



## Hearing Transcript

<b>Project:</b>	Rosefield Solar Farm
<b>Hearing:</b>	Issue specific hearing 2 (ISH2)
<b>Date:</b>	22 May 2026

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The video recording published on the Planning Inspectorate project page is the primary record of the hearing.

FULL TRANSCRIPT (with timecode)

00:00:06:20 - 00:00:20:03

Good morning everyone. It's now 930 in time for this hearing. To begin, I'd like to welcome you all to this issue specific hearing on the development consent order for the Rose Field Solar farm project.

00:00:21:27 - 00:00:33:08

Can I just. Can I just confirm that everyone can hear me? Yes. Okay. Can I also confirm with the case team? The live streaming and recording of this event has commenced.

00:00:35:05 - 00:00:49:11

Thank you. My name is Richard Morgan. I've been appointed by the Secretary of State to be the lead member of the panel to examine this application. I'm now going to ask the other panel member to introduce themselves. Good morning.

00:00:49:13 - 00:00:52:27

My name is Mark James, and I've also been appointed to be a member of the panel.

00:00:54:09 - 00:01:24:08

Thank you. Together, we constitute the examining authority for this application. I'd also like to introduce the members of the Planning Inspectorate case team who are supporting us today. You've probably already spoken to them. We have Rebecca Luxton, who's the case manager for this project, and Jessica Dunlop here in the venue, along with James Leadsom, who is dealing with the virtual on line side of things. The case team will be able to answer any questions you may have about today's event and the process in general.

00:01:27:15 - 00:01:59:09

I'll now deal with a few housekeeping matters for those attending in person. Can everyone please set all devices and phones to silent? The toilets are back out in the foyer and as you've just heard, we've already had the fire alarm test today, so any further alarm will be real. Please leave the venue following the fire exit signs. I think we may have one announcement because I think there's testing going on in the background. So there may be a short announcement to that effect shortly, but we'll just pause at that stage.

00:02:00:03 - 00:02:30:07

Okay. Go on to the agenda and logistics. Um, this meeting will follow the agenda published on the National Infrastructure Planning website on the 12th of May, 2026. The examination library reference EV 8001. It'd be helpful if you had a copy of this in front of you. The applicant will also display the agenda on screen when not displaying other documents. The agenda is for guidance only and we may add other considerations or issues as we progress.

00:02:30:25 - 00:03:06:03

We will conclude the hearing as soon as all relevant contributions have been made and all questions are asked and responded to. But if the discussions can't be concluded, then it may be necessary for us

to prioritize matters and defer other matters to further written questions like. Likewise, if you cannot answer the question has been asked or required time to get the information requested, then can you please indicate that you need to respond in writing? Today's hearing is being undertaken in a hybrid way, meaning some of you are present with us in the hearing venue and some of you are joining us virtually using Microsoft Teams.

00:03:06:08 - 00:03:38:00

We'll make sure that however you've decided to attend today, you'll be given a fair opportunity to participate. A recording of today's hearing will be made available on the Roseville Solar Farm section of the National Infrastructure Planning website as soon as possible after the hearing is finished. With this in mind, please ensure that you speak clearly into a microphone stating your name and you are representing each time before you speak. If you are not at a table with a microphone, there's a roving microphone. So please wait for one of these to be brought to you before you speak.

00:03:39:12 - 00:04:09:15

A link to the planning Inspector's privacy notice was provided in the notification of this hearing. We assume that everyone here today has familiarized themselves with this document, which establishes how the personal data of our customers is handled in accordance with principles set out in data protection laws. Please speak to the case team if you have any questions about this. So let me just say something briefly about the purpose of this hearing. The Draft Development Consent Order or draft DCO is an important document.

00:04:09:19 - 00:04:30:08

This hearing is being held on a without prejudice basis. So in essence, even if your position is that the development consent should not be granted and therefore that the Secretary of State should not make the draft. Eco, you can make representations in this hearing on the drafting of the DCO without conceding your wider position that the draft eco should not be made.

