



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	EN010157 Peartree Hill Solar Farm
Hearing:	Compulsory Acquisition Hearing 2 (CAH2) – Part 1
Date:	10 December 2025

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FULL TRANSCRIPT (with timecode)

00:00:05:09 - 00:00:21:21

Good afternoon. It's now 12:30 p.m., and this compulsory acquisition hearing is now open. I'd like to welcome you all to this hearing. Can I just check firstly that everybody can see and hear me clearly. Yes I can. Thank you.

00:00:25:26 - 00:00:30:15

Um, can I also confirm with Mr. Stevens that the live streaming of this event has commenced?

00:00:31:18 - 00:00:33:14

Yes, Mr. Hudson's correct.

00:00:34:09 - 00:00:49:00

Thank you for those people watching the live stream. If the proceedings are adjourned at any point, we'll have to stop the live stream in order to give us clear recording files when the hearings resumed. You'll need to refresh your browser page to view the restarted live stream.

00:00:51:02 - 00:01:29:04

This hearing is in relation to the application made by RW renewables UK Solar and Storage Limited, who we will refer to as the applicant for an order granting development consent for the Pear Tree Hill Solar Farm project. My name is Alex Hudson. I'm a charter town planner and a chartered landscape planner. I'm a planning inspector employed by the Planning Inspectorate, and I've been appointed by the Secretary of State for housing, Communities and Local Government to be the lead member of the panel to examine this application. I'm now going to ask the panel member, who has also been appointed by the same Secretary of State, to examine this application to introduce herself.

00:01:30:28 - 00:01:36:19

Good afternoon. My name is Mary Louise Milliken. I'm a chartered town planner and a planning inspector.

00:01:37:26 - 00:01:58:21

Thank you. Together, we constitute the examining authority for this application, and we'll be reporting to the Secretary of State for Energy Security and net zero, with the recommendation as to whether the development, consent or should be made. The case manager for this project is Jake Stevens. And Mr. Stevens is being supported today by Harry Davies.

00:02:00:21 - 00:02:18:25

This hearing is being both live streamed and recorded in order to minimize background noise. Can you please make sure that you stay muted unless you're speaking? Uh, if you wish to speak at the relevant point of the proceedings, please use the Microsoft Teams hands up function and please wait to be invited to speak at the appropriate time,

00:02:20:12 - 00:02:51:11

because the digital recordings that we make are retained and published. They form a public record that can contain your personal information and to which the General Data Protection Regulation applies. The Planning Inspectorate practice is to retain and publish recordings for a period of five years from the Secretary of State's decision. Consequently, if you participate in today's hearing, it's important that you understand that you'll be live streamed and recorded and that the digital recording will be published. If you don't want to be recorded. You can keep your camera switched off.

00:02:53:03 - 00:03:15:00

We will only ever ask for information to be placed on the public record. that is important and relevant to the planning decision. Therefore, to avoid the need to edit the digital recordings. Please try not to add information to the public record you would wish to be kept private or that is confidential. If you feel that personal information is necessary, please try this in a written document that we can redact before publication.

00:03:16:22 - 00:03:26:26

We will then take a break at around 2:32 p.m.. If it seems likely that we'll need to go beyond that time. We'll take all the breaks as necessary and aim to finish by 5 p.m. at the latest.

00:03:29:29 - 00:03:45:23

Additional recording of today's hearing will be available on the project web page as soon as practicable after the hearing. If any individual or group wishes to social media report, film or record today's hearing, then they're free to do so. But the material must not be misused.

00:03:47:22 - 00:03:56:14

This hearing will follow the agenda as published on the project web page on the 3rd of December, with examination library reference every 7001.

00:03:58:08 - 00:04:26:29

The agenda is for guidance only, and we may add other considerations or issues as we progress. We'll conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to. If the discussions can't be concluded that it may be necessarily necessary for us to prioritize matters and defer other matters to a written process. Likewise, if you cannot answer the question being asked or require time to get the information requested, and can you please indicate the need to respond in writing?

00:04:29:24 - 00:05:01:16

Throughout this hearing, we may refer to documents which you may wish to have access to. We may also ask that they be shared on the screen, and these include the Draft Development Consent Order, which is rep 5004. Book of reference Rep 5008 Statement of reasons. Rep 3007 funding statement Rep 3011. Land plans. Rep 3044. Special category land Plans Rep 2055.

00:05:02:03 - 00:05:15:12

Crown Land Plans Rep 2056. Works plans Rep 2050. Um. And perhaps some of the documents which I'll give you the reference does want to come to those.

00:05:17:23 - 00:05:33:22

Um, I'm not going to ask those of you who are participating in today's hearing to introduce ourselves. When I state your organization's name, could you introduce yourself stating your name and who you represent? Um, can we please start with the applicant and any of its advisors?

00:05:35:23 - 00:06:06:24

Good afternoon sir. My name is Tom McNamara. I am a solicitor with the law firm TLT, LLP, and I act for the applicant, RWA. Uh, for for this application, I have gathered in me in the room with me. Um, for the people who we think are probably going to speak to different agenda items. So I'll ask. I'll ask those people to introduce themselves now. Good afternoon. My name is Mustafa Latif Ramesh.

00:06:06:26 - 00:06:13:27

I'm a partner at TLT. Uh, the same organization as Mr. McNamara, representing the applicant.

00:06:17:09 - 00:06:18:06

Good afternoon.

00:06:18:09 - 00:06:31:12

My name is Nick Dexter. Um, I represent the applicant. Um, we I've only taken the, um, the land services or the, um, the land agency. Um, lots, including the production of the book of reference on the land plans.

00:06:33:18 - 00:06:42:28

Good afternoon. Um, my name is John Philip. I'm an associate director. Transportation. Um, representing the applicant for RSC.

00:06:45:02 - 00:06:45:18

Uh, I'm also.

00:06:45:20 - 00:06:46:18

Off screen, but.

00:06:46:20 - 00:06:47:28

Um, my name is Khalid.

00:06:48:27 - 00:06:49:20

Uh, I'm a senior.

00:06:49:22 - 00:06:50:12

Transport planner.

00:06:50:14 - 00:06:55:26

For the same company as John Philip and representing the applicant.

00:06:58:17 - 00:07:20:01

Thank you sir. I'm afraid I was expecting the camera to pan to the to the individuals there in the room. What I would propose to do so at the at the appropriate time will bring those people into short. If, if we can't get the camera to do what we wanted to do. Um, so apologies for that, but I hope you heard, uh, those introductions on the audio at least.

00:07:20:11 - 00:07:22:02

Yes. Thank you very much. Yeah.

