

Audio_Fosse Green Energy_PM_Session1_06.01.26_2

Tue, Jan 06, 2026 1:59PM • 1:53:01

00:06

Well, good morning, everybody.

00:10

It's now 10 o'clock,

00:13

and it's time for this preliminary meeting. I'd like to welcome everybody to the preliminary meeting for

00:22

Can

00:25

I check first in the room? Can everybody hear me? I suspect so, because a bit of echo,

00:31

yep. And can somebody who's online indicate whether you can both hear and see me by using the raise hand

00:46

function, Thank you.

00:53

The

00:55

live stream

00:58

and recording have both commenced. Yeah, thank you.

01:10

My name is Graham Gould. I'm a charter town planner, and I'm a planning inspector, and I've been appointed by the Secretary of State to be the lead panel member to examine this application, I'm now going to ask my colleague to introduce herself

01:27

Good morning. My name is Frances Wilkinson. I'm a chartered town planner, and I am a planning inspector, and have been appointed by the Secretary of State to be a panel member for this examination. I

01:54

I'd also like to introduce members of the planning inspectors case team who are assisting.

02:01

That's Simon Ray wood, the case manager, who you may already have met, and Jessica Dunlop, who is the case officer.

02:10

Also in attendance are technicians from the audio visual company, production 78 who've been contracted by the applicant to provide recording and live streaming services, if for any reason, during the course of this meeting,

02:25

you see us talking to members of the production 78 team, that will be because we have encountered a technical difficulty which we're trying to resolve, and that will be the only reason that We're communicating

02:37

with the various representatives from production 78

02:42

and I'll deal with a few basic housekeeping type matters. Can everybody please ensure that you have your phones and other devices on silent mode?

02:58

The toilet facilities are back through the main corridor by the entrance.

03:04

Ladies are on the left of my my left hand side. Men are on the right hand side.

03:13

We're not expecting any fire drills during the course of this morning, if for any reason, the fire alarm does sound,

03:23

members of staff

03:25

for the building will come and tell us what we need to do,

03:29

but we either evacuate through the front of the building or through an exit at the back, depending on where the potential source of the incident is. The gathering spot is out on the street opposite Greg's, I think the churchyard where we will wait for instruction as to when we can return back to the building.

03:52

Today's meeting is being undertaken in the hybrid way, which means that there are some of us present in the room, but there are also others who are viewing and or participating online

04:04

via Microsoft Teams,

04:09

however you're attending, will ensure that Everybody gets the opportunity to participate.

04:22

For those of you who are either going to participate in online or are viewing online, can you please make sure that your devices are also on mute unless you're actually participating.

04:40

And for those of you who are online, if you wish to participate, if you can either use the raised hand function in teams,

04:50

and if you can't get that to work, if you literally, physically raise your hand, one of us will pick up the fact that you wish to participate, and we'll bring you in.

05:00

At a convenient point

05:06

today's meeting,

05:09

sorry, a

05:11

recording of today's meeting will be made available on the web page for the foster Green energy project

05:20

as soon as practical after the conclusion of the meeting.

05:25

With that in mind, would you please ensure that whenever you're speaking, you speak clearly using a microphone, and that you give your name and who you are representing on every time or each occasion that you speak? Unfortunately, that can get bit repetitive, but it is for the basic for the purposes of the recording,

05:46

so that anybody that is subsequently

05:50

viewing the recording knows who was saying what and when.

05:57

There are microphones at the table, and I believe there is a roving mic if there's anybody that needs to speak that isn't close to a mic. Is that correct? Yeah, thank you.

06:14

A link to the planning inspector's privacy notice was provided in our rule six letter. We're therefore assuming that everybody here today has familiarized themselves with that document

06:28

which establishes how the personal data of our customers is handled in accordance with principles set out in the data protection laws.

06:37

If you're unclear about any of that, would you please speak to one of the case team,

06:45

as I indicated earlier, the meeting is being recorded and live stream

06:52

streamed. The recordings are retained and published and kept as a public record under the data protection regulations

07:02

the inspector has a practice to retain recordings for a period of up to five years following the making of the Secretary of State's decision.

07:13

Consequently, if you're participating today, it's important that you understand that you will, you will be recorded, and that you are therefore consenting to the retention, retention of that digital recording.

07:27

We'll only ever ask information to be placed on the public records that we consider is important and relevant. It

07:35

will therefore only mean very rare circumstances that we'd ask you to provide any personal information of a type that most of us would prefer not to be in the public domain.

07:44

Therefore, to avoid the need to edit the digital recordings, we would ask that you try at your best to to avoid saying anything that you'd rather not

07:56

be in the public domain,

08:00

the only official recording of today's meeting will be that placed on the project website hosted by the planning spectrum.

08:11

If anybody wishes to record the meeting, you're free to do that, but please ensure that you don't disrupt the conduct of the meeting when, if you're doing that,

08:22

we aim to keep the proceedings focused and as efficient as possible. To assist with that,

08:30
we issued the guidance in Annex B of the rule six. Letter

08:36
that annex sets out an introduction to the preliminary meeting process, and we

08:42
trust that everybody has read that in advance,

08:45
and therefore I'm only going to provide a summary of how the

08:51
meeting will be conducted.

08:58
You'll find information about the application on the planning inspections, national infrastructure planning website, we strongly recall encourage everybody to familiarize yourself with that website, because that's the way the examining authority will be using

09:15
as the main technique to communicate with everybody involved with this examination.

09:22
The meeting will follow the agenda that was included in Annex A to our all six letter, and it would therefore be helpful to have that put on screen.

09:33
Can I ask somebody from now constant today? Good. Thank you.

09:44
The purpose of this morning's meeting is to focus on the way in which the application will be examined.

09:51
On that basis, we will only be inviting discussion about the procedural aspects of the examination,

09:58
and therefore, the purpose of the meeting.

10:00
Meeting is not to discuss either the merits or any concerns that you might have regarding this application,

10:08
the merits or concerns that you may have

10:15

be dealt with once the examination commences, either in writing or during the course of various hearings that will be held.

10:27

Now, going to turn to participation in this morning's meeting, and therefore going to look to various parties to introduce themselves. When you are introducing yourselves, can you state the organization's name and give your name and

10:43

who you're representing and which agenda items you'd like to speak to.

10:49

If you're not representing an organization, just please, please state your name

10:55

and state your interest in the application, perhaps as a resident or business, something like that.

11:03

We'd also ask that as you introduce yourselves, could you indicate which formal title you would like, Mr. Mrs. Miss, Miss doctor, or anything of that order. Thank you.

11:18

And now like to turn to the applicant. If you can introduce yourselves, please.

11:24

So good morning. My name is Reuben Taylor, King's Council. Reuben is spelled r, e, u, B, E, N. Taylor is much easier to spell, T, A, y, I, O, R. I'm instructed by Womble bond Dickinson. On behalf of the applicant to my right, I've got Emma Harling Phillips of Womble bond, Duncanson and the rest of my team will introduce themselves as and when they need to speak. I shall be the prime speaker during the preliminary meeting, speaking to items 345, and six.

12:09

Thank you, Mr. Taylor,

12:11

now turning to North. Now is it kistivan Or Kesteven? Council?

12:19

Good morning, sir. My name is John Hunter. I appear on behalf of North Coast dealing District Council.

12:26

I am Council. And to my left is Mr. Ben Hunt, who is the nciv planning consultant acting on behalf of the council. And further To his left is Mr. Nick Felton, who is the development manager at the council, and as with the applicant, there will be other attendees on behalf of the council who will introduce themselves at the appropriate point.

12:54

Thank you, Mr. Hunter, now turning to Lincolnshire county council.

12:59

Good morning, sir. My name is Justine Foster, and I am the infrastructure manager at Lincolnshire county council. I'm happy to be referred to as Mrs. Foster. Immediately to my left is Miss Amy Charlesworth, who is a senior infrastructure officer at the council, and to my right is Mr. Andrew Barton, who is the principal infrastructure officer at the Council.

