

Fosse Green Energy_CAH1_Session 1_08.01.26

Thu, Jan 08, 2026 1:26PM • 1:44:06

00:05

Good morning, everybody. It is now 10 o'clock, so this compulsory acquisition hearing one is now commencing, and concerns the proposed FOSS Green energy project. Can I just confirm? Can everybody in the room hear

00:23

me,

00:27

and can I also check those who are viewing online and or participating? Can you hear and see us or see me at particularly The moment? Can somebody please indicate

00:49

seeing any indication and

01:09

um, is Emily Tetley Jones on behalf of field Fisher

01:13

on the call. And can you hear and or see me?

01:18

Yes, yes, I can. Thank you. I think that means that everything's fine on online. Thank you. Can I also just check then that the recording and the live streaming has commenced? Yeah, thank you.

01:34

My name is Graham Gould. I'm a chartered town planner and an 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. Thank you. Good morning. My name is Frances Wilkinson. I am also a chartered town planner and planning inspector, and have been appointed by the Secretary of State to be a member of the examining authority for this application. Thank you,

02:02

and together, we are the examining authority for this case. I'd also introduce colleagues here from the planning Inspectorate who are here in support as part of the case team. That's Mr. Raywood and Miss Dunlop, who you may already have spoken to and or met. We're also joined in the room by technicians from a company called production 78 who are providing audio, visual and online support. They are purely here to assist the smooth running of the hearing if for any reason, we encounter any technical difficulties, and either Mrs. Wilkinson or I need to speak to any of that tea, it will be solely in response in trying to address some form of technical difficulty.

03:00

Just a few general housekeeping matters. Can I ask that everybody make sure that their devices and phones are on silent mode in the room? Please? Toilets here.

03:14

The ladies toilets are to my left out in the entrance lobby area, and the gentleman's are on the right of me again, back out in the main entrance area.

03:27

We're not expecting any fire alarms, but if a fire alarm does sound, then we will need to evacuate the building. The building staff will instruct us as to whether we go out through the main front entrance or whether we have to use an exit behind me. The

03:42

meeting point is opposite Greg's in the open space area, and then we wait there until we're told by the building staff that we can re enter the building.

03:57

Today's hearing is being undertaken in a hybrid manner, with some participating in the room and others online.

04:13

For those of you, particularly online when you wish to make a point and draw attention to the fact that you've got something that you wish to

04:23

say, could you please use either the raise hand function in teams? And if you can't get that to work, then just physically raise your hand,

04:32

and we'll bring you into the discussion to appropriate points as we go along.

04:43

A recording of today's hearing will be available on the foster green energy section of the national infrastructure planning website as soon as practical following the conclusion of the hearing. With that in mind, please ensure that you speak clearly into a microphone stating your name.

05:00

Name and who you're representing, representing each time you speak. Unfortunately, that can get a bit repetitive, but it is for the benefit of the recording and for anybody that may subsequently be viewing the recordings who wasn't able to be present during the actual hearing.

05:19

Link to the planning inspectorates privacy notice was provided in the notification for this hearing. We've assumed that everybody has familiarised themselves with the content of that document,

05:32

but if you have any issues, please raise them with the case

05:40

team. The digital recordings of the hearing will be retained and published and kept as a public record.

05:49

The inspectorates practice is to retain recordings for a period of up to five years following the Secretary of State's decision.

05:58

Consequently, if you participate in today's hearing, it's important that you understand that you will be recorded, and you are therefore consenting to the retention and publication of the recording.

06:14

We will only ever ask information of a more personal nature to be placed on the public record, if we consider it's important and relevant, it will therefore only be in very rare circumstances that we'd ask you to provide personal information of a type that most of us will not wish to be in a public domain. Therefore it's important to avoid

06:37

making statements or comments that you'd wish to be kept in private, otherwise that will require some editing to be done to the digital recording before it can be published.

06:55

The hearing will follow

06:59

the published agenda that we issued, which has an examination Library Reference of EV three, hyphen, 001,

07:08

that was issued on the 19th of December. Could I ask the displays on screen please?

07:20

The agenda is for guidance only, and we may add other considerations, depending on matters that may be raised during the course of the hearing.

07:29

We will conclude the hearing as

07:32

once we consider all relevant contributions and by no later than 1pm if

07:40

for any reason, discussions can't be concluded during the hearing, then we'll raise matters by written questions.

07:51

I'm now going to ask those

07:53

participating in the hearing to introduce themselves. When you do that, can you please indicate the organization you're representing,

08:04
and give your full name.

08:11
And can you also please indicate what title you'd prefer to be to Mr. Mrs. Miss,

08:18
dr, etc. I'd like

08:20
to start with the applicants team, please.

08:25
So thank you very much. My name is Reuben Taylor King's Council. I'm instructed by Womble bond Dickinson on behalf of the applicant in this matter

08:35
and for the

08:39
applicant's team. This morning. To my right, I have MS, Emma Harling Phillips from mongold Dickinson, and then to her right, Mr. Snedden,

08:50
who you heard from yesterday.

08:54
We think that's the only people who will be addressing you today, this morning.

09:01
Thank you, Mr. Taylor,

09:03
well, but nobody from the local authorities present this morning.

09:10
This hearing is specifically inter compulsory acquisition matters, and therefore is principally to address any issues that the applicant and affected persons have affected persons being parties who

09:25
have

09:27
either hold interests, leases or other interests in the land.

09:37
So it's not generally a hearings open for discussion in the same way that the issue specific hearing yesterday was

09:46

but is there, before I turn particularly to one of the affected persons that we know

09:51

wishes to speak, is there anybody in the room that was perhaps intending to say anything during the course of this hearing that.

10:00

And if you're not an effective person, it will be at our discretion as to whether or not we take whatever oral submissions you wish to make. But is there anybody in the room that was potentially

10:15

Thank you. Councilor Marianne Overton, chair of the cliff villages Action Group and local representative for the area. As a councilor, I'm not expecting to raise issues, but I would like to just be here, and if there's anything important, I'd be like possible to raise it. Thank you.

10:38

Is there anybody else in the room, not seeing any indications. I'll then turn to those online,

10:47

and starting first with Emily Tetley Jones, please, if you could introduce yourself.

10:59

Yes, good morning. Can you? Can you hear

11:05

me? Oh, hello,

11:07

sorry, yes, we can hear you. I turned my mic off.

11:12

Did you? Yeah, and we can now see you as well. It wasn't letting me in earlier. Thanks very much. So my name is Emily Tetley Jones at Phil Fisher LLP, we act for the British pipeline agent at sea limited, as agents for Prax downstream, UK Limited and Prax Lindsay oil refinery in liquidation. Those two practice entities are together referred to as pracs throughout

11:42

and PLO R

11:45

practices the oil refinery is the owner of The Killing home to buncefield fuel pipeline. And PB okay is the beneficiary of the land rights relating to that pipeline. BPA, British pipelines agency is employed as agents by Prax to operate and maintain the pipeline and act on its behalf in respect of the DCO.