00:07:23:24 - 00:07:25:03

Um, that was everyone.

00:07:27:00 - 00:07:27:23

That's correct, sir.

00:07:27:27 - 00:07:30:05

Okay. Thank you. Um.

00:07:33:21 - 00:07:48:04

In that case, can we then please move on to, uh, affected persons who have expressed a wish to speak? Um, and those are those representing Alban Wise limited. Please.

00:07:50:02 - 00:07:59:03

Good afternoon. My name is Peter Scott. I'm a chartered safety consultant acting on behalf of. Of Moyes,

00:08:01:02 - 00:08:42:21

sir. Good afternoon, sir. Mark Wesson and Smith, King's Counsel. I'm a barrister at Francis Taylor Building and I appear on behalf of album wise. That being album. Why is limited album wise, synergy limited and album wise Farming limited as well as field House Renewables and Limited? I'm instructed by Fiona Barker, who's a solicitor and principal associate of Mills and Reeves and who sits to my right and in the room we have Chris Banks, who's the renewables development manager at Alban Wise Synergy Limited.

00:08:42:23 - 00:09:05:04

He sits at Miss Barker's. Right. And then to my left we've got Gordon Buchan, who's the energy sector director and a transport consultant at Frischmann. And as you've heard, Sir Peter Scott is joining remotely. Thank you sir. Okay. Thank you.

00:09:11:13 - 00:09:15:09

Um, is there anybody else present who wishes to speak today?

00:09:19:09 - 00:09:33:22

I'm not seeing any hands raised, so I'll take that as a no. Um, if you want to refer to something you've submitted before. We'd be grateful if you could give the appropriate examination library reference so that we can all follow.

00:09:35:15 - 00:09:47:10

Uh, in addition, when using the abbreviation or an acronym for the first time, could you please give the full title before you speak? Please state your name and whom you represent to our representative.

00:09:48:29 - 00:09:54:05

And before we move on, are there any other comments anybody wishes to make under item one of the agenda?

00:09:58:19 - 00:10:08:21

Okay. So that concludes this item of the agenda. And we now turn to item two which is the applicant's case for compulsory acquisition and temporary possession.

00:10:11:16 - 00:10:42:17

Um, looking at the first bullet point of this matter was covered at compulsory acquisition hearing one. Um, and we did not intend to address that in detail again. Uh, we just want to give the opportunity for the applicant, uh, if he wishes to make any further comments on its case or compulsory acquisition, CA or temporary possession, following on from the first compulsory acquisition hearing. Um, and any further submissions at the subsequent deadlines.

00:10:46:06 - 00:11:19:10

On behalf of the applicant. Um, so we don't have any additional comments of a general nature to make. And as you say, um, we explained in some detail at, uh, the first compulsory acquisition hearing, um, our general approach that was taken to determining the compulsory acquisition powers sought pursuant to the development consent Order. Um, and a summary of those submissions can be found in rep for Dash 038.

00:11:20:00 - 00:11:59:17

Um, what I can say and we will come on to talk about this in, in more detail, in the context of later agenda items, is that the applicant is continuing to make positive progress in relation to both the land agreements and in relation to discussions with statutory undertakers on the terms of protective provisions, so we can come back to discuss those in more detail. So the final thing that I was going to do, and this heading, um, was to highlight the most recent versions of application documents that are germane to the things that we're going to be talking about today.

00:11:59:19 - 00:12:17:03

But you've already helpfully done that. So, um, I don't propose to do it again. Um, but you're absolutely right that those are the latest versions of documents, and and we will turn to them where necessary and relevant. Um, so nothing else from me on this agenda item. So thank you.

00:12:18:06 - 00:12:59:21

Okay. Thank you. Um, in that case, do any affected persons present wish to raise any general matters or the applicant's case for K or TB at this point? Uh, Mark Westerman Smith or Alvin Wise? Um, so just to assist you in terms of the agenda, and perhaps I should have said this earlier, but in terms of the agenda, we intend just to speak to item four. Obviously there are matters we could say under general

points and indeed in relation to the 10th bullet in 1903, but we think you'll be assisted better if we address you comprehensively under item four.

00:13:01:05 - 00:13:03:03

Okay. Yes, that makes sense. Thank you.

00:13:05:15 - 00:13:36:03

Uh, in that case, I'll move on to, um, agenda item three, uh, which is site specific issues for the applicant. Um, I'll set out a number of bullet points there. Hopefully you've been able to look through and prepare some answers. Uh, I'll just go through them one by one in respect of s chapter 13, population, paragraph 13 .9.4.

00:13:37:14 - 00:13:55:08

Um seemed to indicate that there were no objections from sort of tenant farmers, I suppose. And then we have rather read 031, which appears to indicate to the contrary. Um, I was just hoping you could please clarify the situation for me.

00:13:56:27 - 00:14:31:12

Thank you, sir. Tom McNamara, on behalf of the applicant. Um, so hopefully I can. I mean, the the context in which, um, that paragraph in the environmental statement was drafted is that in the option agreement that the applicant has in place and that's been signed with the tenant farmers, um, landlords that the freeholder of the land, there are obligations to the effect that they can possession of the land will be secured, um, following the exercise of the option. And so the applicant in, in drafting the.

00:14:31:14 - 00:15:10:11

Yes, took, took that to mean that, um, The the effect of the project on the on the tenant farmers business was was accepted in principle, not notwithstanding that we we have obviously, as we outlined at the last hearing we've been in, um, we have consulted we have engaged with, um, with, with the tenant farmers affected and um, more importantly and and relevant to the the conclusions reached in the environmental statement is that the tenant farmers will be compensated as a result of the impact of the project.

00:15:10:13 - 00:15:23:25

And there have been discussions. Um, regarding the terms of that compensation. Um, so, so hopefully that assists sir in and just providing context to the isthe paragraph highlighted.

00:15:24:27 - 00:15:35:04

Okay. That's fine thank you. But I suppose it's not. Suppose the point is the paragraphs not wholly accurate I guess in terms of it saying no objections from southern farmers.

00:15:36:28 - 00:16:09:23

On behalf of the applicant. I think your your right, sir. Um, and um, I think, uh, in light of the relevant representation that's been submitted, I think we would acknowledge that the language of the of the paragraph is probably stronger. Um, but notwithstanding, um, the the fact that compensation will be available to affected tenant farmers is relevant to the conclusion that's reached in the environmental statement. Um, and so we think it is it is dealt with in that way.

00:16:09:25 - 00:16:11:28

But all right, sir.

