

Hearing Transcript

Project:	Fenwick Solar Farm
Hearing:	Preliminary Meeting
Date:	19 March 2025

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FULL TRANSCRIPT (with timecode)

00:00:04:27 - 00:00:09:29

And I'd be grateful if someone from the case team could just confirm that the live stream has started and we're now recording.

00:00:19:29 - 00:00:24:16

Yeah, yeah, I can confirm that as a live stream has started and we are recording.

00:00:25:17 - 00:00:52:26

Thank you very much. Um, well, it's 10:00, and I'd like to start by welcoming you all to this, the preliminary meeting for the Phoenix Solar farm project. My name is Rory Cridland. I'm the lead member of the panel of examining inspectors, appointed by the Secretary of State to examine the application and report back with a recommendation by way of introduction. My background is as a solicitor. I'm also planning inspector, and this is the fifth nationally significant infrastructure project that I have been appointed to as an examining inspector.

00:00:54:13 - 00:01:03:27

Good morning. My name is Samantha Murphy. I'm also a member of the panel. I am a chartered town planner and a practitioner member of the Institute of Environmental Management and Assessment.

00:01:05:09 - 00:01:35:20

Thank you. Now, both Mrs. Murphy and I work for the Planning Inspectorate as the examining authority. We will conduct an examination into the application, and then we'll report back to the Secretary of State with a recommendation on whether or not we consider consent should be granted. Case team works alongside us throughout the process. They are managed by Mrs. Sarah Norris. Unfortunately, Mrs. Norris can't be with us today, but we do have Mr. Emery Williams and Mr. Elias Perera, who are both present in the room and are able to answer any questions you have on the meeting itself or the examination process.

00:01:35:27 - 00:02:06:22

We also have email online and for those of you joining us online, if you do have any queries or questions, you can email the project mailbox and the details of that are on the top of our rule six letter. Now, before we go any further, I do have a few housekeeping matters that we need to run through. As I mentioned at the start, a digital recording is being made, and so it would be grateful if you could clearly identify yourselves before you speak. A copy of that recording will be retained and published on the National Infrastructure website. For a period of five years, following the Secretary of State's decision on the application.

00:02:06:24 - 00:02:36:19

And so can I ask you all to try and avoid mentioning anything that you wish to be kept private and confidential? It is important that you all understand that if you participate in today's meeting, you will be recorded and that recording will be placed online. And we're also live streaming the event today as well. Now the fire alarms, I understand, has already been tested and I'm hoping it's not going to go off. But if it does, then we should assume it's the real thing and leave immediately. There are fire exits to both ends of the room, and the meeting point is out on the racecourse in front of the pavilion.

00:02:38:07 - 00:02:47:21

This meeting is a blended event. Some of you are joining us in person, others are joining us online. However you're joining us, we're doing to make sure you all have an opportunity to make your views known.

00:02:49:09 - 00:03:18:17

Can I ask you all to turn off your mobile phones or switch them on to silent, unless you're using them to join the meeting, in which case, don't do that. Will we lose You and anyone joining us on Microsoft Teams, we'd be grateful if you could minimize any background noise. A couple of other things. For those of you joining us on Microsoft Teams, the chat function has been disabled, so please don't try and use that to get our attention. But the raise hand function is working. And if you do wish to come in at any point, Miss Murphy and I will be keeping an eye on the screen and we'll bring you in as soon as we can.

00:03:20:09 - 00:03:45:13

If you're watching on the live stream, um, please be aware that it will be stopped during any adjournments or breaks, and you may need to refresh your browser page if you wish to view the restarted meeting. Now, finally, in terms of general housekeeping, you'll find it useful to have the rule six documentation that we sent out as well as the agenda to hand. Um, if you do need to obtain copies of those, they are available on the project webpage.

00:03:47:04 - 00:04:18:28

So moving on then, to the purpose of the preliminary meeting. The purpose today is for us to discuss the way in which the application is to be examined. Our focus is on the examination process itself, and we're not inviting opportunity. We're not inviting views on what you think is good or bad about the application. There'll be an early opportunity for you to express such views this afternoon at the open floor meeting. There will also be several opportunities during the course of the examination for you to let us know your views, either via written representations or as some of the other hearings that we may hold.

00:04:20:17 - 00:04:54:20

So next up, I'm going to ask certain parties to introduce themselves. Please can I ask you to remember to turn on your microphones? Um, and if you're comfortable to and joining us on Microsoft Teams, do please switch on your cameras as well. You can then turn them off again when we move on to the next speaker. There is a roving microphone available if anyone is present in the room who wishes to speak and does not have a static microphone in front of them. There are some spaces at the front with some

spare places, so if you do wish to speak then please feel free to come forward. So, starting with the applicant, can I ask who the lead speaker for the applicant will be today?