12:11

And I'm joined by Paul Cannings at Phil Fisher.

12:21

Thank you. Are you? Are you content that whenever we're referring to you, we just use Prax as a shorthand? Yes, if referring to Prax, and I'm if you refer to me as MS Tex Jones, that's great.

12:42

There was a little, quite a bit of feedback. Is there anything that the production 78 team can perhaps do to assist

12:52

with

12:54

apologies? Has it disappeared now?

12:59

How are people finding it in the room, because it does seem to vary a little bit in this room as to how much echoing and or feedback people get. Mr. Taylor.

13:11

Reuben Taylor, for the applicant, I think it varies from person to person, depending on the nature of the mics and things like that. But I have to say, on the whole I think it's been very good.

13:23

I think.

13:24

Is anybody in the room having any issues hearing, hearing what was?

13:30

Teddy Jones has got to say,

13:33

I can switch my microphone. If that helps. If this isn't clear as I'm speaking at the moment, I can switch it. So how was that?

13:43

That was okay. I think we'll stay as we are at the moment. Thank you.

13:50

Is there anybody else online,

13:59

seeing any indications.

14:03

Okay, thank you.

14:11

Then hand over to Mrs. Wilkinson for the next part of the intros. Thank you.

14:17

Thank you.

14:19

This hearing will generally follow the agenda as issued on the project page on the 19th of December, 2025

14:27

and it would be helpful if you had a copy of this in front of you.

14:33

The purpose of today's hearing is for the examining authority to begin to hear the applicant's case concerning the compulsory acquisition and temporary possession powers it is seeking, with particular regard to the legislative conditions for compulsory acquisition, including need and proportionality, whether full consideration has been given to reasonable alternatives to compulsory acquisition, and whether there is a compelling.

15:00

Case in the public interest for all of the land subject to the compulsory acquisition power sought by the applicant to be acquired,

15:09

the examining authority will hear the applicant's case and any relevant submissions from affected persons and ask any questions, as it considers necessary.

15:20

When you're answering our questions, please ensure that you provide succinct answers where your question is deserving of a yes, no type answer, then please answer in that way followed by any application as may be required

15:38

before we move on to the substantive matters on the agenda. Are there any comments or clues or questions anyone wishes to make under this general agenda item in the room

15:50

or online?

15:53

Not seeing any hands in that case, I'll pass back to Mr. Gold to take us through the substantive points on the agenda. Thank you.

16:09

Turning to agenda item one,

16:12

can I ask that the applicant give its summary

16:16

in respect to the matters that we identified in the agenda? Reuben Taylor, for the applicant, sir, I'm going to address you on this item,

16:31

the the matter you wish to be addressed on related to the extent to which the compulsory acquisition powers sought in relation to the proposed development accord with the conditions in Section 122, subsection two of the Planning Act 2008

16:46

and the relevant

16:48

guidance related to procedures for compulsory acquisition of land from government

16:55

under Section 122 of the 2008

16:59

act compulsory acquisition powers may only be granted if the Secretary of State is satisfied that the land is required for the proposed development, or is required to facilitate that development, or is incidental to that development, and if there is a compelling case in the public interest for the inclusion of the powers the proposed development meets this test in in Section 122, subsection two of the 2008 act, on the basis that the land is required for the proposed development or matters to facilitate it or incidental to

17:35

it, the schedule of negotiations and power sought, that's Annex A to the statement of reasons, a P, P 020,

17:44

and schedule nine of the draft DCO, which is a P, P 016,

17:49

sumise the purposes for which land and rights in the order land are sought. The proposed interference with the rights of those with an interest in the land is for a legitimate purpose, because the applicant requires the land for the proposed development in satisfaction of the conditions, as set out in Section 122,

18:08

sub section two of the 2008 Act, the Planning Act, 2008 guidance relating related to procedures for compulsory acquisition of land, sets out advice for applicants regarding compulsory acquisition with regards to the proposed development. Whilst seeking compulsory acquisition powers, the applicant is continuing to seek to acquire the land, the rights and other interests in on and over the land, the temporary use of the land, as well as the securing the removal of rights and interests affecting the order land that may impede the proposed development wherever possible.

18:47

This approach of seeking powers of compulsory acquisition in the application for the order and in parallel, conducting negotiations to acquire land and other interests by agreement, accords with paragraph 26 of the compulsory acquisition guidance in terms of compliance with the the

19:08

guidance tests, the applicant has sought to achieve a balance between minimizing land take and securing sufficient land to deliver the proposed development, noting that the detailed design of the proposed development is yet to be developed. In that context, the limits of the land have been drawn as tightly as possible so as to avoid unnecessary land take, whilst maintaining a degree of flexibility to accommodate the proposed development as the design is finalized, in the event that less land proves to be required in a particular area. At a later stage, the applicant would only seek to acquire that part of the land that is required. And in all events, will seek to minimize effects on landowners that can be seen, for example, in relation to the grid connection cable route, the extent of which will be minimized once the final grid.

20:00

Connection cable route is designed in addition, the applicant is seeking only rights to install, operate and maintain, together with a restricted covenant protect the apparatus the grid connection cable over the plots affected, and is not seeking compulsory acquisition of the freehold land in this area. That approach also demonstrates the applicant's compliance with paragraph 11 of the compulsory acquisition guidance, which states that there must be no doubt in the decision makers mind as to the purposes to which the land to be acquired is to be put. The applicant must demonstrate that the land is needed for the authorized development and that it is no more than is reasonably required for the proposed development. The scope of the powers of the pass free acquisition proposed goes no further than necessary with all land included within the order land required to achieve the identified purpose of delivering the proposed development, minimum land and rights required as necessary are sought to construct, operate, maintain and mitigate the proposed development and is therefore proportionate to the proposed development objectives. Steps have been taken to ensure that the interference with the rights of those with an interest in the affected land is no more than is necessary to deliver the proposed development and associated benefits. The need for the proposed development is well established, and in order to ensure that the proposed development is implemented effectively, compulsory acquisition powers are required. The demonstrated need for the proposed development is set out in the statement of need. That's a P, P, 184,