00:16:12:14 - 00:16:24:26

Okay. Um, do you have have you have you said you've been in further, uh, communication with the, um, affected party since that relevant representation was submitted as well?

00:16:25:06 - 00:16:48:26

Um, so I, I would, I would need to check the precise dates. Um, certainly they received Respondents following submission of the application. And I think it's right to say that they were certainly the notice and the section under section 82. Um, and I think that I think that did um, post date, the, um, the relevant representation. Yes.

00:16:48:28 - 00:16:52:24

Okay. And you're responding to the relevant representation also.

00:16:52:26 - 00:16:53:12

We did.

00:16:53:27 - 00:16:56:04

Yes. Okay. Thank you.

00:16:58:10 - 00:17:33:15

Um, in that case, I'll move on to the next bullet point. And I think the next one and the the one after that, perhaps we could just take together. Um, so I guess firstly, the guidance stated in the bullet point, particularly paragraph ten, states to the Secretary of State that ultimately be persuaded that the purposes for which an order authorizes a compulsory acquisition of land are legitimate and are sufficient to justify interfering with the human rights of those with no interest in the land affected.

00:17:34:01 - 00:18:01:15

In particular, regard must be given to the provisions of article one of the First Protocol to the European Convention on Human Rights, and in the case of acquisition of the dwelling. Article eight of the convention. Its normal in applications of development consent when a garden of a dwelling would be affected to be considered in the same way as when a dwelling would be affected. So that is in respect of article eight.

00:18:03:04 - 00:18:28:15

Suppose firstly is chapter 13. Table 13 two. The final entry in that table states there are no private properties or houses within the order limits, and thus no need for any assessments and effects on such. However, noting that there is some garden land within the alter limits. Could you just clarify that statement and you know to what extent it's correct?

00:18:30:12 - 00:19:02:04

Thank you, sir. I'll make the time at the moment on behalf of the applicant. Um. Thank you. Thank you for that helpful introduction to this issue. And I can confirm that we have as a, as a team, um,

looked further at this issue following both the last hearing and your highlighting this issue on today's agenda. Um, and I can confirm that what we are proposing to do, sir, and it might be jumping slightly ahead because I know you've got a space in the agenda to talk about land plans.

00:19:02:16 - 00:19:50:25

Um, but what we are proposing to do is to, in effect, um, remove the northern part of lot two six from, um, from the scope of our powers under the development consent order. Um, and so the effect of that would, would be to remove any private residential garden from um, from the scope of our our DCI powers. Now, um, we do that following some further detailed technical investigation work, which is highlighted to us that we think that the passing place, um, can be provided within the limits of the plot C6 without impacting on the northern extent of it.

00:19:51:12 - 00:20:23:21

Um, so hopefully that will address the concerns you've raised in terms of, um, interface with the garden, interface with the guidance. Sorry. And also the apparent, um, omission, um, of consideration for residential properties in the environmental statement. Turning then to the question of how we actually go about implementing that change. And we've we've given thought to this, and we think that the most straightforward and pragmatic way of dealing with this is to, in effect, as I say, split plot two six.

00:20:24:12 - 00:21:07:16

Um, so that there will be the southern extent of the plot that remains within the order limits and within which the applicant is seeking compulsory acquisition of the freehold interest in order to construct and operate a passing place on Mow Lane, and the northern extent which constitutes the Garden Lands, will then simply be greyed out in the land plans, and an appropriate reference will be included in the book of reference to say that no ordered powers are to be executed in respect of that plot, and a similar reference will be added to the land plans, and similarly any other documents that need to be updated to reflect this.

00:21:07:18 - 00:21:38:20

So. So, for example, the works plans will be updated in in, in tandem. And we say that that will be sufficient. We hope to provide you as an examining authority and ultimately the Secretary of State with comfort that no, um, no garden land will be taken, um, in connection with the words proposed on on Moline. So I'll perhaps pause there and and hear your reaction to that, sir. Um, and come back with any further clarifications that you you wish.

00:21:39:14 - 00:21:42:18

Okay. Thank you. Just, I suppose, a couple of points.

00:21:44:12 - 00:21:52:14

Have you seen that happen on any of the projects where land has been prayed out rather than the the plots being removed completely?

00:21:54:07 - 00:22:18:28

Because I don't I don't if you're reducing the powers and removing parts of the plots, I don't think that would require a formal change request. Um, it's my initial thoughts on that. So I'm just wondering

why you're why it would still be included in the order land. If you're saying you're not needing it, albeit you're saying no powers would be sought over it.

00:22:19:08 - 00:22:54:13

Thank you sir. Tom Amaro, on behalf of the applicant. Just just to take the first question. Is there precedent for this? Um, I think there are there are possibly 2 or 3 precedents. Um, and we can, uh, provide further details of those in our post hearing submissions. But, um, off the top of my head, I know that this approach has been taken in the context of the Lower Thames Crossing Development Consent order, um, that was made earlier this year. Um, the West Burton uh pipeline scheme and West Botley.

00:22:54:29 - 00:23:28:02

Um, so I think all three of those projects have taken a similar approach, and I feel convinced that I could I can probably find more examples of that. Sir Ben, just turning turning to the second aspect of your question. Is it a change request? No, we agree with you, sir. We don't think this is a change request because, um, as you say, this is a this is a reduction in the scope of our powers to, to such a degree that we're actually not proposing to take any order. Powers. Over. Over the land. So, um, we think this would fall outside the guidance on changes.

00:23:28:04 - 00:24:12:27

Um, post submission. And then finally, and perhaps most relevantly, the third question was, why don't we just. I think I think I understood your question, sir. Why don't we just change the old limits? Um. Or the red line boundary to remove the lands? I think the issue, sir, that we've we've tried to grapple with here in coming up with a pragmatic solution is that, um, time is against us, frankly. Um, deadline six is next Friday. And, um, the reality is, if we change the red line boundary to remove that portion of plot six that we say we we don't we're not going to exercise powers over, that would have implications for other plans.

00:24:13:15 - 00:25:04:02

Um, so there are the certified plans pursuant to the order, but it does also raise the question of what does it mean for, for example, environmental statement figures? Um, because we've arrived at a position where the figures that are before you in the examination are the right figures. Um, and, and therefore constitute a coherent package that we, we believe can go forward, um, into the determination phase. We'd be we'd be extremely reluctant to, to, to go away between now and next Friday and, and churn out hundreds of new plans when we, we believe there is a solution, a pragmatic solution that can achieve the same outcome ultimately, because in legal terms, we would be relinquishing any ability to do anything within the northern part of plot 36.

00:25:04:14 - 00:25:11:19

And we say that is sufficient without having to take the extra step of of amending the red light boundary to that effect.