00:04:55:26 - 00:05:16:28

Good morning. My name is Taylor Power. I'm an associate at Pinsent Masons and I'll be speaking for the applicant today. And to my left is Mr. Alex Dresden, who was also my colleague from Pinsent Masons. Um, I can introduce the rest of the applicant team, but I expect they can introduce themselves should they need to speak in the meeting today. If that would work.

00:05:17:00 - 00:05:21:22

Yes. That's great. Thank you, Mr. Power. If you're leading, then we'll just need you to introduce yourselves. Thank you very much.

00:05:23:13 - 00:05:26:11

And is there someone from the City of Doncaster Council?

00:05:29:25 - 00:05:35:27

Morning, sir. Yes. Uh, my name is Roy Sykes. I'm the head of planning at City of Doncaster Council.

00:05:36:27 - 00:05:40:02

And, Mr. Sykes, will you be leading for the council today? Uh.

00:05:40:04 - 00:05:40:24

Yes, sir.

00:05:41:14 - 00:05:47:20

Now, I understand the council doesn't have any specific items that you'd like to speak on, but we may have 1 or 2 queries for you, if that's all right. Absolutely.

00:05:48:09 - 00:05:48:24

Thank you.

00:05:50:18 - 00:05:52:17

Do we have any other local authorities present?

00:05:54:06 - 00:05:55:23

Any statutory parties?

00:05:59:09 - 00:06:10:08

No. We have had some requests to speak from interested parties. Firstly, is there someone attending today representing able UK Limited and Elba Securities Limited? I think we may have Mr. Walker online.

00:06:11:19 - 00:06:21:15

That's right. Thank you very much. My name is Angus Walker from Broadfield, UK and representing those two parties, Abel UK and Elba Securities Limited. Thank you.

00:06:22:09 - 00:06:28:15

Thank you Mr. Walker. And do we also. Mr. Walker, I understand you'd like to speak on items three, four and five. Is that right?

00:06:29:11 - 00:06:31:21

Yes. Very briefly. Thank you.

00:06:35:00 - 00:06:40:06

And I also have a request to speak for Mr. Fowl. Mr. fowl present this morning.

00:06:43:21 - 00:06:53:10

No, we don't have Mr. Fowl. Well, if Mr. Fowl does turn up, we can hopefully introduce himself then. is there anyone else present in the room who wishes to speak today? Who hasn't already introduced themselves?

00:06:56:04 - 00:06:57:18

Anyone of Microsoft Teams?

00:07:00:00 - 00:07:10:28

Nope. Okay, well, that's all the introductions for now. Thank you all very much. Um, we're just about to complete agenda item one before we do. Are there any questions about the arrangements for the meeting this morning or the agenda?

00:07:12:18 - 00:07:13:03

Nope.

00:07:13:17 - 00:07:21:09

Okay. Well, thank you very much. In that case, I'm going to hand over now to my colleague, Mrs. Murphy, who will provide some remarks on the examination process. Mrs. Murphy.

00:07:21:17 - 00:07:52:20

Thank you. So we are agenda item two, where I intend to highlight some of the key points set out in annex B of the rule six letter. Some of you may be familiar with the procedures set out in the Planning Act 2008. For those of you who are not, I will now outline some of the essential features of the examination process. The purpose of the examination is to enable us to make a recommendation to the Secretary of State as to whether this project should receive consent in the form of a development Consent Order under the Planning Act 2008.

00:07:53:21 - 00:08:25:17

First, it is a process in which we, as the examining authority, take the lead in establishing what is important and relevant to the decision that the Secretary of State needs to take. We will therefore be looking for and testing the evidence put forward to see how robust it is. Secondly, the preliminary the primary method of examining the application is through written submissions. While it is likely that we

will hold some hearings, we will only hold an oral hearing into an issue that we consider that it is necessary to assist the examination.

00:08:26:26 - 00:08:58:10

The Planning Act sets a fixed timescale for the examination and for determination of the application. This includes six months in which the examination must be completed. A further three months in which we must complete our report with our findings, conclusions and recommendations to the Secretary of State. a further three months for the Secretary of State to reach a final decision on the application. That decision is therefore scheduled to be published in around 12 months time. I'm now going to make some general remarks about written submissions.

00:08:59:09 - 00:09:31:13

You will have the opportunity to set out your case and the evidence to support it in writing, alongside commenting on everyone else's written submissions. Any document that any party wishes to us to consider must be formally lodged as part of the examination process. Documents can be introduced to the examination in several different ways, such as written representations, a written answer to the examining authority's questions, written comments on materials submitted by others or as otherwise requested by us.