00:04:31:26 - 00:05:08:17

It's important for the examining authority because we are under a duty to provide the Secretary of State with the best drafted DCO that we can. Even if we end up recommending that the Secretary of State should not make the DCO, this is because we do not decide these applications. We make recommendations to the Secretary of State and he or she makes the decision. So even if our report to the Secretary of State were to recommend that development consent should not be granted, we must still append a draft DCO, ensuring that the Secretary of State can decide to make the order if he or she wishes.

00:05:09:20 - 00:05:35:02

So now, in terms of introductions, the speed of proceedings, we do not intend to go through all the traditional introductions at this point of everyone who wishes to speak at this hearing. Instead, I'm just going to ask the applicant and key organizations around the table and online to briefly introduce themselves, and we will follow. We allow other parties to introduce themselves when they wish to speak on a particular item. So if we for the initial introductions, can we please start with the applicant?

00:05:36:01 - 00:05:46:13

Yes. Thank you sir. And good morning. My name is Amy Stirling. I'm a partner and solicitor at Pinsent Masons. I'm joined by my colleague today, who will be leading the session to allow her to introduce herself.

00:05:47:29 - 00:05:55:01

Good morning sir. My name is Elizabeth Sandbach and I'm a senior associate at Pinsent Mason's here on behalf of the applicant. Thank you.

00:05:55:03 - 00:05:58:09

Okay. Thank you. Who moved to Buckinghamshire Council?

00:06:02:05 - 00:06:24:07

Thank you, sir Daniel and council to Buckinghamshire Council. And I'm joined today by Zainab Hearn who is the planning officer at the council. And then online we've also got James. Sorry we've got oh actually I can't see him there but I know he is around as James Duncan in case anything comes up on highways. So I think I can call him in if required. Thank you sir.

00:06:24:11 - 00:06:30:15

Okay. Thank you. Then moving online. Is there anyone who wishes to speak today who would like to introduce themselves at this stage?

00:06:35:06 - 00:06:43:19

Okay, I can't see any hands up. So if you do wish to contribute, um, put your hand up at the appropriate time. Okay. Thank you.

00:06:45:01 - 00:06:45:16

Uh.

00:06:47:01 - 00:07:20:15

Some further points just before we begin. We did not intend that the hearing continues beyond midday as a result. Do not aim to take any breaks. Is everyone okay with that? Hey. Thank you. In terms of any action points, we request that the applicant keep a list which can be checked and agreed at the end of the hearing. And it would be helpful if any submissions resulting from any action point are submitted if possible. At deadline three Wednesday 27th of May. However, we understand this is extremely tight and will agree timescales for any submissions in relation to each action point.

00:07:21:21 - 00:07:55:28

Okay, before we move on to the substance of the agenda. Does anyone have any questions about the agenda or how this hearing will be conducted? Anyone in the room and I can't see hands on line.

Okay. Thank you. Um, so we've covered agenda items one and two. So we move now on to agenda item three, which is the purpose and overall structure of the draft event consent order. So with the applicant please provide a brief. I reinforced to a brief overview of its overall approach to the Draft Development Order.

00:07:56:00 - 00:08:05:29

Amendments made to the Draft Development Consent Order since the start of the examination. The role of the Explanatory Memorandum and any novel provisions within it. Thank you.

00:08:08:00 - 00:08:49:05

Thank you sir. So for the Roseville DCO, the main influence has been the Springvale Solar Farm Order 2026. The reason for this is twofold. Firstly, Springvale represents the most recently consented solar DCO on the 8th of April of this year, and so is the best reflection of the Secretary of State's current policy preferences for solar DCO consenting. Secondly, Springvale was recently promoted by EDF, which is the applicant being part of EDF corporate Group, and using this as a basis for the Roseville DCO ensures consistency across IDF's development portfolio.

00:08:50:01 - 00:09:28:07

The draft SEO is being prepared in accordance with the relevant guidance. So MH gs guidance of April 2024 on drafting Dsos and the content of them and also advice Note 15 issued by the Planning Inspectorate. The DCO has been submitted and validated as a draft statutory instrument, and the applicant has otherwise complied with this guidance and advice in terms of its drafting. The key components of the proposed development are the solar PV electricity Generating Station and then the associated development, which includes the best substations and grid connection infrastructure.