00:25:12:12 - 00:25:17:01

Okay. Um, okay. So.

00:25:18:21 - 00:25:38:23

If some lands included in the order limits. Is there anything in the DCO which covers all of the order limits? Notwithstanding that you're not seeking any other bytes or powers in that particular plot? Is there anything at all that could be done in that plot, if it was to remain in the order limit?

00:25:39:23 - 00:26:14:11

On MacNamara on behalf of the applicant? No, sir. And I think we would we would make that absolutely clear, um, via the land plans. And I think we would we would even go as far as to include an informative box that that pertains to the northern part of plot two six to make it absolutely clear that no order powers. And by all the powers, I mean any any powers under the order, not simply the land powers, but, as you say, other powers like the power to survey, the power to that are not trees.

00:26:14:24 - 00:26:37:04

That sort of informative box will make it abundantly clear that that can't be done. And similarly, we can do the same within the context of the book of reference. Although I just need to see the mechanics of, of of how that will operate. Um, but we think there is a legal way in which this can be achieved, um, to provide, to provide you with the assurance you need.

00:26:37:16 - 00:26:44:06

Okay. Okay. Thank you. I mean, obviously, I understand the time constraints. Um,

00:26:46:06 - 00:27:18:05

if if, if the essay was supposed to be that reasonable, obviously. But I'd suggest that to the Secretary of State, who may or may not consider a reasonable. Obviously there would be time then, should you be required to hold to any plans, etc.. Um, but yeah, in the meantime, it's probably at this point in time more appropriate to do it as the way you're suggesting. Can I just also ask, Have you liaise with the affected person over this matter?

00:27:20:09 - 00:28:02:00

I'm acting on behalf of the applicant. Thank you. Thank you sir. Um, we we haven't done that yet, sir. Um, we wanted to gauge your reaction to it first. Before. Before doing that. Um, but having heard in, you know, positive, um, a generally positive reaction to it, I think we will go away immediately following this hearing and, and socialize that to the affected party. So as you were speaking, uh, I, um, my I was drawn to the definition of borderlands in the, um, in article two of the draft development consent order.

00:28:02:11 - 00:28:34:06

Um, and that 5005 um and the the importance of that is that the order land is is defined by reference to the land plans and the book of reference, and it is the order land that is relevant for the purposes of the the provisions throughout the order that allow the applicant to to undertake certain activities. So the power to survey the order land. The power to carry out work to trees on the order lands.

00:28:34:08 - 00:29:06:05

And so the importance of that is that if we make the changes to the land plans in the book of reference that we're proposing to to make it absolutely clear that all the powers cannot be deployed in relation to the northern part of prop two six, then then legally, that puts beyond all doubts, um, that the applicant

won't be able to exercise those powers. So we're absolutely convinced that it's, um, an appropriate way forward.

00:29:06:07 - 00:29:27:09

So and and pragmatic and, um, And we commend it to you on that basis. Clearly, we understand your comments about, you know, um, whether or not the Secretary of State would be of a similar mind. Um, and, you know, we cross that bridge if and when we encounter it, I think.

00:29:28:06 - 00:29:49:10

Okay. Thank you. Uh, well, yeah. Final question on that. The so the remainder of that plot is, as I understand it, sort of paddock land. Um, which, as I also understand it, is not garden land in the strictest sense of the word, is that that your understanding as well.

00:29:50:13 - 00:30:22:00

That that is my. I'm sorry. Tomato on behalf of the applicant. Sorry, sir. Um, that is my understanding. Although I would need to, um, I would need to consider the the position in relation to the status of the other land. My understanding was that the the remainder of plot to the south of the garden is simply Highway Verge. Um, I'm not sure the degree to which we, we extend into into addit land in that specific location. If we did, sir.

00:30:22:03 - 00:30:57:05

If we did, sir, then we would say that that doesn't attract the same status as garden land. Um, and and in any event, the process, the detailed process that we've gone through and that we've accelerated, um, to understand the, you know, what we can do in relation to prop two six. Um, we've exhausted that process at this point in time. So we've taken the northern port hours out, and we we've done that in response to the to the importance that the landowner has placed on the issue and that you yourselves have placed on the issue by putting it on the agenda today.

00:30:57:07 - 00:31:14:04

And we we acknowledge and appreciate that. Um, but in terms of any other, um, you know, there are no there are no further changes, I can say in relation to two sticks that can be brought forward. We need that flexibility over the rest of the problem.

00:31:14:18 - 00:31:19:23

Okay. Thank you. Uh, right. In that case, I.

00:31:22:11 - 00:31:24:18

Don't think I need to ask you the

00:31:26:04 - 00:31:56:08

following question about the consistency of the land plans and the indicative environmental masterplan. If that's I mean, I suppose we need to make an action point to for you to make sure you submit all that's at deadline. Um, and that explanation for us all. Um, but I suppose in terms of this question, do you, do you see that there was like some inconsistency between the terms of land plans and the environmental masterplan.

00:31:58:02 - 00:32:31:19

On behalf of the applicant? Um, I wouldn't actually go that far, sir, because the the master plan is as you as you rightly say, it's an indicative plan. And, um, you're right to say that the. In respect of the northern portion of plot two six, there was shown in that location some trees and hedgerows for retention. Um, but the master plan is indicative and therefore that is showing a situation that we think we can achieve.

00:32:32:04 - 00:33:04:06

Um, but but if we got to the sides and the following discussions with the appointed contractor, it was determined that actually the passing place needed to encroach into the area where indicative trees and hedgerow are shown for retention. Then what is currently shown on the indicative master plan may not, um, may not be realised in practice. But of course, what would happen in that scenario is that trees and hedgerows that are currently shown for removal in the southern portion would be unaffected.

00:33:04:08 - 00:33:28:05

So, um, I think it's right to say that they're taken at face value, that the pink land overlaid against the green on the environmental masterplan can seem, um, difficult to reconcile. But I think there is an explanation for that, sir. And the fact that the the masterplan is indicative and of course, will be subject to future approval as part of the outline, landscape and environment and the quality management plan.

00:33:28:16 - 00:33:50:06

Okay. But the, the, the section to the, in the north of it of the environmental masterplan is effectively showing the garden land. And if you'll say the garden land but you'll see no powers over that particular garden land. Yes. And then the indicative masterplan would be it would be able to be implemented as shown on that plan.

00:33:51:18 - 00:33:54:06

On behalf of the applicant. That's that's absolutely correct, sir.