00:09:31:23 - 00:10:03:13

The examining authority written material that is accepted into the examination will be published on the project web page of the National Infrastructure Planning website, so that it is available for all to see. There are now, however, a number of key documents which will help us understand the different positions of interested parties and these will include local impact reports, statements of common ground, written representations and responses to our written questions. So turning to local impact reports.

00:10:03:22 - 00:10:41:09

This is a report written by a local authority giving details of the likely impact of the proposed development on any part of the local authority's area. The Planning Act 2008 defines. The local authorities are required to be required to be invited to submit a local Impact report. The Planning Inspectorate guidance is for local authorities to start preparing their Local Impact Report as soon as the application is accepted for examination. Annex D of our rule six letter of the 18th of February, 2025 requests local impact reports to be submitted at deadline one on Wednesday, the 30th of April 25.

00:10:41:12 - 00:10:50:09

So I'd now like to take an opportunity to ask the City of Doncaster to provide an update on their local impact report, if possible.

00:10:53:06 - 00:11:11:08

Thank you ma'am. Uh, the local impact report is underway. Uh, there is still work to be done with consultees, and it is our intention to take that to our planning committee prior to submitting it by the deadline that you've just sent, as mentioned. Thank you.

00:11:12:24 - 00:11:14:11

Thank you very much for that.

00:11:19:05 - 00:12:03:02

So now turning to statements of common ground. So annex F of our rule six letter requests the preparation of statements of common ground between the applicant and various parties. The aim of these is to agree factual information and to identify where there is an agreement and whether a points which remain in dispute. We need to know and understand your positions and whether they are shared or otherwise. The identification of outstanding concerns is important to us. The list of statements of common ground we have produced is not exclusive, and we encourage you to find opportunities for identifying areas of common ground, either by joining forces with others or individually, where matters are included in a statement of common ground.

00:12:03:04 - 00:12:32:11

It does not mean that we will not examine it further. Written representations. Written representations will provide a further opportunity for interested parties to make submissions to the examination. As we will see when we come to look at the draft timetable, we have set a date of the 30th of April 2025 for the receipt of written representations. You do not need to submit a written representation if you have nothing to add to your relevant representation.

00:12:33:29 - 00:13:04:11

The examining authority's written questions. So our first written questions will follow the receipt of written information submitted at deadline one as set out in the timetable in annex D. There will be a significant number of first round questions and these will be directed at the applicant, local authorities, some public bodies or other interested parties. There will be wide ranging and some of them will address quite fundamental issues and some will focus on detail points.

00:13:05:00 - 00:13:37:08

We do not, however, propose to examine in any great detail whether there is a need for the project, as NPS, n1 is clear that there is an urgent need for all forms of renewable energy, including large scale ground mounted solar. When you see the questions, you may think that some of the answers already contained within the documents that have been introduced into the examination so far. But even so, please answer the questions directed to you and where relevant, provide any cross-references to other examination documents.

00:13:38:03 - 00:14:11:11

The examination timetable sets a deadline for the responses to our questions, and all comments and responses will be published on the project web page for all to see. There will be a second round of questions and answers later in the examination, and this second round will seek clarifications, probe further into any unanswered points, or address any new points that have emerged. In addition to these iterations of questions, answers and comments, we may at times during the examination seek further written information or written comments.

00:14:12:07 - 00:14:46:00

So now I'm going to turn to hearings. As mentioned already, the primary method of examining the application is in writing, but there are provisions for hearings during the examination. The hearings will build on the foundations of various documents and comments, and your advise to make your

submissions in writing, rather than assume you can wait for a hearing as your opportunity to influence the proceedings. It may be that a hearing on an issue is not held, or it might not address the questions that you want to ask or that you want to answer.

00:14:46:27 - 00:15:18:28

There are three different types of hearings under the Planning Act of 2008. These being an open floor hearing, a compulsory acquisition hearing, and an issue specific hearing. The first type of hearing is an open floor hearing, which must be held if requested by an interested party. In our letter of the 18th of February 2025, we took a procedural decision to hold an open floor hearing this afternoon. The second type of hearing is a compulsory acquisition hearing, which must be held if requested by an infected person.

00:15:19:09 - 00:15:54:09

As we will see when we come to look at the draft timetable, a deadline of the 30th of April has been set for relevant parties to inform us if they wish to speak at another open floor hearing, or at a compulsory acquisition hearing. And the third type of hearing is an issue specific hearing which is held if we decide that it is necessary to ensure adequate examination of an issue, or to ensure an interested party has a fair chance to put their case through an issue, specific hearing is to be held on the Development Consent Order or DCO tomorrow.