00:09:29:12 - 00:10:02:18

The solar PV generating Station constitutes work number one, which is development for which development consent is required with capacity of more than 50MW, which was the megawatt threshold under the Planning Act 2008 at the relevant time at the at the time the application was submitted. This is the NCP component of the proposed development. The BIS and associated development works number two through till works number ten are associated development for the purposes of section 115 of the Planning Act.

00:10:04:12 - 00:10:38:28

The draft ACO includes various provisions to enable the construction, maintenance, operation and decommissioning of the proposed development. This reflects the integrated consenting objective of the Planning Act regime, and the provisions have been drafted to accord with the wide ranging powers at section 120 of the Planning Act, but also the limitations, requirements and exceptions imposed by section 180, 120, subparagraph eight, and sections 122 to 152 so far as these are relevant to the proposed development.

00:10:41:02 - 00:11:06:15

All powers provided for within the order come within the scope of section 120 and schedule five to the Planning Act of 2008. The draft DCO follows a standard structure of the articles, which provide development consent for the proposed development and give The Undertaker a suite of powers covering a range of matters including street works, discharge of water and powers of compulsory acquisition.

00:11:08:10 - 00:11:40:24

The articles also contain various general provisions covering matters such as benefit of the powers within the draft DCO. So in this case, the applicant's draft DCO contains 48 operative provisions or articles, noting that because article 21 was removed at the most recent deadline, which is the removal

of human remains article, the articles actually number up to 49. There are then 616 schedules to the draft DCO which cover standard matters.

00:11:41:11 - 00:11:46:14

Um, would you like me to run through each schedule briefly as to what it contains?

00:11:46:24 - 00:11:47:25

Very briefly please.

00:11:47:27 - 00:12:19:01

Sure. So schedule one provides the description of the proposed development known as the authorized development. Importantly, it sets out works packages number one through till ten, which correspond with the works plans. Schedule two contains 18 requirements, which are the controls that apply to the proposed development, similar to planning conditions. Schedule three lists local legislation to be supplied insofar as their provisions are inconsistent with the powers secured in the order.

00:12:19:28 - 00:12:52:27

Schedules 4 to 8 cover matters relating to street works and alterations, public rights of way, access to works and details of the streets, subject to traffic regulation measures. Schedule nine sets out details of the land over which new rights may be acquired. Schedule ten details amendments to legislation which are required to ensure that appropriate compensation is payable when new rights over land are required under the order. Schedule 11 sets out details of land over which temporary possession may be taken.

00:12:53:14 - 00:13:29:08

Schedule 12 details the hedgerows to be removed as part of the proposed development. Schedule 13 provides a list of the documents and plans to be certified by the Secretary of State in accordance with paragraph 16 of the MHCLG guidance. Schedule 14 sets out the rules of arbitration that apply to most arbitrations in connection with the order. Schedule 15 includes a series of protective provisions for the protection of statutory undertakers and their apparatus and schedule 16. The final schedule sets out the procedure for the discharge of requirements contained in schedule two.

00:13:33:00 - 00:14:04:24

Moving on to the next bullet, which was a summary of recent amendments in the draft DCO, so the applicant continues to update its draft ACO as the examination progresses, particularly in response to further engagement with stakeholders and following questions and suggestions by the examining authority. The draft SEO is currently on revision four and all changes made to the draft SEO. Since submission and application are tracked in the schedule of changes to the draft SEO, which is rep 2-079.

00:14:05:10 - 00:14:37:26

This schedule is updated each time the draft DCO is updated. To summarize the recent substantive amendments, advanced planting has been added to the list of permitted preliminary works in order to provide for the early planting proposed in the outline lamp. Article six was amended to limit the application of the article to existing and approved developments. I'll say more about this article

shortly. Article 21 removal of human remains, as I referred to earlier, has been removed from the order.

00:14:39:08 - 00:15:13:08

Uh work number two B little I dash. Second subparagraph two has been updated following engagement with the EA to reflect that the applicant is no longer proposing to culvert over the watercourse. Requirement eight fencing has been updated to clearly distinguish between temporary fencing and permanent fencing. Requirement 14 operational noise was updated to provide reference to the operational noise limits, which are contained in the ES Noise and Vibration chapter.

00:15:13:10 - 00:15:16:08

To be more specific on the face of the draft echo.