21:41

through the design process and determining what land should be subject to compulsory acquisition, the applicant has given consideration to alternatives and modifications to the proposed development in order to minimize any potential landscape impacts that can be seen in the design approach. Document a P, p1 86 and the consideration of alternatives as set out in the environmental statement chapters three and four, which documents a P, P 028, and 029, respectively, the applicant acknowledges that the use of compulsory acquisition powers would result in a private loss by those persons whose land or interests in land are compulsory acquired. In respect of this, compensation is payable for the compulsory acquisition of land or rights and for loss or damage caused by the exercise of any power of temporary use of the land where voluntary agreements are not reached, as demonstrated in the schedule of negotiations and powers sought Annex A to the statement of reasons, a P, P, 020,

22:47

the applicant has proactively sought to engage with affected persons, both through formal consultation and informal engagement, in order to understand the direct and indirect impacts upon them. This has shaped proposals and where possible, enabled changes to be made to design of the development in order to minimize that the private loss. In addition, the applicant has sought to engage with those affected landowners, to seek to acquire land or rights by agreement as far as possible, and currently, there are option agreements in place for 88% of the principal site and an agreed form of options with

the remaining land owners of the principal side. And the applicant expects imminently to have secured option agreements over 100%

23:39

of the principal site to enable the development to proceed. Heads of terms have been agreed for 75%

23:47

of the cable corridor.

23:50

The extent of the order limits is no more than is reasonably necessary for the construction, operation and maintenance of the proposed development. And therefore any interference with private rights is both proportionate and necessary. The applicant has provided a funding statement, a P, P 021, which confirms that it has the ability to procure the financial resources required for the proposed development, including the cost of acquiring any land and rights and the payment of compensation as applicable. And lastly, the applicant is not aware of any interest within the order land in respect of which a person may be able to make a blight claim. But in the event this did occur, the applicant has sufficient funds to cover any compensation due. I hope that addresses that agenda item appropriately, thank you.

24:52

Thank you. Mr. Taylor.

25:04

Miss techie Jones for practice. Is there anything that you wish to say at this stage in response to what the applicant has just outlined as its approach to the seeking of powers,

25:18

composite acquisition and powers and or temporary possession.

25:22

No thank you. I'll deal with my issues in one in One section.

25:29

Thank you.

26:00

Before I start asking my questions, it might be useful just in the background, if those handling the documents perhaps can be ready to get the land plans up, which are

26:16

as hyphen, 005,

26:21

the works plans as 006,

26:25

and potentially also the framework landscape and ecological management plan

26:32

as hyphen, 101,

26:35

so

26:50

Reuben Taylor for the applicant, we're just

26:54

joining the the team

26:57

so that we can display documents,

27:00

and particularly in respect of the land plans and the work plans, just so it speeds things up. It's sheet two

27:08

that I'm just going to use as an example.

27:22

Do I'm starting with a sort of fairly overarching type question

27:27

with respect to landowners and occupiers engagement during the relevant representation period and or

27:36

the early pilot examination

27:41

has been limited. I'll put it that way.

27:45

Can the applicant confirm whether or not parties with landowning interests who have

27:51

entered into option agreements or sign heads of terms,

27:56

whether they are still free to make representations in respect to the submitted application and or participate.

28:08

Ruben Taylor for the app, I'm instructed that they are Yes. I

28:23

I asked the question because there have been some instances where agreements have been signed and it transpires that parties in effect have been precluded,

28:34

or believe they've been precluded, and therefore felt somewhat uncomfortable, and

28:41

then applicants have had to clarify that no

28:44

they have freedom, because all parties should have Freedom to participate. That's that's helpful clarification. Thank you so

29:10

I'm now going to ask inspect some clarification with respect to permanent acquisition of free holds or long lease holds.

29:23

The land plans, the book of reference and the statement of reasons variously show or refer to proposed acquisition, permanent acquisition, of land. However, in the

29:38

biodiversity net gain report, which is a double p1, 94,

29:43

paragraph, 3.4, point two.

29:47

There's a reference it states whether VCO allows for either grassland or arable land areas, the applicant is currently in dialog with land owners over whether they have a preference.

30:00

On how this land will be managed. That appears to be inconsistent with what certainly is described for the majority of land right land rights proposals in the book of reference, where generally freehold acquisition is being referred to,

30:19

and the land plans don't draw any distinction between

30:23

freehold acquisition or lease acquisition.

30:28

Can the applicant clarify what what its intentions are?

30:35

Reuben Taylor for for the applicant,

30:38

so the the acquisition of the land in terms of the powers that are sought is to enable freehold acquisition if necessary.

30:51

That is because it may be necessary to acquire the freehold in order to a cleanse the title

31:03

or B if at some later stage, the option agreements that are concluded are breached,

31:12

acquisition at that point would then enable the

31:15

Development to proceed. And thirdly, there may be unknown interests. For example, an unknown, unknown agricultural lease might emerge, which could only be defeated through the acquisition of the freehold.

31:35

And so in order to enable the development to proceed. That is why freehold rights are are acquired.

31:45

I hope that answers your question. I

32:20

so in terms of the parties that say signed heads of terms or option agreements up to this point, are they predominantly doing that on the basis that the undertaker will be entering into non leases in effect for the duration of the development?

32:40

Reuben Taylor, for the applicant, yes, my instructions are in relation to the principal side. The

32:46

option agreements that have been entered into there and indeed are proposed for the last two remaining

32:54

landowners are options for long leases. So

33:08

thank you.

33:30

My next question

33:33

touches on the matter that we we covered in Part yesterday, particularly with Mr. Snedden, in terms of

33:40

the growth order limits are around 13 160 hectares,

33:47

and

33:52

the issue as to whether or how much of that land would actually be required to deliver a project with an export

34:02

limit to the grid of 240, megawatts.

34:09

Certainly, at the moment, it's unclear. When you look at land plans, works, plans

34:17

and plans, particularly in

34:21

the framework landscape and the environmental

34:26

management plan,

34:28

we could get into a horrible mess

34:33

with that. If I could, I think I'll ask for

34:39

shoot two of the works plans to be brought up.

34:45

This I've only chosen it's nice and easy. It's an example so.

36:02

Group and take the applicant. So we're just having a little bit of trouble getting that ban on the screen. But we're we're just working around. If you can give us 20 seconds or

36:13

so, I do hope it's not the issue with rendering that's causing

36:40

it's proven title for the applicant. We just need Mr. Snedden to be allowed into the teams call, And then we can assist

37:06

that there he is,

37:24

I'm sure which sheet number that is, is that,

37:30
if we can go to sheet two

37:34
of, yeah, of the plans, I can't remember what electronically that page appears on it. I think it's about five.

37:42
Yep, that's it.

37:49
I won't use North points. I'll just say bottom left hand corner. We've got a big chunk of green with

37:58
hatching, which is a combination of work six, which is cables, I think, connecting the individual array areas, then presumably ultimately into some sort of trunk route,

38:12
and work nine, which is

38:16
combination landscaping, biodiversity and ancillary works.