00:15:55:10 - 00:16:35:09

The DCO is a critical document. If consent is given, the DCO will govern how the development takes place and is controlled. The draft timetable identifies the provisional dates that have been reserved for hearings. If you would like to participate in a hearing, then you are required to submit a request to register for each hearing on or before the date set out in the timetable. Information on how to submit a request to register is provided in the rule six letter. If you simply wish to observe the hearings, then you do not need to request to register and public live streams and recordings of the hearings will be made available on the project webpage.

00:16:36:17 - 00:17:13:26

We encourage anyone who wishes to be heard at the hearing, and who has a common view or common points to make with others to group together and appoint one spokesperson. This will help make best use of the time rather than having the same point. Repeated repetition of a point does not mean it will carry more weight in the examination, and we will intervene if submissions become repetitious. Anyone who wishes to speak at a hearing should expect us to answer. Expect us to ask them questions, and we do not expect someone to read out their previous submission, but expect speakers to elaborate on evidence already submitted.

00:17:14:28 - 00:17:48:00

The applicant will then be provided with an opportunity to respond orally to any points raised. We carry we are carrying out this meeting and the first open floor and issue specific hearing as blended events, which means that some participants will appear in attending physical venue in person, and some will take part on Microsoft Teams. Now, turning to site inspections and unaccompanied site inspection took place yesterday and we visited various locations. A record of this inspection will be published on the project webpage.

00:17:48:06 - 00:18:26:21

In due course, we may also undertake inspections of various other viewpoints listed in the environmental statement or to other locations suggested by interested parties. As with yesterday's site inspection, any further unaccompanied site inspections will be published on the project web page. Where possible, we intend to undertake site inspections on an unaccompanied basis, but you will see that we have set some time aside in the week commencing the 16th of June to carry out an accompanied site inspection, if we consider one is required and further information will be made available closer to the time on that.

00:18:28:00 - 00:19:01:13

So making effective submissions. During the examination, we will seek information that will take account of our recommendation by the Secretary of State. Our recommendation to the Secretary of State will be based on facts and sound evidence, rather than speculation or opinion, to consider whether the application complies with legislation, policy and guidance and will require consideration of a large volume of information. We want to hear from you, including if you have local or specialist knowledge that may be important to relevant to the recommendation.

00:19:02:10 - 00:19:42:13

You should be aware that this process is not a public vote on the merits or otherwise of the applicant's case. Rather, it is for us to obtain evidence on what we consider whether the applicant's case is made against relevant legislation and policy. We will read and consider every submission when we make our recommendation to the Secretary of State, and therefore there is no need to repeat the point that you have made in previous submissions or repeat points made by others. In particular, it will help us greatly if a single submission could be made by a group on behalf of people that it represents, and that there is no need for people to repeat any part of a group submission on their own.

00:19:43:25 - 00:20:16:18

So, as you will see, there will be several opportunities for you to make submissions during the examination, so it will help you if you could please submit your information once and provide evidence that is factual. For example, providing any data, methodology and assumptions used to submit your support to your submission. Recognise the process is a written one or principally a written one by making your submission in writing. Work with other people that you are in contact with who have the same views to put together a single coordinated submission.

00:20:17:08 - 00:20:39:00

Avoid making the same submission that others will be making as we give the same weight to information that was provided once or many times, and provide references to any documents that you will be referring to and where in that document you are referring to it. So that now completes agenda item two and I will pass now back to Mr. Cridland.

00:20:39:22 - 00:21:16:18

Thank you, Mr. Murphy. Now you'll have seen we're moving on to agenda item three, which is the initial assessment of principal issues you'll have seen in our rule six letter that we prepared the initial assessment of principal issues. And this is intended to set out what we consider are the main principal issues in the examination at the start of the examination. It's not a complete list, and it's likely that some of these issues will change to some extent as we move through the examination, with some

issues becoming more or less important. This agenda item is really an opportunity to hear from anyone who considers that there is an issue that requires examination that we haven't included on the list.

00:21:17:04 - 00:21:21:23

So firstly, does the applicant have anything they'd like to raise on this agenda item.

00:21:22:13 - 00:21:23:24

And no, the applicant doesn't.

00:21:23:26 - 00:21:25:02

Thank you. Thank you.

00:21:26:00 - 00:21:28:28

Mr. Walker, I think you did want to come in on this. This item.

00:21:30:08 - 00:21:51:28

Yes. Thank you sir. Angus Walker for Abel and Elba. Um, it was just that the, uh, scope of compulsory purchase, compulsory acquisition powers is not given in that list, and it is our main concern, so I just I'm sure it will be examined, but it would be nice to see it as one of the principal issues. Thank you.

00:21:52:27 - 00:22:19:04

Thank you, Mr. Walker. Um, I take your point. It was deliberate on our part. Um, we see the examination of compulsory acquisition as an integral part of the process. Um, a bit like the development consent order. And so we didn't feel that it was necessary to identify it separately. Having said that, I can give you an assurance that we will be looking at compulsory acquisition and land acquisition and the issues that that raises, um, in a lot of detail. And so we will be expecting the applicant to demonstrate that the case has been made.