00:33:54:13 - 00:34:09:16

Okay. Thank you. Um, I was going to ask about dimensions of passing places and whether plot two seats could accommodate it without that garden land. But I don't need to ask that now. Um, because you've confirmed that.

00:34:12:12 - 00:34:22:23

Um, okay. In that case, that's all I got. With regard to plot two six to ask you about, um, I'll move on to the next bullet points.

00:34:25:03 - 00:34:27:26

Which is plot. Plot? 212. Eh?

00:34:31:09 - 00:34:36:28

Um, so the land plans show this plot is pink, which is

00:34:38:15 - 00:35:01:28

a pulse repetition land. So all all rights, all land, as does the statement of reasons. However, the book of reference I identify as land for the Sea of rights. I need blue land. Um, I think just clarify the what powers you are seeking and also any implications for Inconsistencies.

00:35:05:14 - 00:35:48:00

On behalf of the applicant. Thank you. Sir. Um, the short answer is that the land plans are correct in this regard. So, um, it's that the error is contained in the book of reference. Um, and the applicant is seeking free, uh, acquisition of the freehold interest over plot to 12 a and I can confirm that is at the basis on which discussions have been held with the relevant, um, person with an interest in the land. The other thing I should note is that the the position, the correct position as it is, is shown on not only on the land plans, but also in the um, in other relevant documents, including the statement of reasons.

00:35:48:06 - 00:36:00:05

Um, so we think the problem here or the error is contained to the book of reference, and we will therefore at deadline to update the book of reference so that it shows the correct position.

00:36:00:22 - 00:36:04:09

Okay. Thank you. We'll make an action point to that.

00:36:07:04 - 00:36:07:23

Um,

00:36:09:10 - 00:36:14:16

okay. Um, what about plot 14 three? So.

00:36:16:21 - 00:36:38:00

This comprises land associated with. Think of common. The other three plots associated with big and common will have also um rights associated with the Beverley Pasture masters. This particular plot doesn't. I just wanted to just clarify whether that was correct.

00:36:40:17 - 00:37:05:05

So I'm at the Ma on behalf of the applicant. Um, so you're you're right. Um, and we thank you for identifying the problem. Um, the Beverley master should be listed again as plot 1403, as well as the other bigger plots. So Again. That will be corrected in an update to the book of reference at deadline six next Friday.

00:37:09:10 - 00:37:09:27

Complete.

00:37:15:24 - 00:37:24:29

With about the next bullet point. Plot 47. I'm not sure if you've seen, but we had so. National Gas transmission limit has submitted a.

00:37:27:12 - 00:37:50:14

Further representation, which we, the WSA accepted as an additional submission. I think it was published maybe ten minutes ago or so, just noting that they'd made an error in referring to plot 1417.

Uh, they should refer to plot 1415, which they are showing us having interest in in the book of reference. So, um.

00:37:52:18 - 00:37:55:02

I think that bullet point has been resolved.

00:37:57:26 - 00:38:20:29

On behalf of the applicant. Yes, we saw that, um, advance notice that earlier today. Uh, and so we, we thought, like you that that meant that your comment on plot 1417 probably fell away. Um, and that the, the interests that national gas transmission have are appropriately, incorrectly cited in the book of reference.

00:38:21:05 - 00:38:32:20

Yes, that's my understanding. Okay. Thank you. Um, the next bullet point was about clarification of passing plates and highway widths. Um.

00:38:34:23 - 00:38:50:06

Along News Lane, as I understand it, uh, noting varied references to 7.5m, such as in some on some pages of certain documents and 8.8m on others. And this is in response to,

00:38:51:21 - 00:39:25:07

uh, some representation made by the But made by affected parties. Uh also varying references and other documents such as the design parameters, documents and. Yes. Chapter 14. That's what access. So I was hoping you could just clarify the reason for the variance in the widths of passing places identified in the various documents, and which one is correct and whether, if any, are not correct, whether there are any implications of that in terms of compulsory acquisition and temporary possession.

00:39:27:00 - 00:40:14:13

So on behalf of the applicant. Thank you sir. Um, I, I should deal with the headline point about what is actually correct. And, uh, the correct position is set out in the design parameters document. Um, so that's rep 4-059. And that confirms that, um, passing places would be designed to provide a minimum of 5.5m and a maximum of 8.5m in width, and therefore you rightly identify that in um, our in the applicant responses to deadline for submissions, which is rep 5078, the references to 7.5m um were therefore slightly misleading, um, because the position is that they could be a maximum of 8.5m.

00:40:14:15 - 00:40:52:29

The difference there is that where we're talking about the provision of a passing place on a bend, the full 8.5m may be required for for widening into the bend to accommodate the the relevant wet path for a heavy goods vehicle, where we're talking about a straight section of road where the same um considerations don't apply, the maximum width is likely to be 7.5m, and that's the context in which we would, um, we were referencing 7.5m in rep 5078.

00:40:53:02 - 00:41:14:23

But the position. The correct position and the more nuanced position is that set out the design. Uh, parameters documents. Um, but hopefully that clears things up. So and what we can do in our post

hearing submissions is just perhaps qualifying what we said in in rep 5078 to to put it beyond all doubt.

00:41:15:25 - 00:41:34:07

Yeah. Okay. Thank you. You don't think there's any benefits in adding anything to the design parameters document to differentiate between, you know, the passing placement, a bend and a passing place on a straight road or not.

00:41:34:21 - 00:42:15:00

Tom McNamara, on behalf of the applicant. Um, I did think about that, sir. Um, I don't necessarily think the answer is no, but I think that the the fact that we at the moment say 5.5m to 8.5m allows that that um, that tolerance, let's say to, to deal with different scenarios. Um, and therefore I'm not sure that it's necessary from a legal perspective to provide further, um, further clarity, but perhaps we can take that comment away and consider if there is any more detailed drafting that we can incorporate to provide clarity.

00:42:15:06 - 00:42:15:22

Um.

00:42:16:09 - 00:42:30:24

Um, okay. Now I think, well, okay, I'll let it takes away. But I think because we share a range and you, you clarify, you know, your response to the affected party, um, that's probably sufficient. I thought.

00:42:31:05 - 00:42:32:04

We agreed.

00:42:32:06 - 00:42:34:16

I'll take that away anyway. Constant.

00:42:35:12 - 00:42:35:29

Thank you. Sir.

00:42:37:08 - 00:42:37:27

Um,

00:42:39:12 - 00:42:42:03

that takes moving on to the next bullet point.

00:42:44:03 - 00:43:06:06

Yes. So, having regard to Appendix to rep 4037 um, and this was expanded to in response to my what? I was asking for clarification of where section 127 and where section 138 applied the reasons why.