13:32

Thank you. Then I think turning to national highways, and I think

13:41

representative national highway is online, yeah, Miss Brittany Grosvenor, representing national highways. I do not wish to speak at the preliminary hearing this morning, and we're just here to observe. Thank you.

14:06

Then moving on to the Chair of Thorpe on the Hill parish council.

14:11

Mr. Lyons, Yeah, hello. Good morning. My name is Mr. Nick Lyons, and I'm chair of Thorpe on the Hill parish council, and I would like to raise a point under

14:25

Annex D, which is the draft examination timetable.

14:35

Thank you very much.

14:48

Then turning to Mr. Smith, do

14:52

we have Mr. Smith?

14:58

Sorry.

15:00

Could I ask you to come to one of the mic actually, that there's a roving mic coming behind you.

15:09

Mr. Smith, I remember the cliff villages solar Action Group, and I wish to speak on cyber security issues. I

15:35

then Marion Overton,

15:39

good morning, Inspector. I'm councilor Mrs. Marianne Overton. I'm an elected councilor on both the district and the county council, but I'm here in a different capacity as the chair of the cliff villages solar Action Group and leader of the Lincolnshire independence,

16:04
the TS independence,

16:09
Ts, and in terms of your title, how

16:14
would you like us to address you? Mrs. Miss ms, or something else, the normal title is councilor.
Marianne Overton,

16:24
as you wish, is fine. I love the two at all. But I think you indicated that you were representing Cliff
villages, so you're not necessarily here in the role as a councilor. Is that correct? That's true. Yeah. So

16:39
I'm a Mrs. Mrs. Thank you.

16:52
And then turning to Carl Conan, is it?

17:10
Yes, but again, is there anything that you want to raise on a procedural basis? Okay? Okay,

17:23
then turning to Martin Elvin,

17:36
Thomas Feng,

17:45
good morning all Yes, I just wish to raise issues regarding impact on Thorpe on the hill, and that will be
the this afternoon's session. I believe.

17:59
Is there anything on a procedural nature you wish to raise during this meeting

18:06
only. It depends on what detail you want to go into, really, en three non compliances, we could discuss
that we literally we were talking about procedural matter. But if there is anything of a procedural nature
that arises during the discussion later, by all means, indicate, and we'll bring you in an appropriate time.

18:29
Is there anybody else in the room that wishes to raise any procedural type matters during the course of
this morning? Yes, madam, there's mic just coming behind you.

18:40
Sorry. My name is Helen Powell. I was a associated with the village Action Group. I am retired
councilor, independent resident from Bourne, past, Mayor past, previous committee member of District

Council, Vice Chair of the county council, highways and planning. And I have a couple of concerns to raise with the procedural part of the meeting. Thank you.

19:09

Tell you what they are.

19:12

It was it,

19:15

sorry, okay, it's loss of jobs and businesses. Was this fully debated and consulted on

19:23

that's a evidential type material, which we will deal with later.

19:28

It's rather, did you have anything to raise procedurally this morning? Yes, it has the procedure taken place. Consultate Consulting of all the other government departments, I

19:41

understand that the energy security and Net Zero new department has taken over and is dictating to the planning department, which produced the national planning policy framework

19:59

for.

20:00

The name will be at the end of the meeting and then or my colleague will address that then.

20:09

Is there anybody else in the room? Yes, the mic is just arriving.

20:14

Mr. Alistair King, I may have a couple of items to raise under the procedural bit this morning. Thank you. Mr. King, anybody else in the room?

20:27

Not seeing any indication? Is there anybody online that wishes to raise anything?

20:36

Seeing anything in there, either? Okay,

20:52

then I'm going to hand over to Mrs. Wilkinson for agenda item two,

20:59

thank you.

21:01

In order to streamline the running of this event, in Annex B of our rule six, letter, we provided an introduction to the preliminary meeting and the examination process, explaining how it will be conducted in how you can participate. For expediency, I'm assuming that everyone has read this, and I therefore don't propose to spend time now reading it out. It is important that you're clear in your understanding of the process, and so if there is anything that you're unclear about or on which you need clarity, then this is your opportunity to ask us.

21:38

So based on the information set out in Annex B. Are there any questions about the way in which we propose to examine this application? I would just ask, though, that if you have any specific points to make regarding the draft timetable, can I ask that you raise these later in the agenda items under Agenda Item four, it's more just general points at the moment that we're after Thank you.

22:08

Yes, Mrs. Overton, Thank you not entire Marianne Overton, I'm not entirely sure if this is the right place to raise it, but we have asked for a public hearing so that members of the public would have the opportunity to speak, not everybody was able to catch all the deadlines as they came and went, and would appreciate the opportunity of a very short time each to be able to address directly the inspector. And so we have put that in as a request,

22:44

right? Thank you. And yet, we can probably cover that in more detail when we get to the draft timetable under Agenda Item four, because we can pick up some items such as the open floor hearing, which I'm thinking is what you're meaning there. And yeah, we can. We can cover that in more detail, but it is referenced in the draft timetable. Thank you.

23:07

Are there any other general questions or queries in the room?

23:12

Not seeing any hands? Is there anybody online that has any general questions or queries at this point,

23:21

not seeing any raised hands in that case, I'll pass back to Mr. Gould to take us on to the next agenda item. Thank you.

23:32

Agenda Item three is the initial assessment of principal issues that Mrs. Wilkinson and I undertook on the basis of the relevant representations that we that was submitted, and also the application documentation,

23:56

the full list of

24:00

shorthand I happy are set out in Annex C to the rule six letter, which Perhaps I could ask to be displayed on screen for

24:25

I would stress that as the title implies, that's an initial assessment,

24:31
and it's not intended to be exhaustive,

24:36
and the publication that list does not prevent us from considering other topics or matters not specific mentioned in that list.

24:46
As the examination progresses,

24:50
we will have regard to all important relevant matters during the examination, and when we come to write our recommendation to the Secretary of State at the conclusion.

25:00
Version of the examination.

25:04
So as I've indicated, that list of iapy does not constrain the examination of other important, relevant matters that may emerge as the examination progresses. So

25:23
I'm now going to ask if there's anybody that wishes to speak

25:28
to the IP. And I think we'll start with North kisteman Council, who have raised an issue, I think, with the stepping out network. Mr. Hunter, thank you, sir. John Hunter, on behalf of North East even District Council, yes, the issue we were sure, is just with clarification on how effects associated or with the stepping up network are to be considered, as we've explained in our representations on this in writing,

26:00
there's different aspects to that. There is the transport and traffic aspects, but it's also got population effect issues and landscape and visual impact issues. So I think it was just really clarification as to which part of the hearings and the examination we would like us to address that in

26:19
I think the easy answer is it's going to be a bit of mix and match,

26:25
because some of the visual effects will be from a landscape and character perspective, but there may equally be issues that arise in terms of

26:37
temporary effects on the availability of footpaths, which is why we had initially indicated in the transportation section.

26:46
I think what both Mrs. Wilkinson and I can say it will be covered,

26:51

but it might be mix and match, and similarly, when we come to deal with the matter in our report to the Secretary of State, again, it might be, I it might be a bit here and there. Sometimes some issues are like that. I think that's going to be one of those. I'm grateful. I think I said that out of caution, because we feel that we'd be criticized for repeating ourselves. But obviously there will be overlap then in our submissions on those points. Yeah.

27:19

I mean from that perspective,

27:21

when you're making particularly written submissions, if you think that something is relevant, both to the landscape and visual side of things, and also potentially for general usage of footpath, just indicate that that's how you like us to consider that kind of vision

27:40

that will assist.

27:42

Thank you.

27:47

Was there anything from the county council?