00:22:20:06 - 00:22:20:24

Thank you sir.

00:22:21:09 - 00:22:21:24

Does that address.

00:22:21:26 - 00:22:23:27

That? It does. That's fine.

00:22:24:11 - 00:22:24:27

Thank you.

00:22:25:06 - 00:22:28:19

Does anyone else have anything they'd like to raise under this agenda item?

00:22:30:21 - 00:23:09:23

Anyone on Microsoft Teams in the room? Nope. Okay, well, in that case, let's move on to item four, which is the draft examination timetable. Now, the draft examination timetable that we included in annex D of the rule six letter covers a range of possibilities. Not all the events that have been timetabled will be necessary, and so you should check the project page regularly for any updates or to either the agenda or cancellations to any hearings. Once the examination is closed, we cannot take any further submissions. Any submissions made after that time to the Planning Inspectorate will be sent straight to the Secretary of State for consideration, and we won't see them when we're writing our report.

00:23:09:28 - 00:23:41:28

If you want to send us anything to consider, we strongly urge you to do it before the close of the examination. Now the timetable isn't set in stone. We may amend it during the course of the examination, and if we do so, we will write to all the interested parties to tell them and explain why. Now I trust everyone has had a chance to view the examination timetable, the draft timetable, before this meeting. I do not propose to go through it in any detail, but you will note that we've programmed the final deadline. Deadline six for around five months after the close of this meeting.

00:23:42:07 - 00:24:15:20

This is because at the moment, we consider that it will be possible to examine this application in the five month timescale, rather than the or the statutory six months. And doing so is going to require everyone to meet the deadlines that we've set, and it's obviously subject to any alterations as we move through the discussion on this agenda item. But it will also mean that there's going to be limited scope for any change requests, particularly if they come in later on in the examination. And so with that in mind, could I ask, does the applicant envisage any change requests being submitted during the course of the examination at this point.

00:24:15:28 - 00:24:18:27

Taylor Powell for the applicant. No, not at this stage.

00:24:19:01 - 00:24:19:16

Thank you.

00:24:19:18 - 00:24:26:05

If you do, um, come to a point where you think you might put one in, please give us as much notification as possible and hopefully we'll be able to accommodate it.

00:24:26:07 - 00:24:27:01

Yes. Of course.

00:24:27:16 - 00:24:28:05

Thank you.

00:24:29:25 - 00:24:33:20

Is there anyone else present wish to comment on a five month examination timetable?

00:24:37:11 - 00:24:49:26

No. Okay. Well, thank you all very much. Um, moving on then, to comments from those who have made requests to speak on this agenda item. Um, starting with the applicant as power, I understand you'd like to discuss potentially moving some of the hearings in June.

00:24:50:22 - 00:25:24:27

Yes. Uh, Taylor Powell for the applicant. Um, so the as per a letter to the examining authority, the applicants requested, if perhaps the hearings, which are currently scheduled for the week commencing the 16th of June, could be brought back one week to the week commencing the 9th of June. Um, and the primary reason for that request is that one of the core members of the applicant team, Um. Who is the person best place to speak to any design queries, as well as to facilitate any accompanied site visit, which I understand may be scheduled for that week.

00:25:25:02 - 00:25:56:24

Um, as a way overseas, um, during the week of the 16th of June. Um, but I would also just note that, uh, by moving it forward the previous week would also provide, um, well, currently with the the hearing scheduled for the week of the 16th and the following deadline being the following Wednesday, there would be kind of 3 to 4 working days between the close of the hearings. Um, and the next deadline where oral submission, um, written um, summaries of the oral submissions would be made.

00:25:56:26 - 00:26:17:10

And just having that extra week would also mean that should any questions arise in the hearing, which the examining authority authority may want, and writing um, further information on, we would have that time to prepare that, um, carefully for the examining authority. So, um, that was essentially the basis of the request, subject, of course, to availability of other parties and the examining authority yourself.

00:26:19:28 - 00:26:37:18

Thank you, Mr. Power. We did look at this before before today's meeting. And so we've had a bit of a think. Unfortunately, we can't do the week commencing the 9th of June, so it wouldn't be possible to pull it back, but it may be possible to push it forward to the following week of the 23rd. If that was something that that would be helpful.

00:26:37:20 - 00:26:56:16

No, thank. Thank you. That's a lovely offer. Unfortunately, um, Mr. Smith is away that week as well, so, um, either way, it wouldn't work. So I think if we do have to go with a week, then, uh, if we can't bring it back one week, then we would choose to stay with the 16th of June. Um, if that. If that's acceptable.