38:26
Now presuming, in terms of work six,

38:33
which is the cabling works,

38:37
a fetishible proportion of that would actually be needed to connect the various array areas with one another and to batteries and then potentially whichever cable then takes

38:51
the this part of the array area, then towards the main cable corridor.

38:58
So on first glance, just looking at that area,

39:04
it's a large, large pot of land, but most of it would not be needed for cable routing,

39:11
but some of it might be needed for

39:14
work nine

39:18

and this is the kind of sort of the difficulty that we've been having, we see

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a maximum land take of 1360, hectares, but potentially to actually deliver the project

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significantly, what potentially quite a lot less Land might actually be needed to get the thing operational.

39:44

So I think ideally what we'd like to have an understanding for is that for each work one through to nine, and of course, some of them are A's and B's, if you can indicate what you believe would be the main.

40:00

Minimum

40:01

land take to actually deliver the 240 megawatt

40:07

export.

40:10

Well, the scheme's ability to deliver an export quantity of 240 megawatt

40:17

is that an exercise that you would be able to do,

40:21

just to show what the bare minimum

40:24

would be to actually deliver a project. At the moment, we are saying we are struggling a bit. Ruben Taylor, for the applicant, to actually deliver the project. Of course, that requires us to

40:37

take into account the potential constraints of archeology, for example, in a in a cave, in routing cables. And so one of the reasons why that particular field that you were looking at is annotated in the way it is is because we don't know where within that field we need to route the cables. So if we, if we, if we're talking about deliverability of the project, we have to take into account the flexibility required in order to deliver. And so on that basis, the minimum area is, is what we've have already shown in the drawings.

41:16

Well, I understand there might be some buried archeology, but if there were some buried archeology which was

41:26

found

41:28

following the undertaking of post consent surveys, that was at that point the unknown limitation which would then trigger micro sighting,

41:40

presumably, presumably to provide cabling to connect the various arrays with one another. You know that it's got to be

41:49

five meters wide, 10 meters wide, or whatever it is, and

41:53

that won't change the location of where the cabling would need to go within this pot of land goes won't be determined, but potentially you would only need whatever it is five meter or 10 meter corridor. Ultimately, once the project is

42:13

has been constructed and is operational, and the presumably, at that point,

42:19

it would be acquisition, either of the freehold or rights over

42:27

the area where the cables have actually been laid.

42:34

Perhaps it's a bit of a clumsy way. What we're trying to get to is,

42:41

yes, understand the flexibility. If

42:45

you were doing a spons type civil end,

42:50

sorry, quantity surveyors exercise, what would you be doing to

42:57

thank you, sir. Emma Harney Phillips, on behalf of the applicant, I think it's important to understand that one needs to look at two scenarios at two different points in time. So there is the final built scheme, which will be subject to leases, permanent way leaves for cabling, etc. That will be of a certain hectrage, and that will be once the cables have been located within the constraints identified by Mr. Taylor,

43:27

and we have provided details previously, and Mr. You and Mr. Snedden can come in now and explain them in terms of what those permanent cable widths are. So the actual land that the applicant will need to acquire, either by agreement or pursuant to the powers. At the point that the project is constructed, will be smaller than what is currently shown on the land plans. But at the point that the order is made and consent is granted and the powers are granted, the land is necessarily much larger than that to enable that flexibility and micro siting. But the point of principle is that the applicant will ultimately only

take those areas of land that it requires to install the project once those constraints are known once detailed design has happened, once micro siting has happened. So there is a difference between the amount of land that needs to be consented at the consent stage, pre detailed design, and what will ultimately be the final land take. There are some areas where, for example, the one that you highlighted on the works plans where there is also environmental mitigation being delivered, and therefore, for example, for the parcel that you have referred to on the land plan, which is parcel two, slash four in the book of reference, that whole area.

45:01

That is to be acquired because whilst the cable installation will be in a smaller area that land after cable installation will then be used for the environmental mitigation proposed so

46:08

thank you Miss Harding Phillips, Mr. Snowden, Mr. Snowden, on behalf of the applicant, you are correct in your assertion of the cable widths you would be looking at a narrow corridor coming through that it could be one or two corridors in that particular location, because of it leading down to the crossing of the A 46 and the current negotiations ongoing with national highways around where we cross the 46

46:42

the I'm not expecting you to be able to do this now,

46:47

but potentially, as a post hearing action,

46:52

will you be able to, in effect, provide an indication

46:59

as to what you think once the development had been implemented, what what the final land take would be?

47:09

Mr. Snedden, on behalf of the applicant, yes, I'll be able to do that. You'll note that some work numbers overlap each other. So I'll try and come up with a cumulative total of all Ward numbers required so that they're not double counted. Yeah, I mean,

47:33

we'll understand it's your best

47:37

endeavor to try to unpick it, but I think it would assist,

47:43

and it may, I mean,

47:46

finding the answer to this question will be of wider utility, because it does pick up on issues that we touched on yesterday, and may help

47:55

interested parties who were engaged in the discussions yesterday to get a better understanding of where the project ends up in terms of its landing and what it how it's affecting

48:12
the area.

48:14

Ruben Taylor, for the applicants, so just to clarify what you're asking the land area would that we're being asked to provide, you would include, I assume, the land that's needed for bird mitigation, so any necessary mitigating land, which, of course, the field you're looking at is part to hopefully help in in the process. Think we'll, we'll, when we issue our written questions, we'll spell out everything that we we'd like to attach to the answer to this question that hopefully will make it clearer. Yes. I mean, it's just from our our side, the what is required to deliver the development obviously includes the land that's necessary to mitigate it, to make it acceptable, so that it can be consented. I've got certain questions relating to that. I thought you might Okay. Thank you, and that's why it'll be useful to keep this. This

49:17

works plan out, and we might need to look at something in the I'm going to call it the length, because the PMP is just a bit too

49:26
punting, but we'll get we'll get to that in a minute.

49:38

And as a supplemental to this question, and again, I think it's probably for Mr.

49:46
Snedden. Can you also take a look at the amount of land

49:52
within the order limits this public highway? Because that may also be, in effect, inflating people's understanding of.

50:00
Of the land take, because that lane land is already, for the most part,

50:06
built

50:07
land, for want of a better way of describing it. You need it for access and other bits and pieces.

50:15
But it will be counting to the 13 168

50:18
hectares.

50:20
And in some places, I think on the 846, corridor, for instance, it's probably a fair chunk of land involved.

50:29

Mr. Stennion, on behalf the applicant, yes, we can. We can do that. I'll do it from the

50:36

land registry parcels, so Anything that's registered as highway will be excluded. Spiritually.