00:43:07:21 - 00:43:38:03

Um, so here we've got whether East Riding of Yorkshire Council should be identified as statutory undertaker and subject to section one, two, seven, five six of the Planning Act 2008 with regard to, for

example, plot 1617, because they're shown as the landowner for that plot and you're actually seeking rights in that plot. So I'm not sure why you haven't identified them as where.

00:43:38:12 - 00:43:53:21

Um, because obviously they've submitted representation. It's not necessarily in respect of, uh, compulsory acquisition, but they I have submitted representation, so I was just hoping you could clarify why they identified as being subject to section 1 to 7.

00:43:56:22 - 00:44:07:01

Thank you sir. On behalf of the applicant, um, there are different strands to that, sir, I think. Um, first of all, I just note that

00:44:08:27 - 00:44:25:07

East Riding of Yorkshire Council have not made submissions, um, confirming one way or another whether they consider themselves to be a statutory undertaker. And I simply note that I don't reach a view one way or the other. Um,

00:44:27:01 - 00:44:58:09

on that question. But because I don't think it's necessary to do that for the reasons I'm going to explain. Um, but we've not heard from the council to that effect. That's that's point number one. Point number two. So I think you have alluded to the alluded to it in your introduction there. Um, section one, two, seven is is concerned with, um, the question of detriment to, um, the performance by statutory undertaker of its statutory undertaking.

00:44:58:11 - 00:45:37:10

And it's, it's concerned with, um, circumstances where an interest or a writing land held by a statutory undertaker is to be taken, um, but pursuant to a development consent order. Now, at no point in any of the submissions that the council have made have they raised any concerns about the degree to which the order would interact with land held by it for the purposes of its undertaking? And I use the undertaking guardedly there.

00:45:37:14 - 00:45:38:03

Um,

00:45:39:29 - 00:46:16:17

the nor have They contended that, um, there would be an impact on a detriment to the ability to carry on its undertaking. And so we say that's highly relevant to to you and the Secretary of State. And considering the extent to which section 127 applies, because in circumstances where no there is no contention of a detriment, um, one has to wonder whether um, section 127 has any, um, has any impact in that in that situation.

00:46:16:24 - 00:46:47:00

Now, there's an analogy here also with the approach we've taken, um, elsewhere when preparing our submission deadline for. And that was the appendix two of the summary of the applicant's oral submission is at issue one. That's rep 4037. And we took the precisely the same approach in relation to the Yorkshire Water services and Beverley and North Holderness Internal Drainage Board.

00:46:47:02 - 00:47:15:01

And I should say that there is beyond any doubt that those two bodies are statutory undertakers in accordance with the Planning Act definition. But similarly, because neither of those bodies raised any objections to the um provisions in the order which seek powers over those bodies land, we say that section one, two, seven does not apply in those circumstances, and

00:47:16:18 - 00:47:45:02

you may say otherwise, sir, but we don't think that is met with, um, opposition to date at least. And so we say that the position of the highway authority is, is the same in these circumstances. And therefore we don't think that an addition to appendix, uh, appendix two of our, um, deadline for submission is necessary. So that sets out our position. So I'm sure you will have further questions off the back of that.

00:47:45:25 - 00:47:49:20

Uh, no. I understand what you understand your position on that. Um,

00:47:51:12 - 00:47:52:13

yeah. Okay. I'll

00:47:53:28 - 00:47:57:22

think on about that. Uh, obviously when reporting as well.

00:47:58:04 - 00:48:00:16

Um thank you sir. Understood.

00:48:00:27 - 00:48:20:26

Uh, pops? Yep. 12 eight does not. There's no such undertaker identified as a landowner in the book of reference. So how then, is the section 27 relevant to the power sought in the same appendix to.

00:48:24:15 - 00:48:54:20

Thank you. Sir. Tom, on behalf of the applicant. Um. It isn't correct, sir. You're right. Um, the what has happened here is that, um, at a point in time, national gas transmission were listed as a category one person with an interest in land in respect of plot 12 eight, and that's because they had a caution against first registration, um, in relation to that plot. That position has now changed and the freehold owner is somebody else. It's not. National gas transmission.

00:48:55:03 - 00:49:11:07

National gas transmission. Do you have rights and respect to that plot? And they are a category two Hill, and I believe that they were included in the appendix two table on that basis, i.e. section one, two, seven, five and six apply. Um.

00:49:11:17 - 00:49:18:23

But I think they're a category, I think they're category one, but they're a like an occupier rather than landowner.

00:49:19:05 - 00:49:30:12

I see. I, I see. Sorry, sir. Um, they shouldn't be listed as a, as a, um, freeholder in respect of plot. 12 080.

00:49:30:17 - 00:49:31:07

Okay.

00:49:31:19 - 00:49:39:09

And they will be taking that week. The upshot of all of that, sir, is that we can provide an update to the table and correct the position. Yeah.

00:49:39:21 - 00:49:46:26

Um. That's fine. You don't necessarily need to. It's just I was just seeking some clarification over that.

00:49:51:29 - 00:49:52:18

Thank you.

00:49:56:02 - 00:49:56:22

Um,

00:49:58:11 - 00:50:16:28

also so subplots, for example, 1415 are not shown at the Land and Rights Negotiations Tracker. Um, are you just able to clarify why that's not the case when there are affected parties who have interest in those plots, in that particular plots and others?

00:50:19:09 - 00:50:28:11

Thank you sir. Um, for the sake of variation, I'm going to pass over to Mr. Dexter to answer this particular question.

00:50:29:10 - 00:50:29:25

Thank you.

00:50:29:27 - 00:51:07:22

Thank you. Um, Nick. Thanks, Tom, for the applicant. Um, so you're using plot points and clean as an example. Um, so it's not included in the land rights and negotiation tracker. Um, because it's unregistered land. Um, and there's no known landowner. Um, so East Riding of Yorkshire Council, National gas transmission, both have a caution against first registration for that title. Um, but they are not the owner of the title, so not do not have the ability to grant their rights. Um, so the book of reference 5008, um, shows that plot as unregistered land.

00:51:07:24 - 00:51:29:08

Um. Unknown landowner. Um, and the site is just a caution for those two parties. Um, so I guess furthermore, plots are only shown in the land rights negotiations tracker. Um, so around 50098, um, where there is a known landowner. Um, and land rights are required for the project.

00:51:31:15 - 00:51:35:17

Okay, I understand. Thank you. Um.

00:51:41:05 - 00:51:44:01

I have one other question, actually, with regard to

00:51:45:18 - 00:51:47:21

those plots. 1611.