00:26:57:10 - 00:26:57:25

Thank you.

00:26:57:27 - 00:27:07:03

That's fine with us as we set the timetable for that. But does anyone else wish to comment on, um, on the dates for the hearings before we move on?

00:27:10:03 - 00:27:15:17

No. Okay, well, in that case, thank you. Mr. Walker, I think you wanted to come in on this agenda item as well.

00:27:16:08 - 00:27:43:07

Yes. Thank you, Angus Walker, for Abel and Elba. Um, just very briefly and related to my previous comment, both Abel and Elba are affected persons. And although you've set deadline one as being when the date for requesting, um, a compulsory acquisition hearing, I just let let you know now that we would like one held whichever week it is. Um.

00:27:43:28 - 00:27:46:15

We'd anticipated. You may ask for one, sir.

00:27:46:22 - 00:27:56:07

Okay, so just to put that on the record, unless our concerns are dealt with by them. So take that as a formal request. Thank you. Thank you.

00:27:56:15 - 00:28:00:12

And did you did you want to comment on, um, deadlines in August, I think.

00:28:02:03 - 00:28:23:00

Um, well, I, I generally thought that it might be difficult for parties to attend to sorry work to deadlines in August because that is generally a holiday month. I don't know if that will be an undue burden on on the applicant or ourselves. Um.

00:28:23:13 - 00:28:27:29

Did you have any particular dates in August that you'd like us to avoid in terms of deadlines?

00:28:29:05 - 00:28:40:02

Probably the deadline five in the seventh on the 7th of August is, um. But I'm away that week personally.

00:28:42:01 - 00:28:42:16

Um.

00:28:45:06 - 00:28:56:02

So an adjustment maybe to make make it a bit closer to deadline six, I don't know. Um, it might allow people to get some time off in August.

00:28:57:17 - 00:29:22:14

Um, because you give us that request in advance. When we were looking at the timetable for the hearings, we also had a look at your point as well. Um, and so it might be that when we go away after today's meetings, we could merge deadlines five and six. So that deadline, the 7th of August deadline, moves closer to the end of the month. And the submissions for both of those deadlines happen at the same time. And then that might be useful. Does the applicant wish to comment on that idea?

00:29:23:12 - 00:29:27:27

Uh, I don't think there's any issue from the applicant's perspective with that suggestion. No.

00:29:28:12 - 00:29:30:17

And from the council, any any comments there?

00:29:32:01 - 00:29:34:03

Thank you sir. No issue with that at all. Okay.

00:29:34:05 - 00:29:39:27

Well we'll take a look at that. Mr.. Mr. Walker and it may be that we can remove the seventh deadline and push it towards the end of the month.

00:29:40:03 - 00:29:43:02

Thank you very much. Thank you. That's all.

00:29:43:27 - 00:29:44:21

Thank you very much.

00:29:46:24 - 00:29:55:26

Does anyone else wish to raise any issue or any any comments on this particular agenda item and the examination timetable? Mr. Powell?

00:29:55:28 - 00:30:53:00

Oh, Taylor Powell for the applicant. Um, I did just want to raise a few of the documents that had been listed for updating throughout the examination. Um, and the perspective from the applicant at this point that we wouldn't expect needing to update them each time. Um, and those three documents are the statement of reasons, uh, the schedule of progress regarding protective provisions and the other consents and licenses to be obtained documents. So, um, with the statement of reasons and the Schedule of progress for protective provisions, we would expect within the statement of reasons, the main topic, which might need to be updated throughout the course of examination, would just be on the progress of negotiations with land interests, and we would expect we can cover it there in the Land Rights Tracker, which, um, the examining authority has asked us to keep updated through the um examination and similar with the schedule of progress for protective provisions.

00:30:53:02 - 00:31:31:26

There's a column within that land rights tracker for keeping updates on protected provisions. So in the interests of not overwhelming, um, people with too many documents, we would propose to keep everything in that land rights tracker, and then, if need be, we can do a final update to the statement of reasons. Um, at the end of the examination, if that would be requested by the examining authority. Um, and then just on that other consents and licenses to be obtained. Um, there was a request for updates on on that throughout the process, but, um, the applicant doesn't anticipate there being any updates through examination on other consents and licences.

00:31:31:28 - 00:32:05:14

And that's because, um, where these are required, they will generally be obtained in the post decision period. Um, for those which have already been obtained. So to the generation licence. And then there are some which are agreed in principle but can't be finalised until post decisions such as, say the great crested newts licences. So um, essentially just flagging. We wouldn't have anything to say in that document. So we, we don't anticipate putting those through. Um, so I just wanted to give a heads up in advance that we won't be putting those forward at each deadline, if that's okay.