00:15:18:20 - 00:15:58:26

Schedule 14 arbitration has been updated for the confidentiality provision, which has been updated to confirm that any arbitration hearing and documentation would be open and accessible to the public as the starting point, which may then be heard in whole or part in private, depending on the commercially sensitive nature of the discussions. More broadly, land has been removed or taken out of the order land, but remains in the order limits, such as Anglian Water services. Plot. We've also had the addition of requirement consultees, where consultees such as Natural England or local Highways Authority have sought to be consulted on management plans.

00:16:00:17 - 00:16:07:02

We've also made updates to reflect recently made dsos to anticipate the Secretary of State's approach.

00:16:10:02 - 00:16:50:22

I'll move on now to the role of the explanatory memorandum. The purpose of the explanatory memorandum, which is Rep 2006 as set out in section one of advice, note 15, is to provide a plain English aid to the draft DCO. This is to help the examining authority, interested parties and the Secretary of State understand what we are proposing in the draft DCO. The applicant is required to submit an explanatory memorandum, um, as required by regulation five to see of the Infrastructure Planning applications, Prescribed Forms and Procedures Regulations 2009.

00:16:51:29 - 00:17:21:10

The Explanatory Memorandum justifies every article and requirement, and explains why each power has been included and is appropriate in the specific case of the proposed development. While no longer a requirement, the applicant has referred to the model provisions set out in the Lapsed Infrastructure Planning Model Provisions Order 2009, because it considers that it's still relevant to note and explain variations or departures made in the draft order compared to those in the model provisions.

00:17:22:27 - 00:17:59:24

The justifications provided in the Em have been prepared with due regard to the MHCLG guidance and Advice note 15, which state that the extent of justification should be proportionate to the degree of novelty and or controversy in relation to the inclusion of that particular power. So where the draft echo includes wording derived from other made dsos. This is explained in the explanatory

memorandum as set out in the recent spring World Solar Farm Order 2026, for example, where we've made references to the spring World Solar Farm Order.

00:18:01:21 - 00:18:32:17

However, in accordance with the guidance and advice note, our explanatory memorandum does not seek to rely on precedent alone and instead provides a proportionate explanation of why the proposed provisions are appropriate in the specific circumstances of the proposed development. Our explanatory Memorandum is structured as follows. Section one provides an overview of the proposed development, the applicant and the site. Section two sets out the purpose and structure. Section three. The purpose of the order.

00:18:32:29 - 00:19:05:09

Section four summarizes in detail the articles of the order and their justification. Section five provides a summary of each of the schedules to the order, together with their role and justification and schedule. Section six contains references referred to in the explanatory memorandum in response to the Examining Authority's first written questions, and in particular question 1.1.1, the applicant provided significant updates to the Explanatory Memorandum at deadline two.

00:19:05:28 - 00:19:42:21

To summarize the key substantive amendments, they were to generally strengthen the justifications for the provisions proposed having regard to the specific circumstances of the proposed development and the Secretary of State's latest policy preferences. To provide further explanation as to our approach to the permitted preliminary works included in the draft SEO, including Controls Incorporated to make sure that these works are subject to the appropriate environmental mitigation. We've also included a more detailed explanation of the application of legislation sought under article six.

00:19:42:23 - 00:19:51:09

So that was detailed at table one of the explanatory memorandum. We've also further explained the operation of various articles.

00:19:53:12 - 00:20:42:04

Unless the examining authority had any questions or move on to novel provisions. Great. Um, as I referenced earlier, article six, which is the application and modification of statutory provisions, article is somewhat novel, given that there's currently no settled approach taken by the Secretary of State to address the risk of overlapping and inconsistent permissions, which was an issue that first arise, um. Following the Supreme Court's decision in Hillside Parks and Snowdonia National Park Authority 2022, it was held in the hillside decision that where development has taken place under a second permission, that overlaps with a first permission, and that development is incompatible with any future development under the first permission is rendered unlawful.

00:20:42:29 - 00:21:22:11

While promoters have sought to address that risk with drafting to make clear what would happen in the event of inconsistency. The Secretary of State has been known to remove this drafting on the basis of ambiguity. However, there are examples which I would like to point the examining authority to, where there are instances where this drafting has been included in made orders to afford the necessary

degree of protection against this risk. For example, the A 122 Lower Thames Crossing Development Consent Order 2025, the London Luton Airport Expansion Development Consent Order 2025.