52:06

We usefully covered some of my next question in in the previous response, but we are now turning to biodiversity net gain

52:17

with proposals for

52:20

biodiversity net gain bng for short, the

52:23

applicant is proposing minimum provision of around 30%

52:28

bng in habitat units,

52:32

or four habitat units And 50%

52:36

bng for hedgerow units, which exceed the minimum 10%

52:44

that will be enacted

52:47

will, sorry, come into force under the relevant section in the environment Act, in due course,

53:02

with respect to

53:05

that, the bng proposals, the land

53:10

that you're seeking, either to acquire, if needs Be, or through agreement,

53:21

is that solely going to be used for this project, or is there going to be any trading with other projects that may need

53:31

biodiversity net gain,

53:33

and they can't accommodate it on their own sites, because

53:40

the targets that you set to achieve as part of the development are, say, significantly above, in some instances,

53:49

the minimum that the legislation will require.

53:56

Ruben Taylor for the applicant. So I'm afraid that I haven't got the answer to that question

54:03

available now. We'll have to respond to you in writing on that. Yeah.

54:24

So yeah, just, just everybody's clear. We are seeking clarity as to whether or not it's exclusively for the use of this project or might be used by other projects.

55:03

Input next question to the applicant, but we might need assistance from the local authorities who are not here, but

55:10

we'll potentially put it to them in a question

55:15

turning to, is

55:17

it the wit ham or with them?

55:20

Valley Country Park.

55:25

The Country Park, for short,

55:28

cause any offense to anybody locally,

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in the part of the world that I come from, there's a country park that has, as

55:37

it happens, it's a country park is referred to in a way that doesn't bear any resemblance whatsoever to the way it's written, and it causes people all sorts of confusion.

55:50

So hence my reason for treading a little bit cautiously.

55:54

But as far as the applicant applicants understanding

55:59

in terms of the parts of the order limits that are within the country park. Are you entirely content that none of those

56:12

parts of the site

56:15

are open space for the purposes of section 131, and 132, of the Planning Act,

56:24

because that potentially brings us into a completely different dimension terms of requiring replacement land. Reuben Taylor, it's just, it seems a very large area,

56:36

and to

56:38

to be able to avoid bits that might be deemed to be open space

56:46

could be quite a task. But Reuben Taylor, for the for the applicant, in short, the answer to your question is, yes, we are.

56:54

There is no special category land within the order limits. And indeed, that was a factor that was considered in the design of the scheme.

57:05

The Witham Valley Country Park, as we understand it, isn't recognized as a land based designation in the central Lincolnshire local plan, but is promoted by nkdc

57:24

as an area within which

57:28

recreation is promoted.

57:31

But the definition of open space for the purposes of section 131, and 132,

57:39
of the Planning Act 2008

57:43
which draws on section 19, subsection four of the acquisition of land act 1981

57:50
is any land laid out as a public garden or used for the purposes of public recreation, or land being a disused burial ground.

58:03
The parts of the the

58:07
park which lie within the order limits do not fall within that definition.

58:13
In particular, there are no parts that are used for the purposes of public recreation.

58:20
But even if

58:24
it were open space,

58:26
one has to have regard to the provisions of Section 131, 4b subsection 4b and 132, subsection 4b

58:36
which disapply the protective provisions of Section 131 and 132 where the acquisition is for a temporary, although possibly long term purpose.

58:50
And since the purpose we are dealing with in relation to this proposed development

58:57
is a 60 year period that is, that is long term, but nonetheless temporary. And so even if it were open space, the provisions of subsection 4b, in 131, and 132, would still kick in. So in short, we are for those two reasons, it's not open space. And secondly, for B applies and content that there is no special category land within the order limits. So.

1:00:09
Councilor, Marion Overton, Clifford solar Action Group and councilor locally, just to help with the pronunciation, it's nave, and be and with him. So you'd find on that. The also point about temporary. If there are structures left in the ground which is intended, then that can't really be temporary. So we do have a problem with that phrase. Thank you. Yeah, in this context of this part of the act, it's whether or not users of the public open space would be affected, and therefore, whether there will be a requirement to replace the affected land,

1:00:48

the applicant, what Mr. Taylor, is submitted, is content. I think we probably will put the question to the local authority, just for completeness. But

1:01:04

I've had to deal with another case where this was not so much of an issue in terms of

1:01:13

an effect that wasn't known. It was whether or not

1:01:17

the replacement land was exceeded what was necessary to address

1:01:25

the impact of the development on on the special category land?

1:01:32

We will put, as I put a question to local thread, just for completeness,

1:01:50

that that concludes the questions that I had under three One

1:01:56

I

1:01:58

am going to ask Miss Tetley Jones whether,

1:02:04

in respect of agenda items, three, one, there's anything that you wish to raise on behalf of your client?

1:02:16

Emily Tetley Jones, on behalf of Prax, yes, there are a number of issues I would like to raise, please if

1:02:28

you'd like to proceed. Thank you.

1:02:33

Emily Tetley Jones, on behalf of Prax,

1:02:37

so agenda item 3.1.

1:02:39

Relates to the extent to which the compulsory acquisition powers sought accord with the conditions as set out in Section 122,

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brackets, two closed brackets of the Planning Act

1:02:52

and the guidance relating to the procedures for compulsory acquisition of land.

1:03:01

So in summary, the points that I will be looking to

1:03:07

address in connection with that

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are the issues set out

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in both those documents, including the issue that there must be a balance of public interest against private loss, that any potential risks or impediments to the implementation of the scheme have been properly managed, that the applicant has taken account of any other physical and legal matters pertaining to the application,

1:03:38

that in accordance With sections 42 and 44 of chapter two of part five of the Planning Act, there has been adequate consultation of those interests in relevant land

1:03:51

that the applicants should seek to acquire land by negotiation wherever possible. And

1:03:58

a separate issue in respect of section 127,

1:04:03

open brackets, five, close round brackets of the Planning Act, which I appreciate, applies to the acquisition of rights held by statutory undertakers, and is therefore not directly relevant to practice as a private entity. But does, I believe fair consideration in practices particular circumstances.

1:04:28

So moving on by way of background, this submission is by way of update to relevant representations. Fe, two, zero, B, 848, E and f7, 876, C, 980,

1:04:47

and it is that last representation submitted on the 24th of October, which I will refer in the main throughout as practices session. Relevant representation miss.

1:05:00

Certainly Jones, could you refer to the examination library reference numbers? Because that's certainly how the examining authority accesses the information. I

1:05:11

think you just quoted the unique I

1:05:15

ID numbers that you've been allocated. But I'm afraid we don't use those.

1:05:21

Apologies.

1:06:00

Yeah, Mrs. Wilkinson says, hopefully, pass me a note.