27:50

Yes, please, sir. Justine foster for Lincolnshire county council, we have just one point we'd like to raise under this item, and having reviewed the list of topics, we note that waste is included under climate change and sustainability, where it refers to decommissioning waste arisings

28:13

at the county council. We're at the view that this should not be limited to decommissioning waste, and I appreciate this is just an initial list, and it doesn't preclude other waste streams to be considered, but waste arisings from the construction phase, due to breakages and operational failures, repowering needs are also considered to be equally important issues to consider in terms of waste, particularly In relation to cumulative waste arisings, given the large number of large scale solar developments that are being brought forward in Lincolnshire,

29:03

thank you. I mean, again, on a topic like that, what you may well see is that once your local impact report is submitted and or your written representations are submitted, we may pick up on points

29:15

through either written questions and or at subsequent hearings.

29:25

Certainly my practice in the past has been that there will be issues that often do develop once we've had the written presentation received.

29:34

So yeah, certainly we're not precluding consideration of waste matters on a more more wide basis.

29:49

Thank you, Councilor, sorry. Marianne,

29:54

I just like to another issue that might be quite wide ranging. I'm not sure how you would like to deal with it. Is.

30:00

The issues of health. Clearly, there's the public health issue in which includes mental health, which we've, I have been discussing with the director of

30:11

of public health on the county council. But the information is still coming forward. All of the information on the health impacts of the solar industry in open fields is not yet clarified, and so I think some of that information will come later, but I just wanted to make sure that there was space somewhere in the agenda to make sure that those issues were covered. That includes the impact of the from the the electromagnetic forces from the cables, for example, and from batteries. So these things will need a space, somewhere to be considered. Thank you. Thank

31:10

Mrs. Duncan, as I said, in response to the county council on the waste point,

31:17

make submissions to the examining authority about those sorts of issues, and then we can look at them. And no doubt the app can, having seen something in writing and or heard something orally, will be in the position to respond.

31:35

Is there anybody else in the room that wants to raise anything about the examining authority's initial assessment of principal issues,

31:46

seeing any indication, was there anything from the applicant side? Before I ask anybody online, proven tailor for the applicant? No, there's nothing at all. Thank you. And just to pick up on that last point, you have actually got us under population effects, effects on health and wellbeing during construction, operational, decommissioning, phases of proposed development. On your list already we have. It's quite loose

32:11

in some ways. That's quite deliberate, because of the nature of the

32:15

relevant representations that were received. There were vague references to what

32:22

Mrs. Wilkinson and I, when we're dealing with appeals casework, would refer to as living conditions.

32:33

But turning to anybody online, is there anything that anybody wishes to raise about our initial assessment of principal issues.

32:45

Any indication there?

32:55

Okay, well, that then takes us on to Agenda Item four, which is timetabling.

33:06

Jim, could I ask the applicant to display Annex D on the screen of the Annex D of the rule six letter? Thank you.

33:18

I'm not proposing to go through the draft examination timetable, line by line, as it should be self explanatory, but I do just want to highlight some points this morning. You will see that the first couple of lines are in gray, and this is because these matters have been completed when we publish the final timetable in what is called our rule H letter, additional lines will also likely appear this way to reflect their completion.

33:49

The time for submission of documents at all deadlines in the timetable is not later than 2359

33:56

on the relevant deadline date, the deadlines are not later than so there's no reason why submissions cannot be made before the deadline. If you want to do that, any documents received after the relevant deadline, however, will only be accepted at our discretion, and that's in the interest of fairness to all of the parties involved in the examination process.

34:21

So you'll see from deadline one in the draft timetable.

34:26

Thank you,

34:28

which is the 20th of January. So deadline one includes the submission of the local impact reports from the councils and also written representations from other parties.

34:39

Can I just ask you to please note the requirement for summaries for written representations that exceed 1500 words. It's just very helpful for us to have those summaries.

34:53

We have already requested that completed statements of common ground are submitted by the midpoint of the examination.

35:00

And this was done through what's called a procedural decision, which we issued on the 21st of November, 2025,

35:07

in the examination library. That is reference PD, 007,

35:12

and this is also reflected in the draft timetable at deadline three on the 24th of March.

35:19

You'll also see references to rule 17 of the examination procedure rules in the draft timetable. This is merely a provision that lets us request additional information from the applicant and other parties if we so require,

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most of the deadlines allow for comments to be made on the submission at the previous deadlines. And we have a number of hearings this week, which you'll see from the timetable, and there is provision for further hearings if required. And we have reserved time during the weeks commencing the ninth of March and the 11th of May, and that does include time and the week of the ninth of March for an open floor hearing

36:01

if we do hold hearings during those weeks, we'll obviously notify participants of the dates in advance.

36:08

We've also identified time for an accompanied site visit during the week commencing ninth of March, if required, and we did ask for suggestions on locations by procedural deadline, a which was the 30th of December, and we have received some suggestions. At this deadline,

36:29

the examination will be primarily a written process. We will be asking written questions to the applicant and others during the examination, with there being publication dates for the raising of any such questions identified in the draft timetable.

36:46

At the moment, the examination is scheduled to close after a period of five months, and that date takes us to the 15th of June.

36:57

So that's really just a quick sort of summary of the point that I just wanted to draw people's attention to. So I'm now going to invite participants who have asked to speak on this matter to raise points that they might want to make and I know that we've received some comments from the applicant, the council's and some others, so if we can turn to the applicant first, please,

37:23

ruin Taylor for the applicant.

37:26

Thank you. There are

37:29

two points in relation to timetable that the applicant wishes to raise this morning, the first of which was explained in a letter that was sent to you on the 30th of December, PDA, 001,

37:45

and in that the applicants identified some difficulty with the tightness of the deadlines between deadline one on the 20th of January and deadline two On the third of February, the request that the applicant makes is that you might consider moving deadline to back one week to the 10th of February. And the reason for that is simply the sheer amount of work that has to be completed between deadlines one and deadline to which includes response to your your first set of written questions, responses and comments to other representations received a deadline while including responses to the local impact reports as well.

38:38

The workload, even if it's moved back to the 10th of February will be very significant indeed on the the applicant applicants team, and we're simply seeking

38:50

a small

38:52

length thing of that time to enable that work to to proceed on a on a sensible basis. That's the first point that the second point we haven't written to you about, but we hope that this might find some table with you. Having looked at the timetable

39:11

we we are concerned that you won't get any update as to the progression of statements of common ground until

39:22

the time to lecture requires statements of common ground be put in. And we were wondering whether you might find it helpful if the applicant provided an update on the statement of common ground position statement, which you've already received version of as 124,

39:44

we thought if we provided that update by the second of March, that might assist matters in progressing preparations for the week of the hearings on the ninth of March, and you might find that useful.

40:06

So those are the only two points on timetabling we have. Thank you.

40:11

Great. Thank you.

40:18

Just turning to what the applicant has just said about statement of common ground,

40:24

we are probably going to push you and all IPS who will be entering into statement of common ground to meet

40:35

the midpoint deadline.

40:39

All too often, we get into a position with examinations where the state and the common ground are very late, the examining authority can't then respond to issues that may be arising, let's say, on a highways front, where perhaps we might need to start raising questions of parties to move things along.

41:01

If there's slippage beyond In effect, what we've called the midpoints, that makes much harder to get resolution to points and what parties often fail to appreciate with a statement, common ground is you're not going to agree everything, and we need to know perhaps more about what you're not agreed about than what you are agreed about, so that we can focus our effort

41:30

at looking at those areas of disagreement.

41:35

So

41:37

we will certainly go away from this meeting and consider various matters that no doubt can be raised about, timetabling as we go around the table and deal with other parties. But I think as far as statement of common ground are concerned, I'd like everybody to leave this room and who perhaps sees the recordings of this, PM, if they're not able to be present today, that we are looking very firmly towards parties meeting that at midpoint. That does not mean that once the statement of common ground have been submitted at the midpoint in their signed and what we would like to see is potentially final form that you cannot carry on negotiating. And it might be, for instance, things like protective provisions with one of the undertakers, which might be a stumbling block at the at the midpoint, cannot continue to be discussed, and the potentially an addendum is submitted that explains that progress has been made or has not been made,

42:48

but clarifies the position once we've got beyond the midpoint.

