228

01:23:54,780 --> 01:23:59,400

So the identification of an initial phase of works that may be, um,

1229

01:23:59,980 --> 01:24:00,710

uh,

1230

01:24:00,710 --> 01:24:05,160

effectively undertaken as the first stage of the development process

1231

01:24:05,910 --> 01:24:10,640

without, uh, effectively needing to go through an additional, um,

1232

01:24:11,260 --> 01:24:14,320  
uh, administrative hurdle of identifying future phases.

1233  
01:24:16,200 --> 01:24:17,033  
Okay. Thank you.

1234  
01:24:23,530 --> 01:24:27,870  
So can I just come back, um, one last time it would be helpful, I think in, in,

1235  
01:24:27,930 --> 01:24:32,430  
in the light of the sort of movable feast that, um, relates to the station,

1236  
01:24:32,930 --> 01:24:35,870  
um, for confirmation to be given to you sir,

1237  
01:24:35,870 --> 01:24:40,430  
as to what the expected construction dates are for that station and how it might

1238  
01:24:40,530 --> 01:24:41,830  
fit with the enabling phase.

1239  
01:24:50,010 --> 01:24:50,843  
Yeah.

1240  
01:24:50,880 --> 01:24:51,700  
Um, Mr. Gilder,

1241  
01:24:51,700 --> 01:24:56,420  
we've got a question on that in our forthcoming questions asking about the

1242  
01:24:56,580 --> 01:24:59,260  
coordination of this scheme and the work.

1243  
01:24:59,360 --> 01:25:03,420  
So hopefully that will elicit the answer you are looking for, but of course,

1244  
01:25:03,560 --> 01:25:07,380

do feel free to put that in your written representations as well.

1245

01:25:07,920 --> 01:25:10,020

Um, excellent. Thank you Mr. Bernie. Thank you.

1246

01:25:14,780 --> 01:25:17,270

Okay, thank you. So I'll move on to requirements eight and nine.

1247

01:25:17,330 --> 01:25:22,150

It be helpful to us if you could just briefly explain the relationship

1248

01:25:22,150 --> 01:25:22,983

between the,

1249

01:25:23,720 --> 01:25:26,550

these two requirements and the code of construction practice and the

1250

01:25:27,590 --> 01:25:29,470

construction environmental management plan. Um,

1251

01:25:30,600 --> 01:25:34,610

like is the code of construction construction practice sort of effectively like

1252

01:25:34,610 --> 01:25:39,090

an outline construction management plan or, or what,

1253

01:25:39,520 --> 01:25:42,170

what is the kind of difference between these two documents and how do they

1254

01:25:42,170 --> 01:25:43,490

interrelate with each other?

1255

01:25:45,730 --> 01:25:47,910

Uh, thank you sir Paul May for the applicant. Yes, I think that's,

1256

01:25:47,910 --> 01:25:51,510

that's probably an accurate way to, um, uh, characterize it and,

1257

01:25:51,530 --> 01:25:54,950  
and indeed that, that's what I wrote down on my notes that  
effectively it, you,

1258  
01:25:54,970 --> 01:25:58,390  
you could consider it as an outline construction environmental  
management plan,

1259  
01:25:58,390 --> 01:26:02,070  
which is why actually in response to procedural, uh, decision A, we,  
we,

1260  
01:26:02,210 --> 01:26:06,160  
we decided not to produce that plan because largely it would've  
been, uh, a, a,

1261  
01:26:06,280 --> 01:26:10,840  
a copy and paste exercise from, from large parts of the, of the C O  
C P. So the,

1262  
01:26:10,840 --> 01:26:14,880  
the, the, the C O C P is intended, um, uh, uh,

1263  
01:26:14,880 --> 01:26:19,520  
the conclusion of the examination to be, uh, a, a, a fixed and final  
document,

1264  
01:26:20,060 --> 01:26:24,880  
um, which then, uh, the detailed, uh, C E M P for each phase,

1265  
01:26:25,180 --> 01:26:29,480  
uh, hangs off the back of it. It, it refers to, um, it, it,

1266  
01:26:29,510 --> 01:26:33,840  
it's in two parts. Part A has, um, uh, uh, general, uh,

1267  
01:26:33,840 --> 01:26:38,760  
general measures, um, uh, compliance with sort of,

1268  
01:26:38,820 --> 01:26:42,440  
um, uh, legislative requirements guidelines, best practice, uh,

1269

01:26:42,460 --> 01:26:45,720  
and that sort of thing. And then, and then part B are measures, uh,

1270

01:26:45,720 --> 01:26:50,320  
to be incorporated at specific locations or parts of the development  
as it comes

1271

01:26:50,320 --> 01:26:52,760  
forward. And, and it's intended to set the framework for,

1272

01:26:53,020 --> 01:26:55,200  
for those detailed plans then under requirement nine.

1273

01:26:55,430 --> 01:26:59,040  
Okay. So there's to be no approved, there's be no,

1274

01:27:00,370 --> 01:27:05,280  
nothing in any requirements as you need to submit a detailed C O C P

1275

01:27:05,280 --> 01:27:08,320  
that is effectively the detailed C O C P,

1276

01:27:08,320 --> 01:27:11,120  
which would be at the end of the examination. That's

1277

01:27:12,440 --> 01:27:13,340  
Yes. Yeah. Nothing

1278

01:27:13,340 --> 01:27:14,900  
Further would be submitted beyond, no,

1279

01:27:14,900 --> 01:27:15,600  
There will be no,

1280

01:27:15,600 --> 01:27:19,180  
no further updates to the C O C P beyond the end of the examination.

1281

01:27:20,450 --> 01:27:25,100  
Okay, thank you. Um, I'm just conscious of time. We said we'd break  
at 11,

1282

01:27:25,420 --> 01:27:27,980  
I think we'll take a break now, uh,

1283  
01:27:28,360 --> 01:27:32,820  
and come back at 1115. Um,

1284  
01:27:32,840 --> 01:27:37,060  
so the time is 10 57 and the hearing's adjourned until 1115.

1285  
01:27:37,430 --> 01:27:37,860  
Thank you.