



Hearing Transcript

Project:	Rosefield Solar Farm
Hearing:	Issue specific hearing 1 (ISH1) – Day 2 – Part 4
Date:	21 May 2026

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FULL TRANSCRIPT (with timecode)

00:00:06:14 - 00:00:10:03

Okay. The time is now 350. It's time to.

00:00:12:06 - 00:00:38:10

Recommence. Issue specific hearing. One can just check that the live stream and recording is commenced. Thank you. Um, so continuing on with the agenda item relating to noise. Uh, and moving on to consider noise effects in relation to livestock. Um, Preston Farms response to examining authority's first written question. That was question 1.6.4.

00:00:41:24 - 00:00:58:29

That's rep 2-107 includes a request for further assessment and measures in relation to noise, including defined noise levels and evidence of species appropriate threshold sufficient to give comfort that the proposed works and operation are compatible with the welfare of donor animals.

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First of all, to the applicant. Um, does it have an initial response to that request?

00:01:08:09 - 00:01:39:12

Mark, on the health of the applicant? Um, ultimately, we're struggling to find. Or there's no fixed criteria for establishing, um, adverse effects on livestock or for not for normal horses when it obviously, when it comes to donors, that that would be a completely different criteria potentially. Again, so as, as acknowledged by the acoustic that um that's appointed by um presence farms, they acknowledge that there is no criteria to be applied threshold criteria.

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And therefore we would look to, you know, implement a series of range of mitigation measures to manage the potential impacts.

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And anything on behalf of the applicant, I'm sure it is before you, sir, but just obviously to to make the point that the applicant did provide the livestock noise and vibration technical study at deadline two that rep 2086. And in that study, the applicant did complete recompile and the various noise thresholds and guidance that it was aware of in relation to horses and sheep specifically being the answer. The primary subject of the representations to date, that is, the evidence that the applicant is aware of.

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If there is alternative evidence that Preston Farms or TCS Biosciences are aware of, or alternative thresholds that they wish to provide, the applicant would welcome and consider that the applicant has considered what is available.

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Thank you, Mr. Burton. If you have any response to that, please.

00:02:44:00 - 00:03:19:23

Thank you very much, sir. James Burton, on behalf of Preston Farms and TCS Biosciences. Um, just if I'm a little trop back through the history here. So, um, the position is that livestock, uh, let alone our donor animals, were not assessed, uh, talking about noise or that could be talking more generally not assessed at all in the ES. And that is acknowledged in the technical note that Miss Stirling just referred to, which as you said, is Rep 2086.

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And it's acknowledged there at paragraph 1.1.2. Horses, sheep and cattle have not specifically been assessed as a receptor in the noise assessment detailed in S volume two, the position that you find yourselves in is. That remains the case. There is still, before, you know, noise impact assessment. There is no element of the ES or any other information or whichever category one seeks to insert it into the EIA rex that assesses the noise impact upon livestock, let alone our our donor animals, the, um,

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sharps. Acoustic lions. Um, Mr. Bentley's note that Miss Stirling referred to went in um and highlighted this absence, amongst other absences, and the position now rests with the technical notes that Miss Sterling has just referred to and what that technical note contains. And I'll go I'll go to it because, as it were, it's where we rest. What that technical note contains. And you will have seen it because I just highlight, please, just a couple of points from it.

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First of all, it tells us what we probably all knew anyway. But actually just in a bit more detail that, um, sheep who are one of our donor animals, of course, um, have a better ability to perceive high frequency sounds than humans. Um, And it gives the hertz and kilohertz measurements for that. And similarly for horses. In fact, it tells us that, um, sounds um. Um, ultrasound frequencies inaudible to humans can be audible to horses.

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So of course, as we already know, we need to put a weighting completely out of our mind because that's the human ear and it's completely irrelevant. Um, the technical note also acknowledges various studies. It's found various studies concerning, uh, sheep. Um, and these include various examples of sudden noises causing sheep and cattle, sudden noises causing increase in heart rate and affecting milk production, and so on and so forth. Not nothing regarding horses.

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What it what it does, um, acknowledge clearly though. And this brings us back to our old friend power 4.2 15 million. One is that Preston farms and biosciences are at risk of adverse impacts due to sudden noise and vibration generated by works undertaken in close proximity. Now the, um,

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appropriate approach. You don't have an assessment before you. The first thing I suggest is that you might wish to ask the applicant if it wants to fill in the gap and provide a noise impact assessment

now, but the appropriate approach, as ever, is a precautionary approach. The technical note includes various examples of the noise generated by bits of plant, all of which we can see.

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Even without being noise, experts are exactly the kind of thing that will scare horses and so on and so forth. Take a precautionary approach. Conclude, as I suggest we must. There will be a significant in effect and proceed forward from there. In terms of the examination. Thank you sir. Mr. Preston has said.

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Just very.

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Briefly, I mean, when we were on the site inspection, we went down to Zion. I did the same route the day before, just just to walk it through with our farm manager. Um, and the horses there didn't react to us. They used to us when we went down as a group. Instantly some of them were slightly, you know, surprised and more agitated. And my, my point is just very brief in that they are a more sensitive type of horse than an average one. And I think we saw that on the site inspection. Thank you.

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Thank you. Noted. Um, I was the applicant please. Any comments on that, particularly in relation to this, the scope potentially of a forum assessment being provided and submitted into examination, recognizing the absence of any real established methodology for this particular issue.

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Amy Stirling, on behalf of the Earth. Yes. Well, you've covered one of my points already, sir. Um, just to be absolutely clear, the applicant did assess the impact on the press in France and Spain as part of its application. That was in the population chapter. We have already had an agenda item on it that was subject to confidentiality arrangements at that point in time. Hence the lack of some information being provided within the EIA. That seems to be slowly being waived as the examination goes on and the parties are providing more information, which the applicant is still yet to receive, but will consider it at subsequent deadlines.

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Ultimately, the applicant has put forward, as I've said, what it considers the best available evidence to it in terms of the impact of noise on horses and livestock. What I would suggest it is for the party that it is alleging that if some unique circumstances, for them to put forward any evidence as to why their horses sheep are particularly sensitive and also the impact that that sensitivity has on their business, which is ultimately the receptor, which is subject to the, you know, horses in cattle and sheep, etc.,

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are not in themselves sensitive receptors for EIA. The impact is on in the business that is being assessed. And therefore you know what specifically and what the applicant is doing in terms of carrying out the proposed development is having an impact on these horses and sheep, and what detrimental effect is that have on their business? I genuinely am yet to see any evidence. We hear lots

of assertion we can put forward. We hear, you know, it is exactly the thing that will scare horses. We cannot use human thresholds because they are completely inappropriate.

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But these are assertions, not evidence. And we are yet to see any evidence from Preston Farms or TCS Biosciences which justify their position. And I would direct the examining authority to paragraph five 1310 of NPS M1 2023 version, and it says the Secretary of State may conclude that limited weight is to be given to assertions of socioeconomic impacts that are not supported by evidence, particularly in view of the need for energy infrastructure as set out in the MPs.

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The applicant is making best endeavours to respond to the information that is being provided for by sciences, but that cannot be in the vacuum of evidence from that party alleging that there is an impact.

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Thank you, Miss Stirling. Mr. Burton, our Preston Forum is able to provide any further information in relation to

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the extent to which noise and vibration effects may have a consequential impact on the quality of blood. That then, is essentially the product of the business. Is there any evidence that would make that connection?

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Sir James Burton, on behalf of Preston Farms and TCS Bioscience says, um, it is well established that stress affects the quality of the product. And I will turn to Mr. Preston and Mr. Williams in that regard. Um, I am astounded to hear that submission from the applicant. Frankly, when their own technical note is replete with studies only regarding sheep, I should say not horses. It's replete with studies. It's summarized at paragraph 2.1.4 about the effect of sudden noises on sheep and cattle, and what that does to them.

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The applicant has had a wealth of evidence, and we will not stand for any suggestion that there is no evidence before it. It shuts its ears. But but that's that's it's business. Um, I, I'm going to hand to hand to Mr. Preston.

00:11:35:11 - 00:12:30:08

Yeah. Thank you. James Preston, Preston farms. Um, just link to the comment on a lack of, it sounds like engagement or detail that we provided. We'll submit an additional time time timetable at deadline three. But just to go back to how early we were taking time to engage with EDF at the 14th of December 2023, we had a meeting with the whole of the Roseville project team. We actually gave them a 17 slide briefing and we explained TC's clinical diagnostic role, what blood agar plates are used for the linked and donor blood use, the integration of of Preston Farms and TCS in animal welfare, biosecurity, supply continuity, land impacts, employee risk, growth constraints and customer demand for the product that also included the diagnostic context within the NHS.

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That was in December 2023. Thank you.

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Thank can I. Can I just go in if I may? So I just got to read, Um, a couple of bullet points. And this is just from the applicant zone technical note attached to its response to the written raps. So this is paragraph 2.1.4 concerning, um, cattle noise made by humans. Shouting and slamming metal gates increases heart rate and activity in cattle.