42:54

But I certainly be involved in cases where statement of common ground, statement of common ground, have run extremely late, and we've literally got to the end of the examination, and there has been no indication, really of any movement in any direction.

43:10

And it really wasn't worth anybody submitting statement to come on ground, because things had not changed from day one of the examination to the final day. If that's going to be the case, that's fine, at least we'll know that at the midpoint and the examining authority can then respond, because it might be that we can raise questions that might move things on.

43:39

So as far

43:41

as statement of common ground, I think everybody, hopefully is getting a fairly firm steer about what our views are likely

43:51

to be. And certainly I have dealt with a case where I got very grumpy with my colleagues about the lateness, and I think we ended up issuing, I think, three or perhaps four procedural decisions trying to extract stake in the common ground, because they were becoming far too late in the process.

44:19

Before we move on to any other points? Is there anything that perhaps the council's wish to raise about statement of common ground, at least both you will be entering into statement of common ground.

44:33

Hampton, North Keston. Thank you, Sir John Hunter, North Coast, even District

44:40

Council, we raised a point in our letter as well, but so I think you've covered it, and we understand the position clearly. There are trade offs.

44:51

So it may be that some matters will not yet be agreed, yet we'll be capable bringing in later, but we understand the position you've taken. So thank you for clarifying.

45:00

Going there.

45:03

And for Lincolnshire,

45:05

Justine foster for Lincolnshire county council, similar to north of Steven District Council, we understand your position and you're on the statement of common ground, and totally understand that there are, can be, inherent problems with lateness of statements and common grounds, and we will work with the applicant to try and achieve

45:25

a agreed statement to ground prior, in line with what you are set out in the timetable. But I think I just would like to just put on record that we we do have some concerns

45:37

that a submission of a stems of common ground at that point could result in a document that is very high level, with a lot of matters just being signed off as not agreed. And that is based on our experience of numerous DCO examinations over the last couple of years. The

46:13

I hear what you say, but we, we would encourage parties, and that's all parties

46:20

to

46:22

be progressing things. That's part of the reason why we gave an early indication in a procedural decision

46:30

back in October, the parties really ought to be getting around the table to start that process, rather than leaving it to the commencement the examination.

46:44

There is one point, though I think we can use usefully raised, because I think the applicants raised it.

46:51

We have asked for a statement of common ground between the applicant and the Fire Authority or the fire service.

46:58

There was some suggestion, I think, from the applicant

47:02

that the county council wished

47:06

the fire service matters be dealt with

47:11

within the County Council's statement on ground. Is there any particular reason for that?

47:17

Our view, just sitting back, is that that was quite a discreet area of work between that would no doubt involve the fire service, the applicant, and presumably the county council in some sort of liaising role. But if that one, that topic area, can be dealt with on a freestanding basis, that may well speed it up and mean that

47:41

that issue doesn't then get caught up with other issues, because there, of course, there are a number of other issues that the county council will be dealing with, with the applicant,

47:51

at least there might be a statement of common ground that is topic based,

47:56

that is concluded sooner rather than later. So for the county council, is there anything you wish to say on that point? Thank you, sir. Justine foster for Lincolnshire county council, Lincolnshire Fire Rescue Service is part of the county council, part of its statutory functions. So therefore, in our opinion, it makes complete sense that the statement of common ground with Lincolnshire Fire and Rescue forms part of the overall Lincolnshire county council statement of common ground, and this has been played out in other statements of common grounds that we have agreed on other NC proposals. If it would help, we would be you could we could consider including the Lincolnshire Fire and Rescue statement to Common Ground as an appendices to the to the main statement of common ground, which that has

48:49

occurred on other schemes previously, if you would like, at that degree of separation. But our view is that, because it is part of the county council, it should form part of the overall statement to common ground with us.

49:08

Does the applicant have any particular view?

49:12

Reuben Taylor, for the applicant, sir,

49:15

we we can see that it would be potentially useful to uncouple that particular issue from a wider

49:26

statement of common ground. However, present the draft that was provided to LCC on the 22nd of December before Christmas, included as an appendix A separate Common Ground statement of common ground on that particular issue. So the suggestion that we've just heard of a separate appendix is is the way it's gone in the draft,

49:51

but we can explore with LCC

49:54

whether we can decouple it if agreement is reached earlier than on.

50:00

The safety to Common Ground as a whole, in order to speed up your consideration and your processes.

50:06

Thank you, Mr. Taylor, understand the council's County Council's position

50:13

annexing would perhaps be, at least be one way

50:19

of dealing with it, if by the midpoint,

50:23

other matters in the County Council's statement of common ground have not been agreed, but

50:28

the fire side of things was at the point that it's

50:35

potentially agreed, or most matters are agreed, and there's not much disagreement.

50:41

Certainly, I think the examining authority's preference would be decoupling. But if the county council feels that's not possible, then I think the annex,

50:50

in a, in a the most complete form possible by the midpoint, I think would assist, and potentially not just assist,

51:01

the examining authority, perhaps members of the public, because that there would again be an understanding of where the parties I the applicant and the fire service had got to in terms of that particular topic area, because it was Something that was raised extensively throughout the relevant representations.

51:27

Great question. Part of what Mrs. Wilkinson was going to deal with, I think we'll return to going around the table.

51:37

Thank you, Mr. Gould, Mr. Taylor, I'm conscious that you raised a point about

51:43

pushing back by a week.

51:45

I mean, I appreciate the points that you've made on that, and we'll take that away for consideration, and obviously in the final timetable that we issue as part of the rule eight, we'll make a decision on that point. Thank you.

52:01

Turning then to the

52:03

District Council, I know you made a couple of points. We've already touched on the statement of common ground, but I think you also had a comment about deadline four as well, which Yes, thank you. John Hunter, on behalf of Northeast Indian District Council, again, it's perhaps more of an observation simply that the deadline of the gap between deadline three and deadline for being only a week

52:26

and not knowing fully in advance what we will receive and have the comments on it may be a little short. I think it was really just to flag that up as a potential concern. Again, we understand the time pressures and

52:39

just simply want to know, obviously, depending on what the volume, there may be good reason why we're not able to provide everything within a week, but obviously we'll endeavor to do so and and let you know if we don't think that is going to be possible, and ask for an extension if We think it's absolutely necessary.

53:01

Did you have any specific time period in mind? I think we didn't. I think it was, as it says, more just flagging on the concern and the possibility that we might need some but it's obviously a premature to say what it would be or how long we need, and we'll try to meet it, unless it's just impossible to do so.

53:19

Thank you.

53:26

Did the county council have other points on the timetable that you wanted to raise?

53:31

Justine foster for Lincolnshire county council? Yeah, there are a couple of additional points I would like to raise if possible, please.

53:39

The first is regarding issue specific hearing, one which is obviously due commit due to commence following this meeting today. Apologies if this might have been better under a OB, but it is also related to to this afternoon's hearing. It was just really to make the EXA aware that

53:59

that whilst the County Council's local impact report is published. It's not yet been formally approved by our members for submission into the examination. So as a result, our participation in issue Pacific hearing one will be subject to the caveat that while we can engage to a certain extent, our position and specific submissions remain provisional until such time that they've been endorsed by our council members, and they therefore may be subject to change. But also just to make you aware that our meeting with our members is on the 12th of January, and therefore the local impact report will be submitted at deadline when on the 20th January, as required by the timetable.

54:46

I do have another port, another couple of points.

54:50

The next one was in relation to it was really a request to the to the examining authority to give consideration to holding other.

55:00

Specific hearings, which, obviously you've already have touched on that today,

55:04

which are not currently on the agenda, particularly into relation in relation to matters such as landscape and visual impact public health and the cumulative impacts of the development, which hopefully you will give consideration to accommodating in the next reserved weeks for hearings. And just to say that we were going to raise about the open floor hearing, and we welcome your view that that will take place during the hearings on the week commencing the ninth. Thank you.