00:21:22:14 - 00:21:31:10

And a result of the recent non-material change application to the long Field Solar Farm Order 2023, as amended

00:21:33:00 - 00:22:09:24

here. The applicant has adopted the approach taken in the long field Non-material Change application, which expressly defined the relevant existing planning permission and sought to address the areas of known and live overlap. In the most recent update to the draft DCO. The applicant has identified the existing or approved developments, which is a defined term by reference to its cumulative effects assessment being the planning permissions or applications under the Town and Country Planning Act 1990, which are within the order limits of the proposed development.

00:22:10:23 - 00:22:45:09

Using this approach, two projects have been identified. The first is the East Clayton Bess, which was a permission approved on the 11th of September 2025, also known as the Terras Project and the East Clayton Green Grid Park, which is pending decision and that is StarCraft UK's project. The applicant considers that its drafting appropriately narrows the breadth of the provisions in the previous drafting and strikes the middle ground, which, um, hopefully the Secretary of State would agree with.

00:22:47:28 - 00:23:18:20

Um, another somewhat novel provision is article nine being the application of the Buckinghamshire Council permit scheme. So the draft Eco contains streets powers at part three of schedule one. However, the applicant acknowledges that Buckinghamshire Council has its own permit scheme for roadworks and street works orders. Um 2016, which is a scheme made under part three of the Traffic Management Act 2004. And so we've made provision for this through article nine to adopt a hybrid approach.

00:23:19:14 - 00:23:51:07

Article nine sub paragraph one confirms that the permit scheme applies with the modifications set out in article nine to street works carried out under article eight. Paragraphs two and three deal with the refusal of a permit or the imposition of conditions, and paragraph four deals with the right to appeal using the mechanism set out in schedule 16. While novel in the sense that the permit scheme is jurisdiction specific to Buckinghamshire Council, and this is a hybrid concept.

00:23:52:00 - 00:24:22:00

This approach to drafting is, well, precedent in the drafting for the Viking CCS Carbon Dioxide Pipeline Order 2025 and the Southampton to London Pipeline Development Consent Order 2020, and most recently in the Springvale Solar Farm Order 2026. The applicant will, of course, liaise with Buckinghamshire Council as to the need for this article, as well as any additional controls associated with the street works. In part three of the draft DCO.

00:24:23:06 - 00:24:45:08

Lastly, in terms of the interplay between commencing the authorized development and the permitted preliminary works, we have a definition of permitted preliminary works, which includes highway works. So this is little I of the PPB as being work number nine works to facilitate accesses to works numbers 1 to 8 and ten.

00:24:46:25 - 00:25:12:15

Work number nine is proposed to be a permitted preliminary work, or as a response to the applicant's experience from the implementation of another made solid SEO. Where highway works had inadvertently triggered certain obligations that were not strictly necessary to be in place. At this stage, the highway works were being undertaken. We also note that highway work's been included as a PPB. It has precedent in Springvale.

00:25:15:01 - 00:25:51:24

It's also considered that firstly, given work number nine is undertaken pursuant to the streets powers in part three, and secondly, that the applicant has carefully considered each requirement in schedule two and then specifically included work number nine as part of commence, where mitigation or management is needed. For example, with the outline construction traffic management plan requirement, um, this is appropriate. And we think we've taken the approach to include permitted preliminary works entirely or certain parts of them in the relevant requirement.

00:25:52:20 - 00:25:53:09

Um,

00:25:55:01 - 00:26:05:01

and in requirement one is schedule to at sub paragraph two. We.

00:26:08:27 - 00:26:12:00

Have included. Sorry.

00:26:19:29 - 00:26:28:13

We have included the permitted preliminary works for the purposes of the time limit at subparagraph one of requirement one.

00:26:34:00 - 00:26:36:01

Did you have any questions on that?

00:26:36:25 - 00:26:39:21

No questions on that. We may come back to that.

00:26:39:23 - 00:26:40:13

Certainly.