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That's one bullet. The sound of a tractor engine 97dB significantly increased glucose concentration and leukocyte counts, and markedly reduced the level of hemoglobin. Hemoglobin sorry, in the blood of dairy cows. Um, this is just what the the the applicant has has pulled together. Um, I.

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I am very concerned as well by the repeated suggestion now that because the applicant and my client entered into an NDA. That is the reason there is no assessment. There isn't an assessment in the ES in any meaningful sense of the impact upon my client, that it's nothing to do with the NDA. They just haven't done it and they still haven't done it, frankly. Thank you sir.

00:13:55:08 - 00:14:26:03

Thank you, Mr. Burton. Just just a follow up question in relation to the the effects of noise and vibration on the composition of blood, effectively, of donor animals. Um, do Preston Farms have any means of testing those effects? So if there were a noise effect that did have the consequences that you just described. Does the laboratory process and the testing that Preston Farms and CCS Bioscience is currently undertake have a means of identifying those to identify a problem as and when or if and when it was to occur?

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Um, yep.

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Gareth Williams, TS Biosciences um, as we discussed on the site visit the other day. The main quality parameter that we look on for the blood on the daily basis is the sterility around biosecurity. But we have other indicators that potentially give us some, um, information on the quality of the blood cell, which is in fact what what our customers are looking for. Um, we see things like waste increasing, um, with the increased presence of clotting factors.

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Um, packed cell volume, which is one of the parameters that we measure as a quality indicator of the product. Um, and ultimately early signs of licensing the product itself as well, both picked up potentially by us and by customers.

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Thank you. Um, does you have any further comments, please?

00:15:20:25 - 00:15:54:17

Amy Stirling, on behalf of the applicant. Um, yes, I've heard of a lot of what was said. I'm still not entirely clear if we had an answer to your original question, which is, is there any evidence that the noise and vibration would affect the blood of the horses and the sheep in such a way that it would have an impact on the business. I haven't heard an answer. I presume the answer is no, but we would welcome any clarification at deadline three, or indeed at any time before or after that. I think one point would be useful for the applicant to understand is that Mr. Burton is now seeking to rely, I think, on the livestock taking note that the applicant provided.

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Can we take from that, that he now agrees with the evidence that the applicant has put forward and that is an appropriate basis on which to base its mitigation, which is the approach that the applicant has taken. To be clear, the applicant does not dispute that noise and vibration will have an impact on horses and livestock. That is quite clearly demonstrated in the evidence it has provided. I had understood Mr. Burton's previous submission to be that that was insufficient. And his horses, the horses and sheep are of a unique circumstances, which meant this note was not applicable. But he is now quoting it in support, so it would be useful to understand his position on that technical.

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Not.

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Mr. Burton.

00:16:35:06 - 00:17:14:19

Sorry. James Burton, on behalf of Preston Farms and TCS Biosciences. Yes. If it wasn't clear. Let me say it again. The technical note provided by the applicant is not a noise impact assessment of the noise impact upon our livestock. And I don't hear the applicant suggesting that it is so. It is the case, as it has always been, and remains the case that the ES does not have that element in it. And therefore, so far as the impact on our business is concerned, does not have an assessment of the impact on our business, because this is clearly a very important part of it.

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What I am relying on as regards the technical note, is certain concessions that the technical note makes. We're not accepting the technical note as a document we stand behind, but where it makes concessions. We do rely upon those concessions and the concessions it makes. Amongst other things include that there are various studies that show that cattle and sheep doesn't have anything about horses, but cattle and sheep react physiologically to loud noises.

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It concedes the risk to our business from noise, sudden noises. So certainly we do rely upon those. I think Mr. Williams had something to say about the suggestion that we have not evidence the position regarding how noise and stress on our animals feeds through to the product, and I should say, I think Miss Stirling suggested that the answer is no in terms of effect on us.

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Of course, we don't accept that for one moment. Extraordinary.

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Gareth Williams, TS Biosciences. Yep. I apologize if my initial answer wasn't clear. Um, in terms of clotting factors, reduction, impact, cell volume, um, and early lysis of product that is indeed linked to stress, um, with the animals. Um, we have data and I believe we've referred to it before in, in um, one of our earlier submissions. Um, when even things that the animals are relatively used to is shearing, um, we can see an increase in clot waste due to the, the, um, additional stress around, um, the processing of the animals at that point in time.

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Thank you. Um, perhaps it would be helpful if Preston Farms could provide a note for. I have a deadline through a deadline for that sets out in a bit more detail, and more specifically, how the possible effects of noise and vibration may translate into effects on the quality of blood and the product, and therefore the business. Just address that point fully in writing, please. Um, is deadline three realistic for that consciousness next Wednesday, so it might be a little time.

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Could could James with impressive teaser. Could that be deadline for sir. If we really want to get into the guts of things.

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I think I think a detailed response will be helpful, so perhaps deadline would be more appropriate. Thank you.

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Chris.

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Chris Jordan, on behalf of East London.

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Council.

00:19:51:06 - 00:20:21:29

I'm really astonished that the applicant has not been able to find any studies on the impact of noise on horses while we've been speaking. I've just done a quick search and found two papers referring to that. I mean, one where fireworks were causing increased cortisol levels. That's a measure of stress in animals, and another where noises were causing marked behavioral changes in horses. Um, they were, um, sort of running around breaking fences.

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Some got diarrhoea. So I mean, really a very simple search, you know, or a diligent search. I mean, these may not be the best papers, but a diligent search would certainly find some information that would help them in making an assessment of the impact of noise on on these animals.

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Thank you. Doctor Jordan. Um.

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Yeah, I.

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Forgot, uh, Mr. Burton. Um, we've.

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Heard.

00:20:50:13 - 00:20:52:05

A lot about how this is a unique.

00:20:52:07 - 00:21:12:25

Business. Um, I'm just wondering if there was any event in the past, uh, that fed through to testing in the blood that would demonstrate the link between cause and effect. Um, because it is such a unique business, you're probably best place to have the evidence of effect on the horses.

00:21:14:00 - 00:21:26:00

Um, thank you, Mr. Morgan. James Burton for president and tks. Can I just check, sir? I've understood the question was, was there an event? An event in the past that then fed through to to a test.

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Yes.

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I'm I'm just thinking, you know, you're one of two businesses, um, probably unique, uh, setup. Uh, and you've been running for quite a few years. Has there been an event, you know, um, in the past that you've detected, subsequently detected when testing the blood that demonstrates that cause and effect? Because it seems to me that you're best placed to provide that empirical evidence about your unique business.

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Yes. Well, sir, I would suggest that the the the evidence regarding the sheep shearing is prime. It is primary evidence. And that, of course, is a is a is a relatively low stress thing to happen to the animals. And for that we do see an effect. I'll turn to Mr. Preston and Mr.. Mr. Williams in a moment, but I would I think just remind us that up until

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um now, as it were, for 60 years, they have managed this business, has managed to keep itself in a, in a seal. So, um, let's let let's see. But it may be that they have successfully avoided such incidents.

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Yeah. James Preston. Preston farms, um, agreed very much with the previous comments. Um, I guess we've never had something of this size or scale, um, to contend with. So in terms of a historical direct reference, I think that would be very difficult. Um, the stress free nature of the product is not just related to us. If you look at our one competitor in Scotland totally independently. They also highlight that as a key part of the quality of the product. Um, and again, just to go back to the beginning of the founding of the business, that was because the alternatives to this is generally to do with abattoir sourced animals that are stressed on the way to slaughter and the product quality.

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A link to cortisol and stress is likely to be much higher, and b the contaminations are likely to be much higher. Um, I hope that is sufficient at this point. And we can certainly go away to, to add more detail. Uh, deadline for.

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Okay. Thank you.

00:24:04:21 - 00:24:07:00

Do you have any comments in response to that?

00:24:07:02 - 00:24:42:06

Please hear me, Sterling, on behalf of the applicant, and we welcome any evidence that Preston Farms or TCS Biosciences can provide in relation to why construction or operational or decommissioning Noise and vibration from the proposed development would have an impact on their horses and sheep in such a way that it would impact their business. I think, just in case I wasn't clear, sir. At no point did I suggest that the livestock technical note was an environmental impact assessment of the impacts on the horses and sheep, and therefore on TCS Biosciences business.

00:24:42:08 - 00:25:02:04

That was never my suggestion that that document was actually prepared in direct response to the the acoustic report that those parties had provided. And as I understand it follows the recommendations therein. But if you want to go on to that in more detail, Mr. Underhill can speak to it. But, I mean, I think we've probably exhausted the point at this stage.

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Point? No, sir. Um, so if I could just make one follow up point, which is on behalf of applicant, to respond to the parish council, and that it's not us saying there's that there's no evidence. There's no reliable evidence. The, um, Trust and Farm Zone A report says, and I quote. There are currently no reliable studies which enable an adverse effect to be linked to a measured level. And I think it has to be very careful to use fireworks in a case such as this. That's very, very different. And the mitigation proposed in the in the Preston Farms own acoustic report is something is mitigation that there are technical notes um agrees with and commits to.

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Thank you. Thank you. Um further questions to the applicant in relation to its suggested mitigation, um, from Alexa to its response to Preston Farms written representation and in which it refers to the control of working hours, um, temporary noise barriers and use of the British Horse Society guidance.