55:41

Just before Mrs. Wilkinson moves on,

55:44

Lincolnshire county council raised a point that

55:48

I was going to raise, and I forgot to little while ago in response to what the outcome said about

55:54

the heavy workload that it potentially has a deadline

55:59

between deadline one, deadline two, and on local impact report,

56:06

Lincolnshire have just indicated that

56:09

they're expecting their local impact to report to be approved shortly. I think you said the 12th of January or but the draft, in effect, is already in the public domain, turning to North Kesteven. What's the position with your local impact reports at the moment?

56:28

Thank you. John Hunter, on behalf of Steven District Council, the District Council's local impact report has been approved on the 16th of December. It starts with the appellant, and it's subject only to potential minor modification, so that's in the public domain and approved.

56:54

There is perhaps some assistance for the applicants side at the moment, but there's one Lai that's approved, the other one is very nearly there. Both documents are in the public domain, so potentially you can start looking at the LIR. It's not as if you're going to have to wait for deadline one until you see it.

57:21

Reuben Taylor for the applicant, yes. So we've been following, as you might imagine, the progress of progression of the LIRs online. The LCC draft became available, I think, for the first time, to the public. Yesterday morning,

57:38

some of us have had a chance to have a quick scan through. But of course, until that document has been debated by members, it is not a final document, as we've seen with nkdc, where

57:52

some fairly significant changes of position occurred following the meeting

57:58

at which are requiring redrafting of that document. So the difficulty we've got is that whilst we can start some work, we're loathe to start work on a document which is traveling still, because we will, we will waste time and resource if we, if we address issues that then get changed. So there are

58:23

there are matters that

58:26

we can't find, the lies even with these drafts, as you'll appreciate, but we are following those documents. We are doing our best,

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but it's really the combination of the work at deadline to that we're we're concerned about in particular, we have to provide responses to your first set of questions, which is a very significant

58:47

element of work, and we have to provide comments on on written representations from other parties, as well as the LIR. So it's that that formed the concern and the request to move deadline two back to The 10th of February. I hope that's there.

59:05

Thank you.

59:24

Thank you, Mr. Dana,

59:28

there any other points from the councils?

59:36

So I think Mr. Lyons, did you indicate that you wanted to make some comments on the draft agenda,

59:42

yes. Thank you very much. Nick Lyons, Thorpe on the hill,

59:47

chair of the parish council.

59:49

I'd like to just provide a little bit of context for my comments. First of all,

59:56

Thorpe on the Hill is a small i.

1:00:00

Rural parish comprising 265,

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resident properties and the most recent electoral register records 521, adults.

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Given the scale of the proposed development

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for screen energy, it is potentially going to have a profound impact upon the parish and so the parish council

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considered it essential to establish residents views before responding formally.

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If the scheme were to proceed as proposed, a very high proportion of the land within the parish boundary would be consumed along side associated access routes, construction, traffic and infrastructure.

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So based on experience, the parish council

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had found that surveys of residents, whether electronic based or other paper based often resulted in low levels of engagement.

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So on this basis, the parish council undertook a face to face survey of the of all the village residents,

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and that survey revealed that 76% or 105 households expressed opposition to the proposed scheme. 33 households or 24%

1:01:26

were either unaware or expressed no particular view.

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This represents a clear and robust mandate among residents who had expressed any view on the scheme and formed an opinion. The overwhelming majority were opposed.

1:01:43

So on that basis, the parish council formally resolved to oppose the development, and it's therefore today that I'm able to adopt a democratic mandate. So coming specifically, so that's some context really about what I'm about to say in the request.

1:02:03

So I wish to focus really

1:02:06

on, really the neighborhood and this community engagement issue,

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where specifically the we have a neighborhood plan that was democratically endorsed in 2018 and

1:02:23

a lot of work went into that

1:02:26

and the Lincolnshire, the nkdc

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draft LIR makes specific reference in pages and sections 21 to do with a neighborhood.

1:02:42

Neighborhood plan, and draws out particularly where that's in conflict.

1:02:49

So policy for green space and green infrastructure. Policy five, landscape and views. Policy six, design and character of development and then parish priorities related to community well being, leisure and recreation,

1:03:05

and also the local economy and promotion of tourism.

1:03:09

So Thorpe on the Hill has expressed has a strong village community and identity, and are encouraged to express their opinions the timing of the hearings during the daytime, like today, and the leading period to these hearings this week, which have included the Christmas break and the New Year break, has meant that many people have been unable to people

1:03:35

within the community have been able to contribute in a way that They might have liked. So with regard to Annex D of the draft examination timetable item 11, I would like to request that an open floor hearing be held. This is currently shown only as if required during the week commence the ninth March. So I would like to stay very clear that we would like it to happen. That's that's me. Thank you very much.

1:04:08

Thank you, Mr. Lyons, that was very helpful. Background. Just in terms of the open floor hearing, we put it as required because we we tend to just hold open floor hearings if interested parties actually request that to us. So they're a little bit different to that. For example, the hearings that we're going to have this afternoon, where that's very much driven by the examining authority, and we have at deadline one put in if people want to request an open floor hearing, then obviously that's the time period to do that. And if we get requests, then obviously one would be held that week of the ninth of March. That's really the reason why we've put it if required. It doesn't mean that we wouldn't necessarily have one. If people request it, then we will hold an open floor hearing. Yeah. Thank you. Just in response to that, the reason I took that time to raise it this morning is because perhaps.

1:05:00

Misunderstood, but it appeared to me that you recorded

1:05:04

decisions from these meetings and published your the confirmed timetable before timetable, before deadline, one had been completed, so I was fearful that if I didn't raise it today, the draft timetable would be confirmed without that being with it being perhaps omitted. So that's the reason to raise it at this meeting, right? Thank you. I understand. Thank you very much.

1:05:33

Yeah, certainly hear the point even in the

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rule eight letter that we issued following the this meeting, which will set out the confirmed timetable. It is still likely

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that the wording will remain if required for the next round of hearing, because only when we formally receive in writing the request

1:06:01

that one will be held. It's just the nature of the way the legislation works.

1:06:07

And I have been involved in a few cases recently where we had that wording, and there have been no requests for open for hearing, and therefore no open for hearings were held.

1:06:21

It's it, it's peculiarity of the legislation. And the same goes for compulsory acquisition, unless parties formally asked to be heard at a hearing. We don't have to hold one, as it

1:06:36

happens with compulsory acquisition, we have, as the examining authority decided there will be a short hearing on Thursday morning,

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but that doesn't preclude later on in the examination, again, a compulsory acquisition hearing being held because a party has formally requested that it be held. That hopefully all of that clarifies. So say, Don't be surprised to see the wording if required,

1:07:05

because, as I say, it's partly being driven by the way the legislation is when the damning authority doesn't of itself, call for an open source hearing to be held. Thank you for that clarification.

1:07:19

Mrs. Overton, Thank you very much. Marianne Overton, the cliff villages solar Action Group, we have actually put in a formal request, and it was acknowledged yesterday, so hopefully that is in place. And I really appreciate your approach in that you do actually want to hear all the evidence and to make sure that it's all taken into account properly, so that that's much appreciated. The timetable that took us to this I've just been calculating. I calculate 12 working days between. You know, it's a 3028, day, 30 day notice. But because the Christmas and the New Year, and I have to say, most councils seem to be off between Christmas and New Year as well. Everybody takes the holiday at once to be most efficient. So clearly, it's it has been quite difficult to make sure that we've got our papers in for today, but we are working towards the next deadline, which is the 20th Thank you. Thank you.

1:08:22

Thank you. Mrs. Horton, is

1:08:29

there anybody else in the room that wants to make any comments on the draft timetable?

1:08:36

Not seeing any hands?

1:08:39

Is there anybody online who wants to make any comments on the draft timetable before we leave this item?

1:08:47

I'm not seeing any hands online either.

1:08:50

In that case,

1:08:53

I'll just turn to the applicant before we leave agenda item. If there's anything other any other points that you want to raise on what you heard from other participants.