1:06:07

One of the relevant representations is RR, hyphen zero, 38

1:06:12

which is the one on behalf of

1:06:18

so the one I'm referring to in the main is Phil Fisher, LLP, on behalf of British pipelines, agency limited for two practice entities. Yeah, so that that's our hyphen, zero, 38 apologies.

1:06:35

Wasn't aware that that one had been given a library reference. And do we have a reference for the other one. I won't particularly need to refer to that one, but just the other one is RR, hyphen, zero, 39

1:06:51

but yes, generally,

1:06:55

I do have references for the other ones. I just wasn't. Apologies, I just didn't have it for the two so, just so I can just double check Phil Fisher LLP, on behalf of British Parklands agency, limited for two practice entities, dated, submitted, 24th October, 2025 is RR zero, 38

1:07:14

I understood that correctly,

1:07:20

right? So apologies for that hiatus

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and moving on so

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and

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apologies, but I may therefore have to look this next item up, therefore as well, which is that our our submission is also

1:07:42

supplement. Supplemental to the items I outlined in and including, included with the request to attend this meeting submitted on the 29th of December, which is, I believe, PDA 004 In

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fact, I know that's correct. So moving on,

1:08:07

right. So BPA and Praxis position remains as described in

1:08:15

RR zero, 38 in those relevant representations, BPA and practice continue to have no objection to the application in principle, but they do have significant concerns, specifically in relation to health and safety,

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which are not currently being addressed.

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So they would like to see an assessment of the potential risks of the project to the pipeline,

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and specifically in respect of practice, continued ability to operate, assess, repair, maintain and replace that pipeline.

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They need certainty that all necessary mitigation measures and land rights required to protect the pipeline and by extension, the environment from the risk of harm over the short and long term can be delivered by the order within the order limits,

1:09:16

and they require suitable protective provisions, including indemnities and making good obligations in respect of any damage cause, and will be commenting on the risk of damage and danger to the pipeline a little later on. At this point, it is worth noting that perhaps is not a statutory Undertaker, so does not benefit from any automatic land rights, but does have to comply with a raft of statutory and regulatory requirements, which require 24/7

1:09:55

access requirements to that pipeline. So.

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So moving on,

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specifically the reason that I mentioned section 1275,

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of the Planning Act 2008,

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notwithstanding the fact that the Prax pipeline is not the Prax is not a statutory Undertaker, is that it does seem to contain two very useful tests in dealing with an asset such as our clients. Those tests are that the rights can be obtained without serious detriment to the carrying out of the undertaking, and that any consequential detriment to the carrying out of the undertaking can be made good by the undertaker by the use of other land. Now

1:10:55

practices fuel line. It's a high pressure fuel line,

1:10:59

and if it were to be damaged or to cease to operate for any reason, that would have knock on consequences, financially to the county as a whole, but also significant financial consequences. Therefore, I would like

1:11:16

that point to be borne in mind in the next section, which relates to safety.

1:11:23

So in terms of safety of the proposed crossing,

1:11:29

our clients have been asking for specific risk assessments of the proposed crossing works over the Prax pipeline

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since, I believe, April 2025

1:11:48

that has been chased on a number of occasions. And

1:11:54

so far, the

1:11:57

what a com the applicants agents have told BPA is that the

1:12:05

there are currently no risk assessments. We understand that a risk assessment is being or will be carried out, but obviously, given the speed of the examination timetable, we are seriously concerned that these

1:12:25

results will not be available in time, and that the results when they are available will not be

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sufficient in order to come up with a mitigation plan.

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So moving on, on the safety aspect,

1:12:44

as set out in relevant representation, zero 38

1:12:49

there are significant risks to the pipeline the public and the environment inherent to crossing metal fuel pipelines with high voltage cables, due to the potential for uncontrolled and accelerated corrosion of those pipelines due to what is known as AC interference.

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Those risks are set out in

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documents which we supplied under cover of PDA 004,

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which are the United Kingdom onshore pipeline operators Association guidance

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with request to pipeline crossings and AC interference. There is a substantial amount of guidance included at that location, which I won't repeat, I will just highlight a few key issues that guidance highlights into Alia, the relationship between corrosion rates and alternate current interference, the fact that alternate Current interference causes corrosion which can affect pipeline integrity

1:14:03

and have serious consequences for safety.

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It also illustrates the need for mitigation where AC corrosion risk exists,

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and

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also includes the importance of long term continued monitoring of AC corrosion risks.

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At this point, it would be worth mentioning that any damage to

1:14:35

a pipeline would be an offense under Article 15 of the pipeline safety regulations. 1996

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the parties have had one all parties meeting on the 26th of November 2025

1:14:53

in which Prax stressed the critical nature of this particular safety issue the applicant.

1:15:00

And did at that meeting agree to prioritize the necessary risk assessments in order to ascertain how much of a problem this would be. But to date, no information has yet been provided. To put this in a practical context as to why this is this is relevant, and quite how significant this issue is, is the the

1:15:25

issue of mitigation and how mitigation is designed.

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Currently in chapter 14 of A, P, P, 039,

1:15:42

of the environmental statement, the final line is mentioned at paragraph 14.7,

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point 10, open, round brackets. G, closed, round brackets. And furthermore, in the framework construction environmental management plan, at A, P, p1, 89

1:16:04

reference, Ma, D, c1,

1:16:07

it states that

1:16:10

consultation and a desk based study will be undertaken prior to construction so that appropriate mitigation, such as buffers, can be incorporated into the design. Now that comment there highlights

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a misunderstanding as to quite how serious the issue of AC corrosion can be to a high pressure fuel line

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to there is an example which is as yet confidential, so I cannot name the project, but on a similar project that we have,

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which is also

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where there is also a high voltage electricity line crossing a metal fuel line,

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the AC interference was, once it was analyzed, was so significant that

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it was decided that 2.5 kilometers worth of mitigation would be required in parallel to the pipeline, and that took the mitigation works well outside the Order limits, which is why we have raised this

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with the applicant, and have elucidated it further in relevant rep zero, 3.8

1:17:32

currently, therefore, the applicant cannot demonstrate that it has adequately assessed such risks or impediments, and that the order as drafted can deliver the necessary powers to cross the pipeline without serious detriment, or that it can require the necessary land to deliver any such mitigation as may become or be deemed to be necessary.

1:18:01

So those were the comments that I had in terms of safety. There were a few shorter issues to address

1:18:14

in respect of procedural errors in the pre application requirements

1:18:21

the information. Information in the statement of reasons at a P, P zero 20 and the book of reference, a P, P zero 22 regarding the plot interactions with the pipeline, is correct. And several plots, I think it is as many as seven or I think actually eight at last count, in which pracs have an interest,

1:18:44

as in it is land critical to access to the pipeline or access repair and maintenance are not included in those documents. We understand that the applicant intends to address this by deadline one, and we therefore wait to see how this will be addressed.