Um, they have been used to explain how they may be effective, um mitigation for noise for horses and sheep.

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Mark Underhill for the applicant. The British Horse Society recommendations primarily relate to key aspects, such as if a horse was in the field and in an appeared distressed, that would that would trigger works ceasing to ensure that until that until that situation halted so that things like that are a key consideration because it would, you know, based on the comments that have been provided. Um, you know, trying to minimise those disturbances, the aspects such as the, the working hours are more to basically to portray that this isn't a continuous isn't a 24 hour operation.

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This is, you know, between defined working hours. Um, so, so that is why those measures are in there.

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And the horse society guidance in relation to stopping works where animals are distressed. Yeah. Would that not suggest that it's addressing the point after it's occurred? So the horse has already become stressed, and therefore the blood may already have been affected by that elevated level of stress. I appreciate you may then stop the issue continuing, but they already have been incidents that could affect the supply chain of the product.

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Welcome to health of the applicant. Uh, that there is that is that is potential. But obviously we wanted to include the full range of the mitigation because, you know, but ultimately we're also looking at a series of other mitigation measures, um, as recommended by Sharps Acoustics. So we are in agreement there. So we're it's the implementation of British Horse Society recommendations. We're looking at best practical means to reduce noise and vibration at source. Um, it's the that includes the use of alternative low noise and vibration, um, plant and equipment or techniques.

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So like I mentioned earlier, the trying to manage those sort of startling effects. So use of rotary board piling techniques in lieu of percussive piling. It's also routing of construction traffic to minimize noise levels at surrounding fields. But then the way the large commitment is working with press and farms to establish ways in which livestock can be located and away from the construction activities where practicable, including temporary uses of like it's been mentioned earlier today, temporary use of other areas within of land within the order limits, um, during construction, but also trying to undertake works when the livestock may be stabled.

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So so the noise levels would be, um, it would be significantly lower. Um, and then obviously there's been discussion about potential use of, um, arable land, um, in lieu of grazing land. So multiple measures, but all of those things will be obviously subject to consultation with um, press and farms, um, press and farm. Um, and Obviously, we're pressing forward to being a key consultant as part of the detailed CMP to to to ensure that that occurs.

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Thank you, Mr. Burton. The president farms have any comments? Any comments. Previously on some of those measures. But is there anything you like to add now in terms of the likely effectiveness of that mitigation?

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Yes. James Burton, on behalf of Preston Farms and TS Biosciences. Thank you sir. Um, so

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the the sharps acoustics report is, is rather being taken in vain. I have to say. Um, um, it's been suggested multiple times now by the applicant that the mitigation measures there are what it is doing, the mitigation measures set out there, what the sharps acoustics report from Mr. Bentley says regarding mitigation. And this is within the within the body of the report are common to what its conclusions are. Um, but it says at 3.8 there are a range of noise and vibration mitigation options available, including and.

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This is the first bullet moving activities away from receptors where possible. Now we say, of course, this brings us right back to the mitigation hierarchy. And don't, don't, don't, don't come into the heart of our holding at all. That's the first one that's not being suggested by the applicant here. Um, at all. Um, and, and I do say that's where they should start with mitigation in accordance with the hierarchy. Um, the conclusions of that report, I have to say, um, which are being rather overlooked, are these, um, the submitted noise and vibration assessment fails to identify or address equine receptors, despite the recognized sensitivity of horses to unfamiliar noise and vibration and the specific welfare implications for the Preston Farms.

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TCS Bioscience is heard. The yes contains no acknowledgement of horses engagement with the owners, no receptor specific analysis representing a substantive omission in the assessment scope, and it continues. So we do say start with the mitigation fairly and properly understood that the report actually says keeping the noise away from the, um, from our holdings, from the animals, that would be effective. Um, it is it is challenging to see how,

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um, hours of operation that are appropriate in a, in a rather off the way for humans keeping it out of nighttime hours and so on actually meet the need when it comes to these sensitive animals. So we feel that really isn't quite thought through enough. Um, and the, the idea of, um, no, I mean, is the applicant really going to erect genuine acoustic barriers that actually work with all the properties required for that, you know, to however many meters high it.

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Again, it's very light on detail and it just seems a bit kicking the can down the road. And can I make this final point, sir, that Mr. Underhill quite fairly acknowledged if you. Wait for the animal to be disturbed. It's really your point, sir. The damage has been done. The the horse has bolted by that by that point. So again, that's not the right way to go about it. Thank you. Sir. Does Mr. Preston Mr. Williams have any.

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Gareth Williams yes, Bioscience. And if I can just add to the final point that Mr. Burton made, um. Fear and anxiety in horses is definitely catching. So if one is showing signs of distress. Others will follow. Thank you.

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Amy Stirling, on behalf of the applicant, I apologize. I know the action Group have a point. To make just I would like to just in direct response To all this being said, may I suggest that if the parties aren't satisfied with the mitigation, that the applicant is continually responding to their concerns and putting forward mitigation as we go? But even on a without prejudice basis, noting their primary position that we should just avoid the business entirely, that it would be reasonable for Preston Farms and TCS Biosciences to put forward the mitigations that they would like to see within the relevant management plans.

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Mr. Burton. This may be a further point that comes in the category of the two parties having a conversation outside of the examination and trying to work through what may be a mutually agreeable solution, if that can be achieved. But do you have an initial response at this point to that suggestion?

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Well, James Burton from Preston Farms and TCS Bioscience says clearly what what what my clients want is a guarantee the animals won't be stressed and frightened. Just as as a headline. Um, of course, we'll continue to discuss with the with the applicant as, as we have for, for years, but we don't feel we're really making progress. Thank you, sir.

00:34:22:16 - 00:34:41:09

Samson Helen Hamilton, Clayton solar action group um, the proposed mitigations. Uh, I'm afraid I haven't looked at. I'm not sure what they are, but I'm just wondering how those are going to be assessed in terms of landscape or visual and other impacts.

00:34:45:19 - 00:34:46:18

I was the applicant.

00:34:46:25 - 00:35:21:06

Amy Stirling, on behalf of the applicant, I can confirm the noise mitigation has been considered within the landscape and visual impact assessment. I checked that with my colleagues in advance of this hearing. In terms of the specific mitigations, those are set out in the Outline Construction Environmental Management Plan, which the applicant has already referred to in terms of prior notice of works following British or society guidance. I am not sure there is a suggestion. There would be a specific barrier at this location that that perhaps sent to Mr.

00:35:21:08 - 00:35:23:27

Underhill, who will stop me saying something that is incorrect.

00:35:24:27 - 00:35:55:09

Mark on the health of the applicant during the construction phase. It's a common practice. Use temporary barriers. These tend to comprise, um, Harris fence with lines, lying sheets and blankets over the top that are readily easy to install. These can be installed around the working environment. So if you happen to have a piling or a small piling rig or other localized works, these can be installed. Um, these are used throughout the construction industry where you've got noise sensitive receptors in the vicinity.

00:35:56:21 - 00:35:57:09

Um,

00:35:59:04 - 00:36:20:15

Thank you. Helen Hamilton played in the Zelda action group. Um, as I understand it, that is the mitigation that you're proposing for noise impacts on human receptors. I'm talking about the mitigation that's being proposed for the animal receptors, which, as I understand it, has not actually yet been designed or agreed.

00:36:20:29 - 00:36:38:25

Mark, and helped the applicant. Essentially the they are one of the same because it will reduce it's a barrier that would that will be locally installed to the noise emitting um plant or equipment. Um, and therefore it will have the effect of reducing noise for regardless of the receptor type.

00:36:39:24 - 00:36:48:23

So the the temporary noise barriers that have been suggested in mitigation for Preston Farms livestock have been assessed in terms of landscaping, visual effects.

00:36:50:15 - 00:37:12:01

They they would only they would the market health the applicant the temporary barriers would only be very localized. We're not talking huge barriers and they would be screening essentially construction plants and then would be of an equivalent height. So it's now there wouldn't be any there would be no perceived impacts beyond the screened object itself.

00:37:12:22 - 00:37:45:27

Amy Stirling, on behalf of the applicant. Yes. The point I was trying to make was Mr. Underhill has explained much more eloquently, is this at source noise mitigation, therefore it applies to multiple different receptors. Um, and that has been factored into the assessment process that at source noise mitigation is a standard part of the construction processes, which Mr. Underhill has explained, we can certainly take away to signpost how that's been considered within the assessment, which I think would probably be useful in terms of the mitigations that have been put forward in response to the Preston Farms and TCS Biosciences.

00:37:45:29 - 00:38:11:22

These are the ones which are set specifically in response to them. These are the ones which have been set out in the outlined Construction Environmental Management Plan in terms of providing advance notification of location, etc. of works toolbox talks biosecurity measures to match the biosecurity measures that they already have on have on site, and to follow British or society recommendations or not specifically related to the environmental impact assessment.

00:38:12:18 - 00:38:27:29

Thank you. A signpost and exercise will be useful. Just to clarify that point, please. And just to confirm the temporary noise barriers to be used for livestock, potentially they would be the same in effect as those that are used for other purposes to mitigate other noise and vibration effects.