1:09:03

Ruben Taylor, for the applicant, none. Thank you very much.

1:09:07

Thank you. In that case, I'll hand back to Mr. Gold to take us on to the next agenda item.

1:09:23

Thank you. So agenda item five is procedural decisions that

1:09:29

have variously been made by the examining authority, either in the rule six letter

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and or in some instances prior to our issuing of the rule six letter. I don't intend to go through all of them,

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other than to say

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that,

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prior to the rule six, that there were a number of matters that we raised

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detective provision.

1:10:00

Was one statement of common ground, which we've already touched on.

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We asked some clarification on some

1:10:08
matters in the environmental statement.

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Then in Annex f of the rule six, we raised a number of

1:10:20
other matters.

1:10:24
I'm just briefly going to touch on ethical procurement, which was something that came out quite a lot in the relevant representations. We've given some guidance

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in the rule six letter about how we see that issue and how the Secretary of State has previously dealt with it,

1:11:01
we've already touched on the deadline for submitting written representations,

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which was covered in the second Third

1:11:16
decisions that also covers local impact report. Traditionally,

1:11:24
written representations and local impact

1:11:28
reports tended to be submitted at what would have been a deadline too, but the regulations were changed in 2024 which encouraged parties making relevant reps to make fuller submissions at the relevant Rep Stage, rather than relying on written representations. So in connection with that, when the regulations were changed, examining authorities have tended to follow the practice now to ask for local impact reports and written representations at whatever their deadline, one is, which, in this case, the draft agenda shows as 20th of January.

1:12:15
But for those of you that have participated in examinations previously and may have been expecting

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slightly longer period. That's the reason why things have been brought forward to deadline, one

1:12:41
we have in the draft timetable asked for

1:12:46
parties to identify locations for a

1:12:50
possible accompanied site inspection.

1:12:54
North kestervan have indicated a few locations which I think you've said you actually think we could do on an unaccompanied basis, the applicant has also helpfully put in some suggested locations. I think there's bit of an overlap between what kestervan suggested and what the applicant has got in its

1:13:15
itinerary.

1:13:21
Not sure that we actually saw any other suggested locations.

1:13:27
I should say the examining authority has undertaken an unaccompanied site inspection. We haven't yet been able to produce our note, which will come out next week,

1:13:41
in the absence of many parties asking for us to go to particular locations, we may well follow what the applicant has suggested as their draft itinerary, picking up on the points raised by the District Council, and then maybe also be some locations that we suggest based upon

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the USI that we've already done, plus,

1:14:14
what may be

1:14:16
further us eyes that we undertake between now And when we've actually got to finalize an accompanied inspection.

1:14:29
Mrs. Wilkinson has just asked me a note that Mrs. Hurd has suggested a location as well, which we will pick up and

1:14:37
about the applicant is looking at in terms of the

1:14:41
draft itinerary.

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What we may also consider is

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that, particularly in the potential response to compulsory acquisition, the.

1:15:00
Matters,

1:15:02
we may conduct what we refer to as an access required inspection where the landowner gives the examining authority consent to enter the land.

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This is a procedure that is often used on appeal case work is on the appeal side. It's been used for several decades now,

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the applicant would be generally content that if an owner gives us consent

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on the basis of, literally, they're granting us access to visit,

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but there is then no engagement with whoever that party is, you'd be content for us to proceed on that basis? Mr. Taylor. Reuben Taylor, for the applicant? Yes. So we would,

1:15:50
as I indicated before, both Mrs. Wilkinson and I come from an appeal background as well as an background. So that is something we're we're very familiar with, and we know how to manage parties on site, if, if they start trying to introduce evidence. Yeah,

1:16:09
thank you. Thank you very much. Chair. It's Marianne Overton from the cliff villages solar Action Group. We have Mrs. Heard is with, is within one of our connections. And so that may already be in, but I just would like to the opportunity, if possible, just to check that there aren't any other sites that are left, and there might be one or two perhaps that have been omitted, and we would perhaps put them in, and it would be up to your discretion to see if it was feasible to include them or not. Yeah, the main thing with site inspections is that if we've ever got to enter private lands,

1:16:49
that's where things start to become a little more difficult, and it's whether we have to go for the

1:16:57
accompanied site inspection.

1:17:00
And I think there will be one, just because the logistics of this site are quite difficult,

1:17:07
certainly undertaking the the unaccompanied site inspection, that was a two day visit, and still didn't get to see everything, because, of course, at this time of year, it's more difficult because we got short days.

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But certainly suggestions where parties want us to see things, and we can do it from public land,

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then that is a lot easier to manage, because Mrs. Wilkinson and I can decide that we're going to have a day doing visits, two days doing visits, and we will just go to various locations.

1:17:42

As I say, it gets more tricky when we got to go on to private land,

1:17:48

and it's it's more difficult to arrange that type of visit.

1:18:14

And then, since the issuing of the rule six letter, the applicant

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has submitted a notification of making intended changes to the application,

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and we responded to that in our PD, 009,

1:18:39

but Perhaps for the benefit of parties who may not have seen much about the likely change request. Can the applicant just briefly run through what that entails?

1:18:57

Reuben Taylor for the applicant, yes, sir, we wrote to you in a letter on the ninth of December setting out the updates

1:19:12

and the change request that is has been made.

1:19:18

There are, in effect, three proposed changes. First, a reduction in the red line boundary at Thirlby, which is as a result of discussions between the applicant and landowners. And it removes an area of approximately 13 hectares to the north of Thirlby and reduces the red line boundary of the site

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that relates to a small parcel of land that was originally allocated as retained arable and grassland, and which was included to provide flexibility for underground cabling works.

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And that reduction has been made following discussions with the landowner. The second element was the removal.

1:20:00

Of solar infrastructure from field 46

1:20:04

that followed concerns raised by the landowner at greenish cottage in battingham Road regarding the solar array proposed in field 46

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and in response to those concerns, the applicants engaged with the interested parties and proposes to amend the design of the development to remove the previously proposed solar array from field 46

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with consequential reduction in visual impact at Grange cottage. And there are no additional works proposed as a result, the third element

1:20:45

proposed change relates to additional hedgerows at River farm. Again, this comes as a result of discussions with the landowner, and what is proposed is a change to the design to provide additional hedgerows to lands for landscape enhancement around a river. Farm works were already proposed in that area, and so the additional hedgerows proposed don't constitute additional or amended works. But we wanted to draw that to your attention. For the sake of completeness,

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we have

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so those are the three elements of change we've received your your response on the 19th of December, PDO 009

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which identified

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that two further elements of documentation would be required before you could reach a decision on that request for a change, and we've been working quite hard since the 19th with Christmas and New Year in between.

1:21:56

The intention is the week, we will submit that additional information today and if not today, certainly tomorrow. You

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Thank you, Mr. Taylor,

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as parties may be aware, when we issued PD nine, we PD

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009

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we confirmed that the documents that accompanied the notification of the proposed change, the application were to be published, and they have been published in the library,

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but it's fair to say so that everybody is clear as certainly for this week's hearings, we're progressing on the basis of the application as submitted. We have not yet taken account of anything included in the

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change notification.

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Does anybody wish to raise any points about

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the applicant? Change notification anybody in the room,

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seeing any indication, anybody online,

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seeing any indications there, either? Thank you.

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That then takes us, sorry, so before, just before we leave that there's one small points, Reuben Taylor, for the for the applicant, that arises out of that, in relation to the the issue specific hearings that we've got coming up,

1:23:55

you just made the point that you're not taking accounts of the change because you haven't decided to accept the change which is understood. But I just wanted to clarify that when we refer to documents in the issue specific hearings, you're going to want us to refer to the A Series documents in the library, rather than the the as documents that set out there and respond to and reflect the changes that are proposed. Yeah, I think certainly,

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if, in effect, we ignore everything that was submitted in December that

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immediately causes a problem. Because one of my questions that we'll come to this afternoon, I've had to put a rider in that we are only talking about

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everything up until the change notification.