00:26:40:29 - 00:26:53:02

Later on. Okay. Thank you. We're going to consider individual articles requirements and provisions. But before we do. Does anyone have any comments they wish to make on the development consent order in general?

00:26:56:11 - 00:27:29:29

No. No one in the room. I can't see any hands on line. Okay. We now move on to agenda item for articles and requirements. Um, so firstly, this is just a general general point. I'm not sure what's happened to the numbering, but starting at page five, the part numbers have been duplicated in the copy that I was sent. So at the top of page five it reads part 11 instead of part one. And then similar errors are repeated throughout the document.

00:27:30:04 - 00:27:54:23

Is this, um in the track change version of the draft? Eco? Yes. Yeah, I'm sorry about that. Every time using the statutory instrument template, the formatting goes a bit funny when you run the compare, but hopefully using the draft DCO at rep 2004, the numbering is correct.

00:27:54:25 - 00:27:57:24

So it's just an issue with the tracked version, correct?

00:27:58:00 - 00:28:03:05

Yeah I'm sorry. I appreciate that makes it difficult to refer to numbering.

00:28:03:07 - 00:28:07:10

Yeah no that's fine. Just thanks for the clarification on that point.

00:28:09:21 - 00:28:22:15

So moving on to article two one interpretation data final commissioning. Should the words any part of be included prior to the authorized development.

00:28:42:13 - 00:29:02:03

I'm sorry, I should have mentioned at the start of this agenda item. If I work through the questions I have on the articles and requirements, then I'll open it up to others in the room and online, then to raise issues with other articles and requirements. Unless of course, they have a query or comment on the article we're discussing at the time.

00:29:16:23 - 00:29:48:18

Amy Stirling on behalf of the applicant. I don't think so, sir, because of the way that the data final commissioning is used throughout the draft development consent order. Um, we can certainly give it further consideration, however, in each case where it is used. It is intended to identify the completion of commissioning of the development in its entirety, or where it is not intended to cover, that it is specifically referred to in respect of each phase where it's used.

00:29:48:20 - 00:30:19:28

So, for example, in requirement two six, it says notice of the date of final commissioning with respect to each phase of work, number one must be given. So if you included for each part within the definition of date of final commissioning, you would essentially be seeing it twice in that context. Whereas I think under the decommissioning requirement, there is also a requirement to provide final details of of the data. There's it runs essentially from when the whole development is completed.

00:30:20:00 - 00:30:32:08

So I think it's appropriately dealt with in each case where it's used rather than amending the primary definition. But we can certainly consider the point in if it is necessary, we can update it that subsequent deadline.

00:30:32:10 - 00:30:33:12

Okay. Thank you.

00:30:36:22 - 00:31:10:12

Um, moving on then to the definition of maintain. This was raised in the examining authority's written question, 1.12.9. Um, and the question was should the definition of maintain be amended to include reference the development not giving rise to any material, new or materially different effects, though set out in the environmental statement? Um, the examining Authority notes that similar wording which captures this point, has been included in the Bridge Order and the Oaklands Farm order.

00:31:11:08 - 00:31:50:09

Um, so that was what we raised in our questions. Um, in your response, you referred in your response rep to zero seven to paragraph two in schedule one Authorized Development and paragraph two of schedule 16 procedure for the discharge requirements. However, if you look at those two, uh areas, the tests are different as the first refers to works being unlikely to give rise to materially different environmental effects, whilst the second, uh, which deals with the discharge of requirement states whether whether it is likely.

00:31:54:18 - 00:32:01:29

Selling on behalf of the athlete. Can you please repeat the wording you're proposing for the maintain? I don't have the questions in front of me. Sorry.

00:32:02:14 - 00:32:23:16

So so basically, in our written questions, uh, we were proposing that the definition of maintain be amended to include reference to the development, not giving rise to any materially new or materially different effects to those set out in the environmental statement. I think this is an issue that was raised by Breconshire Council as well.

00:32:25:21 - 00:32:28:18

Um, thank you, Sir Daniel, for the council. Um.