00:38:28:01 - 00:38:30:11

Mark Underhill for the applicant. That's correct. Yes.

00:38:30:13 - 00:38:34:25

Okay. Thank you, Miss Hamilton. I'm conscious of the time.

00:38:34:29 - 00:38:49:29

I am just a quick point. Um, I imagined and I may be wrong, but I imagine that there would be a requirement for mitigation for the operational noise from inverters, transformers and the tests and so on.

00:38:52:01 - 00:39:08:28

How can the health of the applicant, that that is all embedded and is secured by the outline um, operation Environmental Management Plan that sets out a series of screening measures that are barriers that have been introduced, and those have been assessed as part of the Elvia.

00:39:11:02 - 00:39:24:03

Thank you, Mr. Pearson. I would like to draw this item to a close and as well. So perhaps if you could respond to what you've just heard, and perhaps if there are any outstanding points you wish to raise in relation to such noise, as you could summarise those as well, please.

00:39:24:10 - 00:39:59:13

Yes, sir. James Burton for Preston, Fylde and TCS Bio Sciences, I will, I will do so. Um, sir, first point, as we've established the construction, temporary acoustic barriers that are being proposed are the classic something over a Harris fence that one sees around many a construction site, and they're not designed specifically for livestock. Secondly, um, we have, um, as we know, a very tranquil, quiet environment here.

00:39:59:15 - 00:40:31:22

The DB Max predicted plant noises are miles above the current background noise level. Even the, um, I have to say, rather heroic estimates of the extent to which the harass construction temporary barrier ring will reduce noise will not bring those DB max events down in anywhere close. It's obvious anywhere close to the current background noise.

00:40:32:03 - 00:41:04:01

Um, as regards um, and so we will still clearly have loud noises that are that are disturbing livestock. And um, as regards operational noise, we are we've asked for we're waiting to hear still what is the enhanced mitigation that will buffer the best buffer, the substation. And we still don't know. Um, at the end of this session, as far as I can tell, we just haven't been told.

00:41:04:03 - 00:41:04:21

Thank you sir.

00:41:06:07 - 00:41:18:06

Thank you, Mr. Burton. Um, well, the applicant likes to just sum up its response to, uh, Preston Farms and any outstanding points. Again, it's got on noise effects before we move on to the next agenda item.

00:41:18:08 - 00:41:49:11

Um, Amy Stirling, on behalf of the applicant, I don't believe we've got too much to do with welcome. The evidence that we've already discussed, and also an indication from Preston Farms and TCS Bioscience as to what mitigation measures they consider would be appropriate, even on a without prejudice basis. I was not entirely sure I understood what was being referred to in terms of buffers from the best. Um, but perhaps that can be clarified in the oral submissions of the written summaries of oral submissions that all parties are required to make.

00:41:49:13 - 00:42:03:21

Likewise, any evidence in support of statements such as it is obvious that the noise mitigation will not be effective. To sort of paraphrase, what was just said would also be useful to see in those oral summary summaries of oral submissions. Thank you.

00:42:04:03 - 00:42:29:17

Thank you. Yes, please. If those points could be addressed. Um, if there are no further points on noise, I can see no hands. I shall take us forward into item 11. Air quality and handover to Doctor Morgan. Thank you. Uh, so we are on item 11. Air quality, but conscious of the time and wanting to make sure we address.

00:42:29:19 - 00:42:34:05

Everything in relation to Preston Farms and TCS Bio Sciences.

00:42:34:07 - 00:42:35:17

I'm going to jump to.

00:42:36:00 - 00:42:38:29

Their question first. The rates are then.

00:42:50:26 - 00:42:53:14

So in their response, the.

00:42:53:16 - 00:42:54:01

Examining.

00:42:54:03 - 00:43:01:22

Authority's written questions a deadline to which was rep 2-107. Preston Farms and.

00:43:01:24 - 00:43:02:12

TCS.

00:43:02:14 - 00:43:39:13

Biosciences Limited appended a critical review of the Battery Energy Storage System plume assessment that they commissioned from a battery safety expert. That report highlights that the current assessment relies exclusively on human health thresholds, while entirely ignoring equine and ovine specific toxicology. Toxicological vulnerabilities fails to model the most proximate animal grazing areas, which are 10 to 50m away, and amidst the hazards.

00:43:39:15 - 00:43:54:04

Of smoke particulates and adjoining solar farm panel fires that could significantly impact the NHS diagnostic supply chain. Furthermore, the review identifies fundamental arithmetic and methodical

00:43:55:23 - 00:44:40:05

errors in the applicant's layer of protective analysis. The sloper included a physical impossible probability of failure value, and then the report goes on to recommend that a supplementary plume assessment with veterinary thresholds and a corrected and independently viewed Loper and revised Emergency Response plan, tailored to the protection and triage of donor livestock, is carried out. So how does the applicant actually respond to that review of the plume assessment? So Richard Griffiths, on behalf of the applicant, is going to bring in all Gregory battery safety and testing experts at best and t consulting.

00:44:40:07 - 00:44:49:00

And he he will then also bring in Mr. Adam Dawson from SK on the actual modelling point, please. Thank you.

00:44:51:02 - 00:45:28:12

Good afternoon, Sir Paul Gregory for the applicant. Um, so with regard to, uh, plume studies, um, the applicant engages with statutory consultees for the scheme, Fire and Rescue Service and the UK Health and Security Agency, who are statutory counsel for the proposed development and has declared that the applicant's best FA emission risk analysis and consequence modelling provides a logical approach and assesses a worst case scenario of chemical emission concentrations during a best fire event at relevant receptor locations.

00:45:28:18 - 00:45:41:07

The findings of the addendum report, alongside the previously submitted plume assessment, suggests that the risk to public health and nearby receptors from chemicals emitted during a best fire event is very low. That's rep To

00:45:43:00 - 00:46:21:19

099. The scope of the study that was undertaken is based on UK HSF HSA recommendations on emissions and air quality impacts taken from previous bests and solar farm Dsos. The sensor to receptor guidelines within a one kilometre radius are taken from National Fire Chiefs Council guidance specifically for best projects. Um and the assessment has been undertaken to deliberately, conservatively to account for worst case scenarios.

00:46:23:06 - 00:46:56:18

So can I just clarify? I mean, that's in the context of human receptors. So how how did that assessment take into account the unique. So in short, sir, uh, there is no precedent, um, for that study. Okay. So it's human health. However, um, I am a peer reviewer for the project. So whilst I didn't author the Outline Battery safety management plan, um, and reviewed the plume study as well.

00:46:56:28 - 00:47:42:07

Um, when we were aware of the issue, the Preston farms. Um, then the consequence modelling was rerun to identify impacts on areas that were identified in those responses. Okay. And the applicant can include an additional commitment in the design commitments on 010158 at 5.9.4 Rep 2010 document uh, a commitment to 25 at deadline three to ensure that the installed best units are sited at least 50m away from the edge of the southern field boundaries in both fields D8 and D9 and the Eastern field boundary and field E9 to provide further comfort.

00:47:42:09 - 00:48:27:23

The HF ten minute concentration levels will be below the Eagle one threshold within the surrounding livestock fields, in the event of a thermal runaway occurrence. Based on five years data 2020 to 2024 from RAF Benson, the probability of the wind blowing and the single ten degree sector between 300 and 40 degrees and 20 degrees is no greater than 5% over a five year period, i.e. a very low probability. And what I would like to do is to invite um, Adam Dawson from Ciskei, who produced the Plume analysis study, just to drill down into the methodology scope and the threshold levels and exposure limits that were used in that study.

00:48:27:28 - 00:48:28:15

Okay.

00:48:28:17 - 00:48:29:21

Yes, please do so.

00:48:33:04 - 00:49:13:02

Adam Dawson, on behalf of the applicant And also rap 1098 details the methodology methodology for the best plume dispersion modeling assessment, so I'll try and be brief. The methodology considered pollutant emissions from a thermal runaway event of a single best unit using HMS six and Advanced Gaussian Plume model, which is proof used by the UK regulatory agencies in. The methodology used was in line with Modelling Guide two, produced by Defra and considered the impact of releases of carbon monoxide, hydrogen chloride, hydrogen fluoride, hydrogen cyanide, nitrogen dioxide, butadiene, benzene in particular matter in line with real world test data.

00:49:13:21 - 00:50:02:18

Well, generally the modelling methodology aimed to assess the risk of impacts caused by emissions to air. Therefore, realistic worst case assumptions have been made throughout to reduce the risk of uncertainty associated with any modelling. The assumptions have included conservative emission rates, uh, things like that for assuming entire five megawatt bass container goes into thermal one way at one time. Consideration of for worst case release locations within the bass area. Therefore, I being conservative in terms of the impacts of close to sensitive receptors adopting worst case plume parameters such as release high in temperature as opposed to already said, the use of five years of

hourly meteorological data, with the maximum predicted concentrations present at each receptor for our predictions within the report.

00:50:02:29 - 00:50:07:09

Assume any event coincides with porous, the poorest dispersion conditions.