00:51:59:17 - 00:52:02:07

So 1611

00:52:03:25 - 00:52:08:16

so that went round in such limited shown as presumed freeholder.

00:52:10:15 - 00:52:27:13

And you're seeking permanent acquisition of new rights. But 1611 I don't think it's shown in the, in the previous appendix to or on the land rights negotiations tracker. Um, so I was just wondering.

00:52:29:29 - 00:52:31:12

Why that was the case.

00:52:35:03 - 00:52:38:08

Thank you sir. Tom, on behalf of the applicant. Um,

00:52:40:04 - 00:53:12:27

we will need to go and go and confirm that, uh, um, and we we can actually be working that on the background, but just looking at the description of the plot. Uh, I think we would contend that there's a question of the of the extent to which it it constitutes land held by the, by the undertake for the purposes of its undertaking. Um, doesn't seem. Certainly doesn't seem to be operational railway land. Um, but we accept the point that they are listed there as the presumed freeholder.

00:53:13:08 - 00:53:18:10

Um, but I think that might just give a flavour of where we might land on that particular issue.

00:53:18:22 - 00:53:32:00

Yeah, I wondered whether that might be the case. Um, okay. If we could just make an action point for you to come back to us with information on that, please. Um, in that case, we'll move on to the.

00:53:34:01 - 00:53:45:01

Next bullet point, which was the implications for the proposed development work. So we discussed plot two steps. So you don't need to cover that anymore. Um,

00:53:46:29 - 00:54:24:15

and otherwise we'll be discussing, you know, their concerns with next in the next agenda item. Um, but the question was about whether or not to, to A5. What would be the implications for a move for

removing part of that plot? You know, especially where the substation for the field House solar farm would be located? Um, you know, also noting that from some of your most recent submissions, the access track, your proposal would be sort of running along the north eastern edge of the plot.

00:54:24:17 - 00:54:34:00

So it doesn't seem to appear that you need the whole of that plot in order to gain access to to the development site.

00:54:37:11 - 00:54:52:04

And also obviously to know whether that's been the case, whether you would be able to submit some without prejudice plans showing below, maybe in a similar manner to plot two six, part of that being grayed out.

00:54:55:06 - 00:55:33:01

Thank you so much for the forums for the applicant. Um, I think that there are a few submissions to make on on this issue. The first is that I think we explained that the first compulsory acquisition hearing that the principle, uh, that we've um, proposed requirement 16, as well as the inclusion of plots at 205, is based on the idea that you don't look at the compulsory acquisition or temporary possession powers in isolation, but you read them alongside the restrictions that are being put forward.

00:55:33:03 - 00:56:21:19

I'm sure we'll get on to the detail of of requirement 16, but in our view, what the current approach allows us to do is to ensure that there is adequate protection in place for organised developments, whilst at the same time ensuring there is some flexibility. So just to deal very directly with the question, why don't we, if we're willing to commit to not removing any above ground infrastructure, cooperating, minimising conflicts, why don't we simply reduce the size of plot 205 to deal with that? As I say very directly, the answer is, as you know, that development is in the course of its implementation, so it is not yet fully constructed or built out.

00:56:21:22 - 00:57:05:01

We've heard from Auburn wise that they consider the position now to be fixed. Um, our concern is that if we went down the approach of simply taking it out, it would actually be detrimental to all three developments in that area in that we couldn't adjust our approach to deal with any change in circumstances, any variations that were sought with local planning authorities. Um, and so what we're seeking to do is provide, again, a very pragmatic solution, which is to say we understand there's a need for adequate protection, uh, for developments that are side by side, which is why we are committing not to make any changes.

00:57:05:03 - 00:57:27:21

But if we went down the approach of simply reducing the plot size, we'd, we'd lose, uh, an aspect of flexibility, um, without necessarily, um, uh, affecting the protection that's already afforded under requirement 16. Um, I think the, the final submission to make on this point is that

00:57:29:16 - 00:58:04:05

the way that the drafting of requirements 16 again, which I know will return to is phrased, is that it does contain very concrete commitments on the removal of, um, any apparatus, any, any of the

development that is built out above ground. Um, and in our view, that secures, um, the actual extent of the powers that we will be using. So again, from our perspective, what we're trying to do is to make sure that we can balance all of the relevant considerations in this context.

00:58:04:07 - 00:58:39:27

And I'll be brief because we set this out at the first compulsory acquisition hearing. But the point here is that we have three primary considerations. The first, uh, is ensuring there is adequate protection in place for the album was development. The second is ensuring as much physical separation as we can for the benefit of someone with a protected characteristic on the other side of the plot, and the third is ensuring the safe and efficient construction of our proposed development.

00:58:39:29 - 00:59:14:21

We think the solution that we currently have is a careful and considered balance between those three considerations, and the removal of part of the plot would run the risk of affecting one of those three, which we don't think is necessary to provide adequate protection for all of the parties. Finally, on your very last question, would we be willing to submit without prejudice plans for the reasons I've set out? Um, we don't think that's necessary.

00:59:14:23 - 00:59:27:12

If you if you asked us to do it, we would of course, produce those. Um. But I'm not sure it's the, uh, solution that balances the three considerations I've outlined.

00:59:30:12 - 00:59:32:11

Okay. Thank you. Um.

00:59:35:29 - 00:59:44:19

Okay, so I understand your point of view, and I know that we'll hear open rises, um, later in the next agenda item.

00:59:47:12 - 01:00:01:19

Uh, I'll just think on about whether we whether we want you to submit without prejudice plans. And I'll probably ask to all the wise and similar question and make a decision on that a bit later. Um,

01:00:03:06 - 01:00:37:20

but I think for the time being, we'll move on to the next bullet point, which relates to the progress, progress in negotiations with all parties and the timescale for their conclusion. Um, so again, I'm aware that from the applicants submissions that it is actively in discussions to try to secure the rights of needs through voluntary agreements. But could you please provide a general update on how these are progressing, the current expected deadlines for conclusion? And given the number of plots involved, the main issues where there might be a problem?

01:00:40:10 - 01:00:41:00

Thank you sir.

01:00:41:28 - 01:00:47:06

On behalf of the applicant, I'll again turn to Mr. Dexter to provide you with that update.

01:00:48:11 - 01:01:22:06

Thank you. Nick Dexter, on behalf of the applicant. So I just want to just, I guess first start with to say that, um, of the total order limit, um, there are 80% of voluntary agreements in place covering the land within the limits, um, and then breaking down the acquisition type. So starting with the, the permanent acquisition, which is shown by the pink shading, um, on the land plans. Uh rep 3004. Um, so of, um, that pink shading that makes up makes up 81% of the land area within the order limits.