00:32:06:06 - 00:32:35:28

Thank you, Mr. Barr. I'm sure you appreciate when we prepare the timetable. It's very much trying to accommodate lots of different scenarios. So if there are documents that haven't been updated, we wouldn't expect you to resubmit them. If there is anything that's updated, um, then we would. But if there are minor updates, then we're quite happy for you to wait until different points in the examination and submit them as you see fit. As long as we have final documents, the final deadline, then, then we'll be reasonably content with it.

00:32:36:08 - 00:32:37:00

Great. Thank you very.

00:32:37:02 - 00:32:43:03

Much. The exception being the draft development consent order. And we would like that submitted at each of the deadlines that we've requested it.

00:32:43:05 - 00:32:44:02

Yes of course.

00:32:44:05 - 00:32:44:20

Thank you.

00:32:46:00 - 00:32:51:03

Is there anyone else who would like to raise anything on agenda item four and the draft examination timetable?

00:32:53:20 - 00:33:00:18

No. Well, in that case, we've completed item four. I'll now hand back to Mrs. Murphy, who will take us through the next agenda item. Thank you sir.

00:33:01:24 - 00:33:42:13

Thank you very much. So this item is going to cover procedural decisions which we have taken so far. And you will find these in annex F of our rule six letter. In brief, the procedural issues concern requests for statements of common ground between the applicant and various interested parties for submission at deadline one a request for suggested locations for an accompanied site inspection. A request for the submission by the applicant of a lands rights tracker to replace the schedule of negotiations and powers sought document which was app for Dash 021 and the acceptance of additional submissions into the examination.

00:33:42:26 - 00:34:14:02

So I'd like to add that since the rule six letter was published, we have accepted a late submission from a local resident, Miss Lindley, and made a procedural decision to designate her as an other party. We have also accepted additional submissions from the applicant, which relates to supplementary information on agricultural land holdings and land use, and this has been published on the project web page and will be added to the examination library shortly thereafter. So I have noted that Mr.

00:34:14:04 - 00:34:23:15

Walker has made a request to speak on this agenda item. But before I turn to him, I would like to ask the applicant whether they wish to comment on this agenda item first.

00:34:24:05 - 00:34:55:21

Thank you, Alex Dresden for the applicant. The applicant has some thoughts on the statements of common ground requested in the rule six letter. Um, which I can touch on now if that would, if that would work. It's in three categories really. So the first relates to Natural England, the Yorkshire Wildlife Trust and the Burnett Heritage Trust. Um, and those parties are included in the same row of that table in the rule six letter. Um, but the applicant proposes, if it's agreeable to the examining authority to have three separate schemes for, for those parties.

00:34:55:23 - 00:35:23:18

And that's because the applicant had already commenced discussions with Natural England on an SOG before the rule six letter was published. And so we seek to progress that as a separate document. And the applicant also understands that slightly different matters are covered between Natural England and the two trusts in their relevant representations. So we suggest it might be more helpful to have dedicated SGS for each of those organisations, rather than combining them into into one document.

00:35:25:21 - 00:36:08:25

Thank you. And then in addition, um, the applicant notes that the list also included statements of common ground with Network Rail Infrastructure Limited, Northern Power Grids, Yorkshire plc and National Grid Electricity Transmission plc. Um. However, the applicant would like to propose that these statements of common ground are not required, given that negotiations with all of these parties are underway on protected provisions and and corresponding side agreements and those documents will cover all matters of concern between those parties, and therefore, any statements of common ground would just state that such negotiations are underway and that the objections of those parties will be withdrawn once those documents are agreed and signed.

00:36:09:04 - 00:36:43:15

Um, and in addition, further to the procedural decision in the rule six letter that has just been touched upon, the applicant is preparing and will continue to update throughout the examination, this this land rights tracker. And that includes a column for updates on the protected provisions and and those agreements. So we propose that that's the preferred format to update the examining authority throughout the examination on the on the progress of those negotiations, rather than doing so via separate statements of common ground to avoid the need for excess documentation with with essentially repeated contents.

00:36:50:20 - 00:37:21:06

So, president, thank you very much. I just want to make clear that I understand what you're proposing. So no statement of common ground with those parties, but you'll update us via the Protected Provisions document instead. Um, my only thought there is that if you do it in that way, the level of detail that we have on the negotiations is quite limited. Whereas on the statements of common ground, it does allow us to track what the issues between the parties are through the examination. Um, I know you say that the the aim is to agree protective provisions with all of those parties.

00:37:21:11 - 00:37:42:24

But in my experience, that doesn't always transpire by the close of the examination. And what we are trying to avoid with the statements of common ground is a last minute flurry of activity where we have to then start trying to understand what the issues are between you and those other parties, particularly ones like Network Rail, who have got some concerns around both the infrastructure and the compulsory acquisition issues.