1:19:04

A further point on the environmental statement,

1:19:11

while, as I have outlined earlier, the existence of the Prax pipeline is referenced within the environmental statement, we would argue that it is not sufficiently addressed within the environmental statement. The reason for that argument is that, as we have outlined earlier,

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if mitigation works are required, and those mitigation works

1:19:44

needed are outside. The order line outside, pardon me, the order land and or cannot be delivered safely for whatever reason.

1:19:56

Then,

1:19:59

then.

1:20:00

There is the risk of material harm and damage which has not been assessed in the environmental statement.

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In terms of the obligation to consult and negotiate,

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we refer to the nationally significant infrastructure projects, advice on preparing applications for linear projects, which highlights that all parties ought to have made reasonable effort to engage early and reach resolution and the issues should be widely understood by all at the earliest point to minimize risk during the examination.

1:20:40

One of the practice entities is in liquidation. So this did mean that we did come slightly late to engage with the applicant, which we've been doing since or trying to do since October. However, even bearing that in mind, we're of the opinion that insufficient activity is taking place to try and resolve these issues and at least try and

1:21:11

get some form of protective provisions in place.

1:21:17

Given that Prax is not a statutory Undertaker. It cannot, as mentioned before, benefit from compulsory powers, and it is crucial to safeguard this pipeline as nationally significant infrastructure and its associated land rights going forward, given reasons of national energy security,

1:21:38

protective provisions were provided at the outset, but these were generic protective provisions and related only to statutory undertakers, and therefore were not appropriate for a private entity such as Prax and the considerations outlined above,

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standard utility protected provisions do not address the operational safety concerns of a private operator.

1:22:07

And

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in essence, therefore,

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we are of the opinion that insufficient attention has been focused on the particular safety concerns in respect of this pipeline, and that significant efforts going forward need to be made to a, address this, and B, address the operational and ongoing maintenance concerns that perhaps have, and embed those in suitable protective provisions and also ensure that, given the uncertainty as to what compulsory rights the applicant is seeking to

1:22:48

acquire over and above the Prax pipeline, that clarity is given on That and the necessary safeguards in terms of land rights are embedded within protective provisions. Our position is that the applicant should not be seeking to compulsorily acquire rights in respect of the actual pipeline land unless it is necessary for the project, and as can be seen from the land and works plans at the moment, that is not the case,

1:23:26

and that is everything I have to Say on 3.1 so

1:24:02

thank you, Miss. Tepke Jones, I presume you were talking to some sort of speaking note, and both Mrs. Wilkinson and I were making notes. But if you're able post hearing to submit whatever speaking notes you had, that would ensure that we

1:24:19

have got a full note of the submissions that you've just made. Will that be possible? Yes, absolutely, that is in the pipeline.

1:24:28

Thank you.

1:24:32

Does the applicant want to respond? I'm going to suggest that as we've got to nearly an hour and a half of sitting time, that perhaps we take an adjournment and then you respond to access submissions after the adjournment.

1:24:49

Thank you, sir. Emma Holling Phillips, on behalf of the applicant, if possible, I'd rather respond now while points are fresh in everyone's mind, and then adjourn after that. I will try to be as brief.

1:25:00

As possible, but there were a number of points that need to be corrected.

1:25:04

Thank you, sir.

1:25:06

I'll take it to the points in turn, although not necessarily in the order that they were explained to you, just in terms of what makes most sense. First, first of all, dealing with the engagement that has taken place between the applicant and the BPA and practice engagement has actually been undertaken as early as October 2023

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when the applicant team had a meeting with Prax to provide the background information on the project and initiate engagement more recently, a meeting was held in April 2025

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during which further details of the proposed cable corridor were shared so that practice could highlight any concerns they might have regarding interaction with the pipeline. This was then followed up in June, when

1:26:02

shape files were provided to Prax showing the locations and proposed design of the scheme, again in relation to the proposed crossings, so that again, practice could consider the potential interactions with the scheme that's

1:26:19

in relation to the design information, but in relation to the protective provisions, contact was made with Praxis lawyers in June 2025 to launch discussions on the protective provisions, as the applicant was fully aware that the generic template would not be sufficient to cover their interests, and the applicant has always stated to Prax that bespoke protective provisions would be

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provided by the applicant even though they are not a statutory Undertaker and do not benefit from the protection afforded by section 127,

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however,

1:27:02

those negotiations were not able to commence in June in relation to the protection provisions due to a lack of instruction on the part of the

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Praxis solicitors, and they have since been continuing

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the negotiation on the protected provisions has stalled slightly, as it's been overtaken by the points made in relation to the potential risk to the pipeline. As Ms Tetley Jones acknowledged at a meeting in November 2025

1:27:40

the applicant agreed to undertake the necessary risk assessments. Those assessments are ongoing, and I am instructed that the results of those assessments will be ready for the applicant team to consider at the end of next week, and then will be released to practice as soon as possible afterwards.

1:28:01

But in the context of those risk assessments and what we have heard about the very potential serious consequences from Ms Tetley Jones, today, it is important to note a number of matters.

1:28:19

The issue as we understand it, that Prax has is that they are not confident that sufficient land is included in the order limits that would allow for

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the the

1:28:33

crossing of the cable as part of the authorized development to avoid the risk to the pipeline.

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Now in the project that Ms Tetley Jones referred to, where the order limits were nowhere near sufficient, that project had to go above the BPA pipeline, whereas the applicant has the ability to go well below it, and the applicant is very confident that it can go to a sufficient depth to cross the BPA pipeline, that there will be absolutely no issue with the level of order limits that have been provided as part of the application. However, the applicant has agreed to undertake the risk assessments that have been

referred to in order to demonstrate that that is the case. So the context of this development and what we can do to mitigate any risk to the pipeline is very important when considering the points that have been made.

1:29:46

And the other point to note is that all mitigation that is required and any response to damage that could be experienced will be addressed in.

1:30:00

Protected provisions that the applicant is planning to include in the order for the benefit of practice, which will address those two points that Miss Tetley Jones made in relation to Section 1127, subsection six of the Planning Act, 2008

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and therefore their interests will be adequately protected under the two tests in 127, even though they do not apply to Prax in this instance.

1:30:33

The other point to note in relation to the assessment of risk in the ES, as Ms Tetley Jones mentioned the pipeline is referred to in the s, but in terms of assessment, the ES only is required to assess likely significant impacts, and for the reasons that I have explained, the applicant does not view the significant impacts that Ms Tetley Jones outlined as being likely because of the ability to mitigate any potential impacts by the design of the proposed development at the detailed design stage, for example, by going

1:31:11

by cabling underneath the pipeline at a sufficient depth so that those impacts can be avoided.