01:01:22:13 - 01:01:58:00

Uh, 95% of that pink land or the permanent acquisition. Um, there is voluntary agreements in place. Um, so moving to the, uh, permanent acquisition of rights, which is the Blue land show the lump bugs or the blue shading. Um, so that equates to around about 18% of the area within the order limits. Um, and that's largely made up by the, the 132 kV, um grid cable corridor connection. Um, so I had two terms were issued to all affected parties in November 2024.

01:01:58:11 - 01:02:36:04

Um, and we've we've been making progress, um, with, with some agreements with those parties. So, um, for the the 28 landowners that form the main corridor, the main blue areas, the grid connection corridor. Um, we've got five um agreed heads terms with with those landowners. Um, we're continuing discussions with all the other affected parties and agents. Um, and in regular contact and regular chasing. Um, one thing I'd like to say is that, you know, every effort has been made to progress agreement for cable easements.

01:02:36:15 - 01:03:10:17

Um, however, to date, there has been, um, a lack of engagement from the landowners agents. Um, and I think as that's sort of demonstrated by the limited representations, um, from these interested parties, um, and their involvement in the, um, the support of commission hearing or hearings to date. Um, so just conclude. Um, I think, as I said at the start, so over 80% of the land, um, has been secured through voluntary agreement. Um, for the remaining land. We'll continue to work with these parties and try and conclude as many voluntary agreements, um, as possible.

01:03:10:25 - 01:03:17:14

Um, and this will continue as well after the examination ends, to get as many voluntary agreements in place as possible.

01:03:19:03 - 01:03:48:14

Okay. Thank you. And in terms of, I think you had voluntary agreements in place for the plot to six affected party. We were discussing earlier. Um, but not but for a lot of the plots, but not for some of them. And you're hoping to get agreement on those? I'm guessing after this you'll be taking that forward to liaise with them further, especially with regard to the dangers to that plot. Two six.

01:03:50:16 - 01:03:54:18

Applicant. That's correct. So, yes, we'll take them forward. Yes.

01:03:55:09 - 01:04:10:12

Okay. Um, the same with the land. Um, associated with the affected party who the same agent represents. Um, sort of on towards on the west side of Moose Lane.

01:04:12:06 - 01:04:15:11

Nick Buxton can correct again. So yes.

01:04:16:08 - 01:04:20:27

Okay. And we'll expect an update at deadline on all of that.

01:04:22:29 - 01:04:26:26

Nick. Yes, we'll provide an update at 10.6.

01:04:27:06 - 01:04:34:14

Okay. And do you expect to reach agreement with those parties at that point, or do you think there will be some outstanding matters?

01:04:37:01 - 01:04:49:13

Nick. That's, um, that's difficult to to confirm, sir. Um, but we'll we'll provide an update either way. Um, and do our best to conclude agreements before the close of examination.

01:04:49:25 - 01:04:51:00

Okay. Thank you.

01:04:52:23 - 01:05:25:20

Just to add to that, sir, um, it should be remembered on behalf of the applicant. Probabilities. Um, in some cases, these agreements are multifaceted and, um, and cover a range of issues. And therefore, um, whilst we might reach agreement on the broad principles of specific plots. It has to be remembered that it's part of an overall negotiation and therefore, um, you know, saying one way or another whether we can have an agreement in place by the end of the examination is complex.

01:05:26:00 - 01:05:36:27

That said, we will. Um, as Mr. Dexter said, we will we will set out in writing the position at deadline six and, um, confirm where we've got to.

01:05:38:06 - 01:06:19:16

Okay. Thank you. Uh, in that case, I'll move on to the next bullet points. Um, any other issues as necessary? Um, I did note that the statement of reasons refers to incorrect article numbers in section six and elsewhere. And I think that stemmed from when article seven was removed from the draft development consent order, that article seven related to limits and deviation. Um, I think once article seven was removed, all the other, uh, articles beyond that changed or, you know, moved down one number.

01:06:20:01 - 01:06:41:20

Um, the status of reasons doesn't seem to have been updated to reflect that. So, uh, I think it'd be helpful to get an amended state, which reasons. So it's not so clear. But obviously, when the Secretary of State's looking at it, uh, um, looking at the correct article numbers with the correct DCA.

01:06:44:24 - 01:07:18:03

Thank you sir. Um, you're you're quite right. You've you've pointed out, um, an area there. Um, and I think you're right that it's because of the sequential change in numbering issue. Um, I was I was just looking at schedule 12 of the order, which deals with documents to be certified. So it's schedule 14 of, you know, big one. Um, and the statement of reasons is not a document that is proposed to be certified by the Secretary of State.

01:07:18:16 - 01:07:59:24

Um, and therefore, um, we wonder whether it is the clarification we provided both at this hearing and that we can give in the context of our post submission notes would be sufficient. Um, we think it would be, but we're obviously in your hands. And if you tell us that we have to produce an update to the statement of reasons, um, then that's what we have to do. Um, but we don't necessarily think it's, uh, mandatory, given the, um, the provisions of the order and given the documents that need to have the stamp on at the end of the day.

01:08:01:09 - 01:08:35:16

Okay. Um, so I was going to come up to it later. There was one. There was one of the mattering statements of statements, reasons. I just I just wonder if it's worth just making sure everything's consistent and correct. Um, it it refers to Her Majesty as well, rather than His Majesty. So I just thought, okay, if you you might want to correct that. And whilst you're doing that, you may also want to just make sure that all not just in section six, it's elsewhere.

01:08:35:18 - 01:08:39:14

That reference cross-referencing to articles and to the CEO is correct.

01:08:40:03 - 01:08:56:26

Thank you sir. Um, I, I think we, um yeah, you pointed out some issues that may need to be resolved. So I think we will take away that as an action and we'll we'll hand over a, um, an updated version of the statement of reasons to correct those issues.

01:08:57:05 - 01:08:58:06

Okay. Thank you.

01:09:00:19 - 01:09:15:18

So that was all the questions I had for now on this, um, agenda item. Um, does anyone wish to comment on anything discussed so far? Uh, which they do not intend to discuss under the next agenda item?

01:09:21:21 - 01:09:24:26

Okay, I'm not seeing any hands raised, so

01:09:26:26 - 01:09:27:25

I think

01:09:29:11 - 01:09:56:18

it might be worth just taking a break at this point and then resuming, um, with agenda item 4 in 15 minutes time. Um, if everyone's happy to do that. So I'll adjourn the hearing until 5 to 2. Um, it's currently 139, so if we come back at five minutes to thank you very much.