00:37:43:13 - 00:38:15:27

Thank you. Alex Dresden for the applicant. Yeah, I take that point completely. I think what I would just mention is that with those three parties? We are in discussions already, and it's been agreed with all of them that we'll be using the protected provisions and side agreements agreed on the as recently agreed and discussed on the East Yorkshire Solar Farm project as a template. So lots of the lots of the contents will be already agreed as part of that process. Um, so we would anticipate that those protected provisions and agreements would be reached at a very early stage of the examination.

00:38:16:03 - 00:38:22:16

Um, however, if if the examining authority does seek statements of common ground with those parties, we are, of course, happy to provide them.

00:38:23:06 - 00:38:46:02

In the interests of not duplicating work for everyone. Um, perhaps one way we could proceed is to say that, um, no need for statements of common ground with those parties at deadline one, but if there are significant issues still outstanding, perhaps halfway through the examination, we could then issue a rule 17 request for a statement of common ground with those parties so that we are able to see where things are and, and, um, get more involved if we need to.

00:38:46:28 - 00:38:47:13

Thank you.

00:38:47:15 - 00:38:48:18

Yeah, we'll have a discussion on that.

00:38:49:06 - 00:38:49:21

Thank you.

00:38:50:15 - 00:38:53:15

After the meeting today and we'll confirm our decision on it in the rule eight letter.

00:38:53:17 - 00:38:54:13

Thank you. Thank you.

00:38:55:03 - 00:39:17:04

I've just got one more, if that's all right. On the statement of common ground. And that's sort of similar approach, um, in relation to the requested statement of common ground with Historic England. So per their procedural deadline, a submission which is PD 1003 that constituted their withdrawal from the examination, and therefore we propose that a statement of common ground is is not necessary with Historic England either.

00:39:21:00 - 00:39:27:17

Yes, that we've we've noted that point and noted Historic England's comments. So yes, we take that point on board as well. Thank you.

00:39:27:19 - 00:39:30:24

Thank you very much. There's nothing further on the statement of common ground from the applicant then.

00:39:36:13 - 00:39:43:10

So if I can now turn to, um, Mr. Walker who has requested to speak on this item. Thank you.

00:39:43:12 - 00:40:21:15

Yes. Thank you madam. Um, Angus Walker from Brookfield, representing Abel and Elba. And we would like to be added to the list of parties with which a statement of common ground is required. Since we have concerns about the routing of the cable through and land. And given that it's a bit short notice, if we are added that it's rendered by deadline one, perhaps it should be a bit later. Um, that would be fine by us, but um, please, could we be added to that list in annex F? Thank you very much.

00:40:24:20 - 00:40:31:12

Thank you very much. So I'd like to, um, ask the applicant whether they have any comments or thoughts on that request.

00:40:32:03 - 00:40:37:03

Thank you. Alex. President for the applicant. No, that's that's fine. From our perspective, you're happy to enter into discussions on that.

00:40:38:16 - 00:40:43:26

And, um, do you foresee that would be something that would be achievable by deadline one?

00:40:52:10 - 00:41:02:12

Alex Rosen for the applicant. I think we would like to aim for that. It might depend on how the initial discussions go, but yeah, certainly happy to pick that up swiftly after this set of hearings and look to aim for that.

00:41:02:21 - 00:41:16:06

Thank you. I think we would be happy receiving something in in draft form otherwise saying thank you. Thank you very much. So following from that, does anybody else within the room have any comments to make on, um on this part of the agenda?

00:41:18:22 - 00:41:31:21

Um, and I don't believe there'll be anybody else on line. So that concludes, uh, this part of this agenda item, and I'll pass back to Mr. Cridland.

00:41:33:06 - 00:41:43:03

Thank you, Mr. Murphy. Um, well, that brings us to agenda item six. Does anyone else have anything they wish to raise in relation to the examination process?

00:41:45:03 - 00:41:45:18

No.

00:41:46:11 - 00:41:48:18

In that case, thank you all very much. Um,

00:41:50:07 - 00:42:21:00

as soon as we can after this meeting, we'll send out our rule eight letter, which will confirm the examination timetable and any other procedural decisions that we've made as a result of the meeting this morning. This letter, the notes of the meeting and the recording will all be published on the project web page for everyone to see. There is an open floor hearing, as we mentioned this afternoon, that is due to start at two 2:00 and will be available from 115. And the Arrangements conference for anyone joining us online will be available from 130. I think we've covered everything on the agenda now.

00:42:21:02 - 00:42:32:14

All that remains is for me to thank you all for your participation and assistance during the meeting, and wish you all the very best until we meet again. It is now 1043 and this preliminary meeting is closed. Thank you all very much for.