1:31:18

Finally, in relation to the interests that bracs have within the order limits, as I said, consultation with practice in relation to their interests did commence back in October 2023

1:31:33

further shape files were provided in June 2025 to ensure that those interests were adequately set out in the application. We have since had further detail of plots in which practice believe they have an interest in the book of reference, that where they have not been referred to. That email was provided to us on the seventh of January, and it is that email that we are currently considering, so that changes can be reflected in the book of reference at deadline one, to ensure that all practices interests are adequately captured within the book of reference. I

1:32:23

and so I'd just like to end by saying that the overarching point to take from all of this is that the applicant is very confident that there is no impediment to the scheme proceeding due to the risk to practice pipeline, for the reasons that I have explained in relation to the ability of the detailed design to adequately mitigate any risk, which we hope will be confirmed to practices satisfaction By the assessments that should be released later This month.

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Thank you, Miss Harley Phillips.

1:33:45

Miss techney Jones, did you have anything you wish to say in response?

1:33:52

Sir, yes. Thank you. Emily techney Jones, for Prax, just to touch on a few of those points. MS, Harlan Phillips is completely correct in what she says in terms of the fact that Phil Fisher were instructed quite late in the day in August, which has slightly delayed issues in terms of the comments on the AC interference

1:34:22

and to put those into context, yes, we understand that there were, and we're happy to share a timeline on that. We're just checking it with our clients at the moment. We understand there were initial,

1:34:39

sort of generic type discussions on what the works would be in the general location of the data, but what my client specifically had been chasing since April 25 from a com were specific location and design data.

1:35:00

Data, and I think there are close to seven emails chasing for that in the interim,

1:35:07

which eventually were responded to on the 24th of October, to say that,

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essentially, that modeling data wasn't available, and all they have had in the interim is a generic a set of generic crossing requirements. So these are plans and specifications of what a typical crossing might look like. So there's no information in there in terms of depth, proximity of pipeline to cable, etc, and that is the crucial information that my clients need to make any kind of a safety assessment. And I hear the confidence of the applicant that these issues will all go away and will be satisfactorily addressed. But in summary,

1:35:57

Prax has not seen any of that information yet, or any comfort on that front. So I appreciate the fact that there will be data

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available at the end of next week, which my clients engineers will be looking forward to receiving, but we obviously need to reserve our position on that front,

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because perhaps his position will need to be that

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it will want comfort that the construction and energization of This cable will not take place until sufficient mitigation is

1:36:44

in place and operational such that it will keep this pipeline safe.

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And the point about the environmental statement, referring to likely impacts, all boils down to the specific design of the crossing, and whether or not the applicant is correct in its assertion that there will be minimal or no interference with the pipeline. If that is the case,

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you know, then most of our our issues will will fall away. But as as mentioned, we have yet to see the information on that in terms of the confirmation of plot interests, the

1:37:28

initial information in respect of missing plots was sent over to Womble on Dickinson on the fifth of November 2025

1:37:38

there was a correction sent out on the seventh of January. But all that did was to add one plot reference and to add details of the deeds and documents pursuant to which Prax has property rights in the currently missing plot references. So the bulk majority of the specifically missing plots has been highlighted since fifth of November, 2025

1:38:06

Thank you. Thank

1:38:14

you. Mr. Tedney Jones, I'm not necessarily going to ask the applicant to respond, because I think what's more important is that the two parties engage in active dialog. The technical information that pracs needs is made available as soon as possible, because it might well be that Once that information is available, then practice will have less of a concern.

1:38:39

But I think the examining authority would urge the parties to get on with talking with one another to see whether or not the matter can be resolved. And

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I would remind both Prax and the applicant, because we've issued a procedural decision that we expect to see protective provisions,

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hopefully in a final agreed form by what we've termed the midpoint of the examination. We are now in the examination, and we just like the parties to get on with it. Certainly, I've been involved with other cases where

1:39:15

trying to sort out protective provisions does seem to take an ordinary amount of time, and a lot of that seems to be because it's left to the last minute.

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It then involves a lot of examination time unnecessarily, when sometimes things can be resolved from me quite quickly if the parties actually talk to one another,

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and each side knows what it is that is of concern to the other.

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But hopefully, with a little bit of a

1:39:46

bump from the examining authority this this issue can be moved along. Thank you, sir. Emma Harling Phillips, on behalf of the applicant, that point is noted, the applicant is ready and willing to engage on the protected provisions. I.

1:40:00

Um, the important point from our point of view, is that those protective revisions can set out all of the measures that Miss Tetley Jones has just described in relation to agreeing construction methodology with pracs before those methods are implemented,

1:40:16

providing them with information in relation to the detailed design so that they are satisfied that the appropriate mitigation has been provided for not energizing the cable until practice is satisfied that those mitigation measures have in fact been implemented. The principle of all of those points can be agreed in the protective provisions now subject to the risk assessment coming out at the end of this month, so we are very happy to start negotiations on the principle of those protections in the protected provisions now, with the detail in terms of the risk assessment following in the coming weeks. Sir.

1:40:57

Thank you. Hopefully that gives Prax

1:41:01

a bit more comfort about what's going to happen in in the coming weeks. I think one thing that would assist the examining authority, Miss tedney Jones, is if you could arrange for a plan to be submitted that shows the pipeline routing through the order limit so we can understand that

1:41:27

better,

1:41:29

and whether you can perhaps give some background information In writing about the significance of the pipeline

1:41:42

in terms of what its function is and how it assists. Is it the whole of the United Kingdom, or is it parts of the United Kingdom?

1:41:55

Emily Tetley Jones, on behalf Prax,

1:41:59

the plan of the pipeline routing through. The Order limit is contained within schedule one of

1:42:07

relevant representation, zero, 38

1:42:13
and the pipeline

1:42:17
is part of the

1:42:20
national system into buncefield, and As such, has a role in supplying Gatwick Airport. So

1:42:52
Emily Tetley Jones on behalf of Prax, the pipelines are also shown on the land plans on pages 14 and 15,

1:43:08
land plans at a P, P,

1:43:10
0070,

1:43:22
geez, let me just check I've got that right. Or is it the works, plans? It

1:43:27
is the land plants? Yes,

1:43:31
over the German. I'll take another look at those.

1:43:36
I think it would be a sensible time to take into German, because it's now quarter to 12,

1:43:43
our party's content, 10 minutes or 15 minutes?

1:43:48
Written title for the applicant, 10 minutes is

1:43:53
fine, so thank you. The hearing therefore is adjourned until five to 12. Thank you.

1:43:59
Thank you.