00:50:09:27 - 00:50:41:03

Due to nature of the releases. Being unplanned is normal practice. To assess the predicted ground level concentrations with the U.S. EPA Acute Exposure guideline levels I Eagles, which was requested by the UK HSA and 1022 Eagles are more suitable for use in this type of assessment, being applicable to emergency planning tier in terms of impact severity and focusing on short term releases. Whereas in UK standards or other regulatory criteria tend to focus on permitting long term releases.

00:50:41:18 - 00:51:29:27

And it should be noted, the eagles were derived to protect the elderly and children and other individuals who may be susceptible. Therefore maintaining a level of conservatism. The impacts have been reported at locations where the air quality standards apply. However, it's best practice to model gridded emissions concentrations, so in this case, a gridded area of five by five kilometres was used at 20 meter resolution. Therefore, ensuring all surrounding areas have to be considered regardless of land use. While these have not necessarily been reported due to the practicalities of it in 1098, figure 5.1 shows dispersion profile and demonstrates locations of worst case best impacts, which, when a 50 metre buff is included, are below all eagles in air quality standards.

00:51:32:01 - 00:51:36:01

I think that's kind of a quick summary. I'm conscious of time, so I'm happy.

00:51:37:17 - 00:51:42:25

Just to be clear, that's in relation to human receptors. What you've just heard.

00:51:42:27 - 00:51:44:27

Yes, that is correct. Right.

00:51:45:12 - 00:51:59:15

If I understand correctly, um, having received this review of the plume assessment, you've done some additional work to give additional comfort with regard to annual receptors. Am I correct?

00:52:01:11 - 00:52:09:23

Uh, so we've drilled down into the detail of the person's landholding in greater detail, but the modelling itself has always considered the Preston's landholding.

00:52:12:12 - 00:52:33:21

So the additional information that you've, you've actually, um, established was the probability of winds blowing in the direction of the, of the animals. Plus you've introduced an additional. Implement an additional buffer zone for the best.

00:52:34:26 - 00:52:35:20

So the.

00:52:35:24 - 00:52:40:22

From the road? Or is it from the actual field in which the animals are actually located?

00:52:41:08 - 00:52:56:09

So the initial buffer zone that Paul mentioned that was suggested based on the modeling. So that buffer zone ensures that all air quality standards are made. Eagles uh do not exceed at the present landholding.

00:52:59:03 - 00:53:21:13

Okay. So could you take an action to actually explain that in a note? Um, what's been done over and above the initial plume assessment? And if I could go to Mr. Burton, would you like to respond to what's been said, particularly with the addition about the additional work that's been done to address, hopefully address your concerns?

00:53:22:15 - 00:53:54:07

Uh, thank you, sir. James Burton, on behalf of Preston Farms and TCS Biosciences. So I wish that they they did. But and I apologize, it was slightly difficult to hear the speaker at times, but um, as I understood it, he was continuing to tell us that the applicant has continued to assess against the Eagles or the Eagles. I think he is calling them. Um, the Eagles are set with reference to humans.

00:53:54:09 - 00:54:26:21

Firstly, um, but as importantly, they are set at levels that reflect, um, uh, the the lowest level begins with notable noticeable discomfort, irritation, and then it goes up irreversible other serious and to life. And then level three his life life threatening clearly as you know um, whilst of course we are concerned for the health of our animals as animals and they are cherished.

00:54:26:28 - 00:55:01:00

Ultimately, it is the product that matters and being very hard headed about it. Human eagles that are concerned with that list of effect on humans on. They are they are not really relevant to the quality of our blood product. So if that is the basis on which further work has been done, I fear that is addressed at the wrong target. Of course, we'd like to see it and have it in writing. Absolutely. Um, the plume assessment and the probability of the wind blowing our direction.

00:55:01:26 - 00:55:32:07

The wind is always, always the prevailing wind is southwesterly across the country. We all know that. And for reasons that are lost to us, the applicant decided to put the best um, upwind of of of us. So we'll blow. It will blow over us in the event of of of an event, um, which we say should have been their first mitigation. We do, of course, acknowledge that it. Heaven forbid. It is unlikely that there will be.

00:55:32:09 - 00:56:02:17

I'm not sure what they describe it as an incident or a scenario at the best, but if it occurs it and it blows over us, it could be game over for our business. And one thing I am invited to ask the applicant to

consider in relation to to this risk is whether it would consider as a mitigation item business interruption insurance against the event of the best having an incident.

00:56:02:19 - 00:56:05:27

Thank you sir. Is there anything Mr. Preston or Mr. Williams? No thank you sir.

00:56:06:15 - 00:56:09:19

Okay. Thank you. Miss Stirling, would you like to respond to that?

00:56:11:25 - 00:56:44:00

Amy. So, Amy Stirling, on behalf of the applicant, before I pass to any colleagues, I think we've already committed that we'll come back and in writing to confirm what specific further analysis was done, and the set off that has been referred to without sounding like a broken record. The comment was made that the human threshold is not relevant to the blood of the horses. Why is it not relevant? What is the evidence to support that it is not relevant? And if it is not relevant, what is relevant? It would be useful to to understand that.

00:56:44:07 - 00:56:55:18

I do not think we have any comment on the business insurance point at the moment. We will consider that, and probably it is more relevant to discuss that directly with the parties rather than an examination. I do not think it is really a planning matter.

00:56:55:22 - 00:57:00:14

I think you're right. So just to confirm, you'll come back with a note at deadline three.

00:57:04:13 - 00:57:45:05

Paul Gregory for the applicant. Um, yes. Um, work. And also this information has been incorporated into responses for the latest deadline. And actually, I would just like to, um, from a point of knowledge, Um, just make some comments. So so let's be very clear and we'll keep this exceptionally simple. So with regards to hydrogen fluoride and impacts on human health in many cases for the limits, animals were actually used in that experimentation to um, ascribe certain levels thresholds for different global standards.

00:57:45:07 - 00:57:56:01

Okay. With regard to Egle one one part per million HF um, very low level, um,

00:57:57:21 - 00:58:14:16

nowhere in the fields we're referencing here. So. So by the way, the fields that are referenced, um, in the commitment by the applicant, D8, D9 and the eastern field boundary and E9 are not downwind of the prevailing wind. Okay.

00:58:16:23 - 00:58:40:13

So for sure, um, if we look at the levels, that again will be provided in writing and have already been submitted. Uh, typically you're down to 0.2 parts per million. Uh, at the closest point. Okay. In which, uh, I just bring my notes up here. Um,

00:58:42:04 - 00:59:17:18

okay. Um, so, for example, um, for response to, for the Environment Protection Agency in the US, who's obviously had significantly more best, uh, incidents than the UK. Uh, the trigger point for that equipment is 0.2 parts per million, i.e. the smallest amount. And with regard to the Preston's fields, uh, they're most part of those fields are less than 0.1 part per million.

00:59:17:28 - 00:59:51:27

Um. The Environment Agency and Defra have produced environmental assessment levels to regulate hazardous nuisance pollutants produced by industry that are not captured within the Air Quality Regulations. The Environment Agency has derived and published benchmark values, known as Environmental Assessment levels for airborne pollutants, commonly released by industrial sources. Okay. The L represent a pollution concentration in ambient air at which no significant risks to public health are expected.

00:59:51:29 - 01:00:25:06

The Eel for HF is zero point 2 p.m., so this would be potentially industrial facility that three, six, five days a year was emitting uh, at that level. Um, with reference back to the report commissioned by Prestons Farms. Um I think allusion was made to veterinary toxic levels well through research. Again, specifically, there is nothing related to equine studies.

01:00:25:08 - 01:00:55:18

Like I say, the applicant has investigated at a range of other animals. For example, you know, one, our exposure to HF levels, which is, you know, significantly higher, you know, in animals like dogs. So no, no impact for one hour period. Uh, emissions are 63 parts per million, I think. Um, so, as I said, experiments with animals were used to derive safe human levels in many studies.

01:00:55:20 - 01:01:12:14

So it is just simply not the case. Um, to say horses are more sensitive. These trace elements that we're alluding to here are people with respiratory illnesses, infants, the most vulnerable members of human society.

01:01:13:28 - 01:01:17:15

Okay. Thank you. Um, Mr. Preston.

01:01:17:17 - 01:01:38:13

James Preston, Preston farms, just very quickly, quite often, we will have horses come to us, which are, um. They come to us for a reason that, uh, either mental or physical. And some of that can be that they might have respiratory issues. So to us to assume that the criteria doesn't fulfill those more vulnerable parts of society would be wrong.

01:01:39:04 - 01:02:11:27

Um, the James Burn for Preston Farms and, uh, the point that I'm concerned so it seems to be being lost is that, um, and this is what I was trying to explain about the Aigle. The Aigle is concerned with that list of level one, two, three health effects on on humans. My my my point. I try to stress this in addition to it being about humans, not about not about animals. My point is that it's obviously not targeted at what changes might be occurring in human blood.

01:02:12:09 - 01:02:42:22

And and that's being hard headed about it. What we are interested in the changes in the animal blood. And I'm concerned that is not being being being understood. I also say, again, I'm genuinely not understanding that the BS has been positioned at a point that will obviously mean that with the prevailing wind, the winds will blow over our fields, and I really can't understand why the applicant isn't accepting that. Thank you sir.