1:24:45

Yeah,

1:24:47

I think make life easier. Otherwise, it does get complicated. Otherwise, in the absence of a decision on the point so we we've clarified that and grateful to you. Thank you, and hopefully, particularly.

1:25:00

Councils have been working on that basis that anything that you might be referring to predates the receipt of the change. Implication.

1:25:18

I'm conscious that we've been sitting for nearly an hour and a half, but we are getting literally to the final agenda items, unless anybody vehemently objects, I think we will do agenda item six, which should take us to the close of this meeting.

1:25:37

And then think

1:25:40

that will be easier than taking a 1015, minute break.

1:25:46

Thank you. Yes. So we're now turning then to agenda item six, which is any other matters? And I think Ms Powell, and I think we said we would deal with the item you mentioned at the start, under any other business. I sorry. I was just writing

1:26:18

that note. Yeah, so we've got to agenda item six. And I think when you spoke at the start of the meeting, we said that we would come to the item that you wanted to raise under any other business, basically. So

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my two questions are about principles in the procedural sequence that has taken place that brought us to this point in UK history as we no longer have a Standards Board for England, including in our present government, not actually since 2012

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where it was abolished, along with all important code of conduct for councilors. So my points are

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about

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principles. The actual first question. The first question is about,

1:27:05

what are the government departments were consulted fully? Because I believe there are four other departments that should have been involved in this right from the start.

1:27:16

Do you want me to read through what I have written, or wait till this afternoon? Or is this my time? Now,

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if

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it's of a procedural matter, not evidential, then this is the time.

1:27:35

But

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if you indicate which departments you think should have been consulted? Let's just hear that bit first. Yeah, okay, well, the departments that I feel should have been consulted

1:27:51

are written.

1:27:55

It all down. Ready for the sign I'm going to make a suggestion, Media and Sport. I'm going to make a suggestion. We've got some spare

1:28:05

chairs at the table. It might be easier if you sat down and use one of the fixed mics. Yeah.

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I'm

1:28:22

sorry if you use if you just press the button.

1:28:29

Thank you very much.

1:28:31

The four other I mean, obviously the energy security one is the one we're involved with today, but the Culture, Media and Sport one that are responsible for tourism, which is a massive employer and and money for the Treasury is involved with that. I've got figures for that, but Defra is the other one, and that's responsible for all the food that we grow and for all the wildlife and the habitat that we are supposed to be protecting for the future generations. The other department, obviously, is the planning department, where I've read online, on the government website, they have overruled the energy security department have overruled the planning, the National Planning Policy Framework, by pressurizing the

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district councils that have been having solar panel farms put before them to actually approve them,

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which I think is obviously not right. And then the other thing is the Human Rights Act, Article Six, above all else, is about fair decision making,

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which again comes back to this consultation of the right departments being involved and properly consulted on so department six, fair decision making, but also article eight, which is everyone in this country has a right to a private.

1:30:00

Life, and I'm talking about the children of tomorrow whose food we are supposed to be growing, that they have food available, and that we are not in a situation where, where the planet the planning for these solar panels? I'm going to stop you, yep, Now,

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naturally, Natural England.

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Natural England made comments on behalf of Defra. They are a consult, okay, and they've been looking at some of the implications for

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agricultural land,

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the Human Rights side of things that's in terms of planning, that is embedded in the process. Well,

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at the end of every application on the planning committee I was on for eight years, they are the final two questions, is this in breach of Article Six, or is this in breach of Article eight, whatever decision we were making,

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yeah, and that's part of the process. And yes, sure. But as far as the examination of the application, okay, we don't have to say that that is something that we do, and particularly when we get look at okay, pulsary acquisition side of things, where potentially land might be taken from a party,

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not only is the examining authority required to test the evidence, but the Secretary of State, in making a decision, has to have regard just make sure everything is covered, isn't it? That's why I've included that

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that will be made the day that the actual decisions made. Article Six, Article eight will be involved in that. Yeah, I say it's yes, embedded in the process that the planning system for decades was ahead of the game. As far as it's other areas where human rights legislation wasn't necessarily being applied, yeah, but that should have been involved in the procedure that brought us to this present point today.

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In terms of mhclg involvement, we through the planning inspectorate, that is our parent department. Okay, so

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mhclg is engaged, because Mrs. Wilkinson and I are sitting here examine the case

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and then make a recommendation, albeit to a different Secretary of State. Yeah.

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Okay, and the second point I have with the

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procedural part of it and material considerations. If creating jobs and employment is a material consideration, then surely lack and losing jobs and business is a material consideration. Again, I'm going to stop you, because that's an evidential point. Well, now that that's have the people that have pushed these

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applications through, over and above the planning departments taking into account how many lives they're going to ruin, how many jobs are going to be lost, and how many other businesses. That is evident.

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There is national policy that deals with infrastructure of this nature, that is government policy, okay? Well, not seen any anything of that. I've not been able to find anything online of that. How that was taken into account. The National Planning policy statements for energy infrastructure are produced by the government now they are produced by Department for Energy and net security, but as part of the production of that national policy, yeah, the whole of government is involved in its consideration.

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Yes, okay, but in Lincolnshire alone, there are 30,000 jobs

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from tourism alone, 3.2 million visitors, who all spend money, which equates to 3 billion. So I just want to know that they understand what they are doing by taking this land out of a very, very important food chain that supplies bedding to Scotland and Wales because they can't grow grain and fish food for the salmon, it's a link, a link, you are taking out of a very important food chain industry in this country that's been building up since 1945 we are straying into evidence. Yeah, well, this is evidence, isn't it? No, no, no, these figures. This is a procedural matter. Yes, meeting. We're not dealing with evidence this morning.

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This sort of material is for submissions, either in writing or at an Sorry, I have got my hearing aids in as well. The

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sorts of matters you're now.

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Now talking about are for consideration, either through the making of written evidential submissions or at an appropriate hearing. They are not for consideration at this procedural meeting. No, it's just someone to give me assurance that all these things have been taken into account and not just

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driven roughshod over, and who cares what happens to those people and those businesses that have been in there in the food chain since 1945 you're going to destroy a food chain that's been on the go for 60 odd years.

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Well, I expect throughout the examination, we will be hearing lots of okay, seeing lots of commissions about effects on farming, yes, okay, we will then report on that evidence yes to the Secretary of State,

yes. And the Secretary of State will then have to make a decision yes, about what implications there may or may not be. Which state would that be? Which will be Department for Energy, the Energy and Security net locks, okay? Because that this is an energy project, and it therefore is for that Secretary of State to make the decision. But they're already dictating to the planning department on the national planning policy framework, aren't they? So who oversees that department. It's the government in its totality. And as I indicated earlier, when the national policy statements are prepared, although they are badged by the individual Department, Department anything to do with transport, yes, it comes out under the Department for Transport, but in government,

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the policy is consulted upon internally within the government, across the various different departments. Yes, I just haven't seen any evidence that, because obviously all the transport will go as well if there's no food, there's no transport. And, yeah, okay. Thank you very, very much for listening. Thank you. Thank

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you are there any other people in the room that want to make any points on procedural matters that haven't yet been raised

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the gentleman at the back,

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thanks, Alistair King,

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member of the public, and I'd like to say, I appreciate, excuse me, I appreciate the fact that members of the public can have their say as embedded in the procedures and everything. And I really want to have my say now about how we have our say,

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and more to point. I mean, I know how we have our say, in terms of we can stand up here and talk, or we can put in written submissions,

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but it's how you then take that into consideration. I just want to understand a couple Make, make a couple of points, I suppose, and forgive me if these have made, been made time and time again, but this is totally new to me, and I have got beyond no understanding, really, of how it's going to proceed,

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bit of context first, and that is,

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of course, us as the general public, are up against a mountain of documents. The applicant has got

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very deep pockets, obviously, and has produced hundreds of documents, 1000s of pages, probably 10s of 1000s of clauses

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to the general public. It is really quite impenetrable, although I'm sure

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people around are going to make a very, very good go at it. We're not paid, we're not professionals, or as the applicant is so i It seems to me, we're a massive disadvantage at the outset, and therefore it is important for me to understand how our say, will be taken into consideration. We've got the applicants documents, we've got the procedures, we've got, the NPS, is we've got all of that stuff, which we've got to try and get our minds around as non professionals in our own time. Somehow,

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I realized that this,

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this procedure, has to be kind of technical in nature, and it's best if we can relate the points that we make in writing on orally, to specifics of the NPSs and the applicants documents and all the rest of it. But that's very, very, very difficult. So I mean parliament, I assume, gave us this ability to have our say,

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and was genuine about that. So I just like to ensure that it is really going to happen, and in some ways,

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our disadvantage will be taken into consideration. So

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the first of my points really is that, I mean, whereas the applicant is powered by money and professionalism, we know all that.