01:02:43:00 - 01:02:48:12

Okay. I'd like to move on from this question, but do you want to respond to Sterling?

01:02:49:28 - 01:02:57:15

Amy Sterling, on behalf of the applicant, I think we've exhausted the matter. To be honest. I will respond to any further points in writing.

01:02:57:17 - 01:02:59:10

Okay. Miss Hamilton.

01:03:00:13 - 01:03:34:11

Um, Helen Hamilton, on behalf of Clayton Solar Action Group, we've also raised concerns about the best, not only about the Impacts on human health, but on the contaminants and pollutants that would be carried in the air in the event of a runaway event, and the consequences for that on crops and on the use of grazing land going forward, which would affect local farms as well as and potentially TCS and Preston Farms.

01:03:34:29 - 01:03:37:29

Okay. Thank you. Did you want to respond?

01:03:41:06 - 01:03:42:01

Uh, Paul.

01:03:42:03 - 01:04:15:02

Gregory for the applicant. Um, the latest submissions cover this in substantial detail. You know, the impacts from a fire, as witnessed in countless real world incidents, show that life and safety impacts, pollution impacts are exceedingly localized to the site. The outline battery safety management plan. The commitment to large scale fire testing is now mandated to define all the pollution impacts.

01:04:15:04 - 01:04:45:13

So as well as this plume study that the applicant has produced at this stage, which is based on the generic current existing system. The commitment um in the obs MP um as secured through the DCO um commits to a battery specific battery system specific um plume study at detailed design. Let's just bring my notes up here and to make sure.

01:04:47:24 - 01:04:50:10

I've got the correct reference. So.

01:04:52:13 - 01:05:31:27

Uh, section 5.2.1 of the Outline Battery Safety Management Plan says another plume assessment will be completed once the battery modules for the proposed development have been selected at detailed design to demonstrate the risk of thermal runaway and impacts from thermal runaway will be no worse than as considered in the plume assessment submitted within the application. This informs the design prior to construction and ensure specific battery chemistries are considered, along with all appropriate safety mitigation measures being put in place. The applicant confirms that the best fire emissions modelling of the selected best system commissioned, a detailed design will be conducted at approved third party or government approved test laboratories.

01:05:32:03 - 01:06:02:09

These facilities utilize large scale smoke hoods capable to capture every type of battery, gas and particle emitted during the thermal runaway process. A battery module, battery rack, or complete best enclosure level, and the equipment can measure total gas production. Gas chromatography and Fourier transform infrared spectroscopy, testing parts per million for all organic compounds, toxic gases and complete range. Carbon monoxide dioxide. Hydrogen.

01:06:02:11 - 01:06:34:16

Sulfur dioxide. Nitrogen oxides. Hydrogen fluoride, hydrogen cyanide, hydrogen chloride, hydrocarbon gases, pH, etc. the equipment also integrates particle capture by X-ray fluorescence checks for particle particulates like phosphorus, aluminium, nickel, silicon, calcium. This means that heavy metal particulate emissions and particulate matter can be quantified and included in emission modelling of the selective battery system. Emit significant levels during fire testing.

01:06:34:27 - 01:07:06:24

The final plume analysis study undertaken. A detailed design will be based on best specific fire testing data for the selected system. This will also allow refinement of emissions characterization, including particulates and trace compounds where measurable, and ensure that the emergency response plan is informed the most up to date and representative data available. The TKS biosciences occupational receptors won't be operating within the best fields, therefore. Plume assessment conclusions show that the levels of contaminants.

01:07:06:26 - 01:07:42:29

Are low enough so it wouldn't have a significant effect on workers if they're in the surrounding fields. The levels will be below Eagle one, as mentioned before and at the detailed design stage. The plume study will be reassessed and specific best technology parameters updated within the study. At this stage, the applicant will work with Prestons and TCS Biosciences to establish where their workers at Preston Farms are likely to be situated, so these receptors can be analyzed for potential thermal runaway event to provide further reassurances to TCS bioscience workers that risks remain low.

01:07:43:11 - 01:08:13:13

The ERP produced at detailed design stage will incorporate all necessary emergency response procedures and actions based upon thermal runaway test data supplied by the best system provider and additional internal EDF testing. The applicant will engage with Preston Farms TCS Bio and Sciences. Once the final analysis study has been conducted to ensure that emergency procedures for all credible hazards and risks at their receptor locations are included in the ERP, i.e.,

01:08:13:15 - 01:08:25:03

the best weather station will identify the prevailing wind direction. Air emission monitoring at site boundaries will establish required ERP protocols, etc. based on actual emission levels.

01:08:25:27 - 01:08:52:10

Hey, thank you for that. Um, looking at the time, I've got another two questions on air quality, but realistically, we're not going to be able to have in-depth, meaningful conversations on the other three topics, which is soils, human health, and cumulative assessment. So what we're going to do is put those as written questions in our second set of written questions, which are due in two weeks time.

01:08:53:09 - 01:09:30:23

Amy Stirling, on behalf of the applicant. That's noted. Thank you for the advance warning. Sorry, I just had one final comment on what Mr. Gregg has just read out as I appreciate this, a vast amount of highly technical information, which Mr. Gregory was referring to, those being in our latest submissions. What he means is the one, the latest ones that he has drafted, which are the ones we're submitting for next week. So essentially, all of the sort of technical information which has been referred to will be in our deadline, three submissions as part of our response to deadline to submissions. So they are not currently submitted in examination, but they will be submitted at deadline three next week, which will, of course, you'll be able to review and inform your your written questions.

01:09:30:25 - 01:09:35:05

And likewise, other parties will have an opportunity to review and respond for deadline for.

01:09:35:13 - 01:10:25:12

Yes. That's good. Thank you. So dropping back air quality item 11 a compliance with NPS and Institute of Air Quality Management guidance. I've got one question on this. So it's to the applicant in your response to the examining authority's written question on 1.5.2 in rep 087. You confirm that the guide to the Assessment of Air quality impacts on designate designated nature conservation sites, and that's Institute of Air Quality Management 2020 was considered in the assessment methodology for is chapter six app 049 screening out all designated ecological sites except ham triple S, I long and Long.

01:10:25:14 - 01:10:50:21

Hidden meadow SSSI has been more than 200m from the affected road network. He also explained that these sites within the 200m were also screened out, due to cumulative traffic generation being below the 1000 annual average, daily traffic for light duty and 200 for heavy duty vehicles. Can you explain why this isn't explained fully in the environmental statement, please?

01:10:52:26 - 01:10:53:13

Uh, well.

01:10:53:15 - 01:10:56:19

Frankly, an air quality for the applicant, sir. Um.

01:11:01:03 - 01:11:04:03

I sort of thought it was. Apologies if there's an omission there.

01:11:04:14 - 01:11:09:08

I couldn't find reference to those eyes in the. Yes.

01:11:09:15 - 01:11:12:26

Well, let me see if I can point you to them so I.

01:11:12:28 - 01:11:14:29

Can point me in the right direction.

01:11:47:12 - 01:12:06:09

There's a there's a bit of a follow up to that as well, because on the basis of that finding, why doesn't the environmental assessment clearly conclude on the impacts of the proposed development. On critical levels and national air quality. Quality objectives with regard to the protection of vegetation and ecosystems.

01:12:07:17 - 01:12:27:17

Um, our conclusion on that, sir, would be because the predicted traffic generation is below the criteria indicated, that an impact could be significant. We therefore conclude it's not going to be significant and therefore that the the future with development concentrations will be approximate to the to the baseline, sir.

01:12:28:11 - 01:12:33:21

Okay. But you haven't actually got a clear statement, um, in relation to those critical levels.

01:12:34:14 - 01:12:38:02

But I apologize that we can. Um, so.

01:12:39:21 - 01:12:51:18

Um, basically I was going to ask if you would update. Yes, chapter six to include, um, the triple C point and, and that point about critical levels.

01:12:52:13 - 01:12:54:00

Yes. More than happy to do that, sir.

01:12:54:06 - 01:12:55:18

Okay. Um.

01:12:55:27 - 01:13:20:15

Amy, selling on behalf of the. If for me, sir, is I, as I'm reading the document. Um, the size I mentioned specifically to place a local wildlife site, etc., then it appears they are grouped under ecological receptors in the substance of the assessment. So I do not think it is the case that they have been missed. I think it is the case that there has been sort of rebranded as the assessment moves through the chapter, but it is definitely something that we can go and clarify.

01:13:20:17 - 01:13:21:28

Not explicitly named.

01:13:22:00 - 01:13:25:02

Yes. No, I appreciate that point. It's not as clear as it could be.

01:13:25:04 - 01:13:29:11

Yeah. Okay. Um, and what deadline are you able to update that?

01:13:31:29 - 01:13:40:08

Um, I suppose that depends whether you'd want an update to the whole document or a technical note.

01:13:40:29 - 01:13:47:02

Um, I was thinking of an update of the whole document, basically, to make that explicitly clear.

01:13:48:09 - 01:13:55:21

Um, we'll take that away and come back to you if we can, but I would imagine by deadline three subject to review and those sort of things.