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The general public. We're powered by our passions and our deep understandings of our locality and what we like and what we don't what's good and what's bad.

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And therefore, I suppose my first point is, I hope, I urge, I trust the examining authority will take that into consideration, and if we don't talk very articulately or articulately just did it, or

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our written submissions aren't as articulate as they could be compared to the applicants, I hope you will take that into consideration and in some way, perhaps interpret what we're saying from the heart, so to speak, in more technical terms that are actually relevant and you can use in your considerations. That's my first point. My second point is, a lot

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of this stuff is judgmental, and the applicant uses lots of methodologies

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to try and work things out and give scores for things. And I mean, one thing I can talk about is methodologies, because I've worked with them all my life in the IT industry. And we have to have them, of course, and it helps us understand things. But the thing about methodologies is they,

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they give a very false sense of precision.

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And if you're using methodology, you yourself because start to think that you have a knowledge that you haven't really got.

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And that sense, false sense of presume precision, can also fool the readers into thinking that this, this era, has been covered totally. So my only other second point here is whereas, whereas all the clauses and that that come in the documents from and are the results of application of methodologies

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the people who live locally in that they have a deep understanding. Sometimes the methodologies can't see the wood for the trees, and sometimes local people's deep understanding can see the wood from the trees. And I'd hope that the

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planning inspectorate, when they see the submissions from the general public and the very precise statements in the documents from the applicant will have a balanced view on how to judge those against each other, and that's all I'd have to say. Thank you.

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Thank you, Mr. King,

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I might be about to offend some of those sitting on to the right and some of those sitting to the left. Some of the best evidence that certainly I've ever heard, either as an inspector or for that matter, before I joined Inspectorate and was either in local government or in private practice, actually came from

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non experts, if you like, or in one instance, I can think of an expert in a particular area who had never participated

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in a in a paying case before.

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So just because evidence has been given by non professional, non expert. Doesn't mean to say that certainly Mrs. Wilkinson or I will disregard it, downplay it.

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It can be quite surprising, as I say, sometimes you hear a lot of professional evidence, and

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it doesn't always

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have the same strength. I'll put it that way, as

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evidence that's given by the lay person. Perhaps the most important thing for lay people residents

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is that you try and make sure you focus

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on issues that that you consider are the most important and that you wish us to have that evidence put to us,

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because it is our job to review absolutely everything that's put in front of us by all parties.

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It's also, I think, fair to say that we will not always agree with everybody, because we can't agree with everybody,

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and again, people shouldn't take that as well we've disregarded.

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You'll often hear about discussions about weight, or you might hear about weight place. I'm afraid Mrs. Wilkinson and I will have to get metaphorically, a set of weighing scales out at the end of the process, when we're actually making a recommendation.

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And

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yeah, there will be points that we will agree with some parties with, and there will be points that we will not agree with.

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Is,

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but we, we will certainly be taking on board the material that's put before or before us. But as I indicated earlier, certainly for lay participants, it really is

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sometimes better to to select matters that you

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are comfortable making submissions about rather than trying to cover absolutely everything, and perhaps do yourselves an injustice on what might be stronger points versus weaker points,

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where

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you might try and cover absolutely everything, but actually you lose some of the strength of the points you're actually trying to make. Does that assist?

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I'll say again, thank you very much. That's very reassuring, and thank you for the advice.

1:46:08

And I can see that online, we have a Mr. Williams wishing to make a comment.

1:46:16

Yeah. Thank you. Just quick introduction, Mark Williams, Springwell soil action group.

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So just following on from what the last speaker said, I think it's really critical. I've been obviously, I was part of the Springwell application. I'm actively involved in this application, and have sat through various other NCPs, particularly around the Gainsborough

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sites. And I think one of the one things that we need reassuring from, from the planning Inspectorate team, is that this is not just a foregone conclusion. I think there is a real feeling amongst the participants and the community that actually this is just a rubber stamping exercise. This is the this is a process that the inspectorate team goes through to placate the communities. But in essence, the decision has already been taken. And whilst that might not be the case, I think what we see through

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the various applications that are getting turned down locally and then overruled by planning teams. And if we look at all the NCIP processes that have gone through in the last 12 to 18 months, it does seem to be very much

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a an exercise to placate communities, and we're not really seeing

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inspectors and the process coming down in favor of local communities. So again, I urge the inspectorate team to really listen to our community. We are being swamped by these applications. I hope to be with you at some point over the next day or so, to present in person, but I just call upon the the inspectors who are present to really listen to our communities who are essentially fed up with various applicant applicants just bombarding us with these nceps. Thank you.

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Thank you. Mr. Williams. Is

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there anybody else in the room that has any comments to make before we end the preliminary meeting.

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I've got one small point. Reuben Taylor from the applicant. This is a very small point, and it's really about how we run things in the hall, in the hearings over the next few days, regarding the display of documents on the screen.

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We were hoping that you could confirm whether you're happy if the applicant displays documents on the screen when they're helpful to the discussion, rather than seeking to display every single document when it's referred to.

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That's really the small point I wanted to raise.

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Thank you. Yes,

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it might be in the middle of a discussion. We need to look at a particular figure in something or other or a plan. Then yes, by all means, that's the time. I think generally either Mrs. Wilkinson or I will ask for something to be brought up.

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But yes, sometimes things are put on screen or almost the sake of it, and certainly you've noticed that we both use pen and paper, we'll often have our heads down so we're not necessarily concentrating what's on screen anyway. But.

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Yeah, but it might be that some of the interested parties might want to see something on screen because they perhaps haven't got paper copies in front of them. But yeah, we'll have to play that by ear,

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but certainly, yeah, perfectly content, but not actually, because you won't be able to keep up with the pace of it anyway.

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There's a lady at the back. Thank you.

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Thank you. Kay Parker, I'm resident of navey. I'd just like to point out that when documents are on the screen, we can't read them because they're too small. Would be really useful to have another screen here with an enlargement. Thank

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you. Thank you. That's helpful feedback for the next hearings that we've got. Thank you.

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So anybody online wants to make any comments on procedural matters before we close the meeting,

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I'm not seeing any hand

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in

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that case, I'll pass back to Mr. Gould to close the hearing. Thank you.

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Thank you. Just before I do formally close the hearing,

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we are experiencing quite a cold spell of weather.

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This is perhaps not the warmest room in which to be holding hearings. The examining authority will be perfectly content for anybody. And I'm looking at the applicants team. I'm looking at the councils, if you want to dress down and put things on that are warmer. Then, by all means, do so even if that means you come in sweaters and whatever else,

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we're quite content for that.

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I might well stay in suit and whatnot, but that's because I'm in a particular mindset, and we're almost trained, put your suit on and you know you're in an inspector role. But that does not need to apply to anybody else. So if people want as they put coats on, put sweaters on, even put hats on, do whatever to feel comfortable.

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That then does bring us to the

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conclusion, and therefore, the close of this preliminary meeting, I'd like to thank everybody for your participation. And the meeting now is closed at 1152 Thank you. I should sorry to say we are, of course, reconvening this afternoon to commence issue specific hearing one that will open at 1152 past two and registration will start at two o'clock. Thank you. Thank.