01:13:55:23 - 01:14:00:08

I mean, you know, deadline four would be fine for that particular action, I think.

01:14:00:11 - 01:14:01:29

Oh, let's do that then. Yes, please.

01:14:02:01 - 01:14:28:13

Okay. And then the other question I had was to Buckinghamshire Council, uh, and this is in the latest draft of the Commons statement, the statement of common ground between you and the applicant. Rep 2-02 for this outstanding area of disagreement with respect to when the peak generation of traffic is expected. Have you now resolved this? Is this something that you've now agreed with the applicant?

01:14:31:24 - 01:14:32:09

Thank you sir.

01:14:32:11 - 01:14:33:15

Daniel Gazelka for.

01:14:33:17 - 01:14:34:02

The.

01:14:34:12 - 01:14:34:29

Council.

01:14:35:01 - 01:14:37:09

I think we still have.

01:14:37:11 - 01:14:37:26

Our.

01:14:37:28 - 01:14:38:13

Um.

01:14:38:15 - 01:14:39:08

Our.

01:14:39:14 - 01:14:39:29

Expert.

01:14:40:01 - 01:14:48:21

On the line, so I can ask, um, Deborah, ready to, um, come on line. I think the microphone's come on there.

01:14:49:23 - 01:14:57:09

Yes, certainly. Yeah. That issue has been addressed in the most recent documents that the applicant has submitted. So we're now satisfied that's been addressed.

01:14:57:20 - 01:15:08:02

Okay. That's great. Thanks for the confirmation on that. So that's that was all I was proposing to ask with regard to air quality. Has anyone else got any air quality issues they wish to raise?

01:15:10:24 - 01:15:24:06

Okay. I think we can then move to agenda item 14. Given that, we're going to tackle the other topics in writing. And that's the review of the actions. Very grateful. If you could go through today's actions, please.

01:15:28:00 - 01:15:31:14

Certainly, says Elizabeth on behalf of the applicant.

01:15:33:16 - 01:15:58:26

So for cultural heritage, the first action is the deadline. Three Buckinghamshire Council to provide further detail in respect of the applicant's approach to setting, specifically in relation to Botolph House for deadline four and following engagement with the applicant. Buckinghamshire Council is to provide an updated position on the applicants assessment and its position on any remaining heritage assets in disagreement.

01:16:00:13 - 01:16:18:21

Thank you, Sir Danny, for council just to pick up on that. I think it depends on the outcome of that discussion. What ends up being submitted, um, at deadline for us. Um, I think you heard from both myself and Mr. Griffiths on that. So there may be a bit of a blurred edge on what that precisely is.

01:16:18:23 - 01:16:21:09

Whatever is meaningful after that conversation. Yes.

01:16:21:11 - 01:16:21:29

Okay, sir.

01:16:24:03 - 01:16:37:13

Back in action is for deadline three. The applicant is to respond to submissions made with respect to the evolution of the scheme's megawatt generation capacity in the context of its site selection process.

01:16:40:00 - 01:17:05:03

Moving on to transport and access for deadline three, the applicant is to provide an update on its engagement with Buckinghamshire Council with respect to the use of temporary traffic signals, including any amendments to the draft DCO action point four for deadline three. Again, the applicant is to update its design commitments for the commitment not to fence the public right of way north of Pont-Aven.

01:17:07:09 - 01:17:21:03

Action point number five for deadline three, the applicant is to update its outline rights of way and access strategy for the minimum widths and with reference to BS 5709 2018.

01:17:23:08 - 01:17:47:15

Ideally for deadline three and if not for deadline for the applicant, is to provide a response on flood risk at access junctions. Again, ideally for deadline three, but if not, deadline for the applicant is to respond to the Solar Action Group's glint and glare submissions with respect to the categorisation of people using local roads and public rights of way as low sensitivity receptors.

01:17:49:06 - 01:17:59:19

Action point number eight for deadline four and following further engagement with Buckinghamshire Council, the applicant is to submit an updated outline construction traffic management plan.

01:18:02:13 - 01:18:06:21

Did you have any further actions that you wanted to add to transport and access?

01:18:06:24 - 01:18:08:24

Uh that's all. Happy with that.

01:18:08:26 - 01:18:39:13

Great. Moving on to population. So for deadline for Preston Farms and TCS Biosciences to evidence and quantify the impact on the NHS and any risk of supply, including identification of any pathways that the applicant would threaten that supply. The deadline for the applicant is to provide submissions on the Preston Farms tenancy position and its relevance to the Secretary of State's decision making

01:18:41:03 - 01:18:57:17

action. .11 for deadline Three the applicant is to update its Outline Construction Environmental Management Plan with the commitment to share relevant construction program information at least six months prior to the relevant works with Preston Farms and TCS.

01:18:59:20 - 01:19:12:29

Or deadline. Three the applicant is to provide information on how many people were involved in the trial, trenching survey works, and whether there were any concerns raised regarding biosecurity.

01:19:13:22 - 01:19:24:16

Sorry, sorry on that one. I think there's an additional element. How many operatives, in comparison would there be during the construction of the works?

01:19:27:12 - 01:19:34:16

You've got the trenching works, a number of operatives, and during construction. So we have a comparison.

01:19:35:12 - 01:20:11:26

Thank you sir. I've added that in for deadline for Preston Farms and TCS to submit detail around its biosecurity measures and any further concerns. And the movement plan for deadline three. The applicant is to clarify the design reasons with respect to the proposed layout in fields B18 and B 19, as distinct from fields B8 and B9. For deadline three, the applicant is to confirm the energy generation from field E 23.

01:20:15:24 - 01:20:32:09

Board. Deadline for the applicant is to provide a comparative note on the compensation provisions under the Agricultural Holdings Act, her farm business tenancy and the commitments made to Preston Farms in the context of the offer of replacement land.

01:20:34:09 - 01:20:35:19

Moving on to noise.

01:20:36:17 - 01:20:39:12

Just one possible additional action. Um.

01:20:40:15 - 01:20:51:00

There may have been one extra in terms of the applicant, to provide for the details concerning the continuity of water supply to know Hill Farm and the water source point. I think that was an action as well.

01:20:51:05 - 01:21:30:10

Yep. I'll let that in. That will be included in our design commitments. Yeah. Yep. Uh, moving on to noise for deadline for the applicant is to provide a technical note on its position on noise and vibration with respect to piling, and substantiate why it would not exceed the relevant threshold criteria for deadline three. The applicant is to update its noise contour figures to identify the central inverter for deadline three. The applicant is to clarify how it considered noise in relation to permissive paths, and

subject to the outcome of that for deadline for provide any additional management measures and updated plans.

01:21:30:12 - 01:21:31:27

In response to its review

01:21:33:27 - 01:22:15:19

for deadline for Preston Farms and TCS. To provide a technical note evidencing how noise and vibration effects impact the quality of donor livestock, blood, and consequentially, the product of its business. For deadline three, the applicant is to signpost its application for at source noise mitigation during construction and how this has formed part of its assessment. Last one for noise is for deadline three if possible, and if not for deadline for Preston Farms and TCS to provide, if preferable, on a without prejudice basis, a response to the applicant's proposed mitigations and identification of any further mitigations that they consider appropriate.

01:22:19:09 - 01:22:24:29

Moving on to air quality. The deadline three apologies sir.

01:22:25:01 - 01:23:00:14

Um, I am, I am, I am I right to understand that? What is it the applicant wants us to do? Provide a technical note for one of the. I mean, I'm finding these quite difficult to take down and follow, but, um, we're going we're going to provide we're going to provide responses. But I, I'm quite wary about the way some of these are being framed. And I have to say, I'm a little concerned that I think things might be being, um, almost set up so we fail.

01:23:00:27 - 01:23:16:23

Um, if we can provide if we can provide evidence, then surely that is sufficient. And I don't really want my clients to be told that. No, you haven't met the action point. If it's not a technical note or something of that of that nature.

01:23:16:25 - 01:23:23:29

Yes. I think the whole point is evidence. Yes. Um, how would you wish that framed well be acceptable?

01:23:24:02 - 01:23:34:05

I mean, really, sir, I, I'd like it framed as, as evidence rather than things that we might inadvertently fall foul of.

01:23:34:08 - 01:23:37:20

Um. so really, um, I don't like the term technical.

01:23:37:26 - 01:23:42:02

I'm, I'm concerned about the term technical because I can see that being thrown back at us.

01:23:42:04 - 01:23:47:01

Yeah. I think the crux of the issue is evidence. Yeah, certainly we can.

01:23:48:08 - 01:23:48:24

Certainly.

01:23:48:26 - 01:23:50:27

Have evidence rather than technical note.

01:23:50:29 - 01:23:52:01

Changed those words.

01:23:52:03 - 01:23:52:21

Yeah.

01:23:54:25 - 01:23:58:01

Uh, that was all I had for, uh, for noise.

01:23:58:21 - 01:23:59:23

Yeah. Okay.

01:24:00:21 - 01:24:37:12

Moving on to air quality for deadline three. The applicant is to provide a technical note or evidence explaining the further analysis it has done in respect of its plume assessment and model to respond to Preston Farms and TCS for deadline three. And as a result of the applicant's further analysis, the applicant is to update its design commitments to include the 50 metre setback of the BIS from the relevant fields. Preston Farms are known to graze and lastly, for deadline for the applicant is to update its s chapter six to provide clear references to the triple S's and to include a clear statement on critical levels.

01:24:37:23 - 01:24:46:05

Yes. Thank you. If you could send them through to the case team as well. I'm very grateful. Um, um, Mr. Burton?

01:24:46:07 - 01:25:05:29

Yes, sir. I although I was typing as quickly as I could. I will be relying on someone else. I've actually got a got a list of those. I hope I hope that's all right. And I'm conscious that some of them are of very, very tight deadlines, I think, for deadline three. Um, when will the list go up, sir? May I ask you?

01:25:06:09 - 01:25:17:28

Um, I think realistically, given the bank holiday, the earliest we'd be able to publish anything is probably Tuesday, Tuesday afternoon. But if, um, the applicant is happy, I hope.

01:25:18:00 - 01:25:18:15

I hope.

01:25:18:27 - 01:25:20:27

So you can get out on the actions.

01:25:21:28 - 01:25:39:07

On behalf of the applicant. I don't think we have any objection. We're sharing them directly with any of the parties. I would make the point that I expect that the live streams are already immediately available afterwards, so it would be quite easy to go to the end of the YouTube recording and watch this a couple of minutes and take down the action notes, but we're happy to share the written list.

01:25:39:09 - 01:26:05:18

That'd be very helpful. Thank you. And if, um, anyone else in the room or watching online, um, if you could, if you have an action, please start acting it. Don't wait for the for our list of actions to come out. Given the fact we've got this bank holiday on Monday, it'll delay things and our deadline is next Wednesday. So if you've got a deadline of three, um, submission, please, please crack on with it. Yeah.

01:26:05:20 - 01:26:38:26

And so, um, could I just, um. I might have misunderstood. I had thought that it was. It was an action for us, but it might not have been an action for us. And I may be getting that wrong to to provide a marked up map with the route that we were suggesting should be used to get into Winslow Road and the parcel three and to provide, Um, movement routes across the two fields. We discussed. Bank. Um, yes. Bank is filled by the by the Granville Road access at 23.

01:26:38:28 - 01:26:43:12

So I've I've got those as actions. I don't know if they are formal actions.

01:26:43:14 - 01:26:55:03

Um, quite happy to include them as actions, I think. I was thinking that you were going to provide a submission at deadline three anyway to include that, but if we could call them actions if you'd rather formal.

01:26:55:05 - 01:27:00:12

Action that I just checked. Okay. I'm not I won't call them formal actions, but we will do that.

01:27:00:14 - 01:27:03:15

You'll supply that anyway as part of your deadline. Three.

01:27:03:23 - 01:27:04:15

We will sir. Yes.

01:27:04:17 - 01:27:08:06

Thank you, thank you. Okay. Miss Hamilton.

01:27:09:04 - 01:27:28:25

Thank you very much, sir Helen Hamilton, on behalf of Clayton Zealand. So our action group, um, we had some, uh, some actions that are, um, ecologists picked up from yesterday that we don't think were recorded. Um, can I just go through what we understood had been agreed.

01:27:28:27 - 01:27:30:29

So we actually went through those actions.

01:27:31:01 - 01:27:39:06

We did. And my apologies. And is it too late to, uh, to put those in now?

01:27:39:08 - 01:27:45:12

Um. Well, yeah. You know, Rudy, we should have agreed them yesterday. But explain what they are.

01:27:45:14 - 01:28:11:27

I apologize. Um, uh, the the actions were first, that the applicant was to respond to questions about the water quality baseline and how a robust assessment was arrived at in the absence of a water quality baseline or any fish or aquatic invertebrates. Um, surveys. I understood the applicant had undertaken to respond in writing at deadline three to that.

01:28:12:12 - 01:28:14:07

Okay. Can you comment on that?

01:28:15:06 - 01:28:35:26

Amy Stirling, on behalf of the applicant. Um, and honestly, my memory is not that good and we've had quite a lot of information. So we if, if we said that we would then we will. We also have someone online who's listening, who's taking and transcribing our summary of the applicant's oral submissions. So it would have been flagged up through that process anyway.

01:28:35:28 - 01:28:52:15

Okay, I can jump in here, perhaps. Oh, is this so much on behalf of the applicant? It was recorded. I believe it's action number eight of yesterday. So for deadline three, the applicant is to confirm the baseline information used for the water quality assessment with particular consideration of aquatic invertebrates and fish.

01:28:52:28 - 01:29:21:02

Oh, excellent. Thank you. Great. Um, then perhaps I've also missed the second one on our point, which was, um, a response to questions raised by Mr. Woodfield. And the first was why fields, B7, B8, and B10 are so important to the scheme, and has the applicant seen the putative triple C boundaries, and can those be made available to the examination?

01:29:22:22 - 01:29:30:27

Um, there was also a question about the HS2 monitoring referred to by Miss Reason and whether that can be released to the examination.

01:29:34:08 - 01:30:11:07

Amy Stirling on behalf of the applicant, on the triple A side point, I don't recall saying I would I would check what information that we have on the Triple-A site, so we can certainly pick that up in her oral submission. Um, summary of oral submissions, I think I also made the point it be useful for Natural England to confirm if that boundary was available and provide it, but consciously are now not here. Um, perhaps something you could ask for and your written questions. If what we submit at

deadline is not sufficient. In relation to the last point, I presume we're happy to take away to discuss with reason whether the information she was referring to can be submitted.

01:30:11:09 - 01:30:21:26

Of course, if she referred to it in this hearing, um, I appreciate that would be useful and proper given the submissions made. So we again, we'll wrap that up and our written summary of oral submissions.

01:30:21:28 - 01:30:22:21

Okay. Thank you.

01:30:22:23 - 01:30:24:20

Thank you very much, sir. Thank you.

01:30:25:28 - 01:30:29:09

Have you got it? Chris Jordan, on behalf of parish Council.

01:30:29:14 - 01:30:57:26

You may be going on to say more about this, so stop me if you're going to do so. It's just how the, uh, the agenda items we haven't dealt with will be handled in future. I know that you're saying we should submit written questions and so on, or written statements. Um, how will that be handled in future in terms of the responses? Will there be an opportunity to discuss in this sort of forum, or will it purely be written responses?

01:30:57:28 - 01:30:58:20

Um, what.

01:30:58:22 - 01:31:30:26

We're proposing is that, uh, the questions we haven't asked today because we haven't had time, is that we will probably put those in our second set of written questions. Um, and that that they're due to be issued on the 5th of June. And then the responses, um, from the parties that we direct those questions to are due at deadline for, I believe, which is the 22nd of June, and then it's open to other other IP's who haven't.

01:31:31:03 - 01:31:48:18

Those questions weren't directed at to actually comment on those as well. Um, if there's an issue we think, uh, would usefully, uh, be discussed at the hearings, which commence on the 6th of July, then we'll bring those issues to those those hearings.

01:31:48:20 - 01:31:54:29

So we should raise those in our written comments. Uh, coming up for deadline three, should we um.

01:31:55:08 - 01:32:07:24

Basically, you can comment. If it hasn't been, it won't be directed at organizations, basically most of us to questions. And you can comment then at future deadlines.

01:32:07:29 - 01:32:35:14

Because, uh, sorry to prolong the discussion, but one of the things that is a particular concern to us is cumulative impacts, which obviously we haven't had time to cover. Um, and we haven't one of the sort of elephants in the room is the National Grid substation, which hasn't been commented on at all. And so we would like the opportunity, if possible, to, to have that in a more open forum discussion to see what what. The well.

01:32:35:16 - 01:32:53:15

It's open you to you to actually submit a submission at deadline 3 or 4. But your concerns about that, which we will obviously consider in formulating any, any future hearing that's required. Thank you sir. Yeah. Okay. Any other questions before I move to the close?

01:32:55:00 - 01:33:28:21

Nope. Can't see anything online either. Okay. So if you've spoken today, you would assist us. If you could please provide a written version of your submissions by deadline three, which is Wednesday, the 27th of May. Uh, we realize it's extremely tight, but it would help us greatly with our second set of written questions, which are due to be published on Friday the 5th of June. The next deadline after that is deadline for, which is Monday the 22nd of June. The recording of this hearing will be published on our website as soon as possible after the hearing.

01:33:29:07 - 01:33:43:13

And I'd like to thank everyone for their participation as the missions at this hearing, and a reminder that there'll be a development consent order hearing here tomorrow morning, which will start at 930. So thank you. Thank you everyone.

01:33:44:01 - 01:33:58:09

Sorry, sir. Apologies, Danny, for counsel. Can I ask a slightly impertinent question which was in your agenda for issue two? You indicated an intention to aim to finish by lunch. Is that still your intention?

01:33:58:11 - 01:34:02:27

It is. Our intention is that that will finish by 12, 12:00. Yeah.

01:34:03:07 - 01:34:03:26

Thank you sir.

01:34:04:12 - 01:34:08:12

Okay. So thank you everyone. And this hearing is now closed.