00:32:30:21 - 00:33:06:13

To be honest, it wasn't um, and I'd understood that it's actually article five two which achieves the constraint on Menteng. Um, because five one, albeit the numbering has gone a bit weird, gives up five bracket nine if you're on the track, change verse and gives you the power to maintain, and then it's constrained by the final clause in that, um, there may be a question about whether you need to remove on what you're saying. Server words are likely. Um, but I mean, that was where I thought the constraint on maintained came from.

00:33:07:24 - 00:33:43:03

Yes. I was just about to jump in with article. Oh, sorry. Elizabeth. How much? On behalf of the applicant, um, article five, sub paragraph three of the clean draft SEO, referring to how this article does not authorize the carrying out of any works which are likely to give rise to any material, new or materially different effects that have not been assessed in the environmental statement. So we think that appropriately controls and constrains the definition and power to maintain the authorized development.

00:33:43:05 - 00:33:47:00

Okay. Could you perhaps come back to us and set that out?

00:33:47:06 - 00:33:47:28

Certainly.

00:33:48:00 - 00:33:49:16

Okay. Thank you.

00:33:54:20 - 00:33:57:10

Okay. Moving on to page six.

00:33:57:12 - 00:34:13:19

The definition of apologies, sir. Can I just ask one question? Following up on that, I think what I'm about. Danica cancel. I think what I'm about to ask is correct. And I know it's the standard drafting, but the reason why it's likely is included in there is because that's the test for idea of actually establishing whether there's an effect in the first place. Right.

00:34:15:06 - 00:34:41:13

Amy, selling on behalf of the applicant. Yes. I mean, I would say it is a belts and braces approach because of course, when the applicant is submitting, for example, it's outline of operation and maintenance plan. The local authority then will have to consider whether or not that plan triggers any new, different, likely significant effects under the EA regulations, which will continue to apply at the planned discharge stage. So essentially we're just putting writing what would be the case in any event.

00:34:42:06 - 00:34:42:22

Okay.

00:34:42:24 - 00:34:51:24

Yes. Thank you. And Danica is up with the council. And that is the type of thing that wouldn't have automatic discharge if we failed to act as well. So it is controlled. Yeah.

00:34:52:14 - 00:35:12:14

Okay. Thank you. Okay. Moving on to definition of order land. Would it be clear if it was defined as land which is required for, or is required to facilitate, or is incidental to, or is affected by the authorized Development. These were words added to the Fenwick Solar DCL.

00:35:14:13 - 00:35:16:15

Just clarity of definition.

00:35:20:07 - 00:35:34:00

And he said we can definitely consider that at the moment. Autoland, as you'd be aware, is defined as the land coloured pink, blue or green on the land plans. So that also.

00:35:36:15 - 00:35:50:27

Is, I guess, identifying the land in which we are seeking powers over. Um, but I appreciate that there's an alternative definition you've suggested from another, um, recently made D0 so we will consider that to.

00:35:51:05 - 00:36:25:25

Consider that and come back to us, please. Sure. Um, moving on then, to permitted preliminary works, which is something you discussed in the novel provision part of your description. Um, this was raised by the examining authority in question 1.15.11, and the examining authority had concerns regarding the extent of works included under the definition of permitted preliminary works, and whether it had been adequately demonstrated that they would not have environmental impacts which would need to be controlled by requirements.

00:36:26:17 - 00:36:58:03

Um, and we've noted that recently made orders have much more limited permitted primary works, such as the Helios Order, Stone Street until bridge orders. And I think you responded, um, in rep 2-087 uh, stating, well, first you stated that the permitted primary works, including pre commencement activities such as surveys and site investigations, which are considered appropriate as the nature of these works, i.e.

00:36:58:05 - 00:37:28:17

non-intrusive above ground works or actions means they are not expected to give rise to environmental effects, which is fine. But then you can see there are other works. Um, works nine b an example, um, which uh, could actually, um, give rise to environmental effects. And I think what you're saying is that they will be controlled by requirements, uh, with the agreement of the council.

00:37:30:17 - 00:37:33:01

Could you just explain that a little bit more, please?

00:37:33:06 - 00:37:52:04

Certainly. On behalf of the applicant. That's correct. So the relevant permitted preliminary work has been added back in to the relevant requirement in order for that requirement to commence. So for example, if we look at requirement.

00:37:56:07 - 00:38:01:13

Uh seven for example the landscape and ecological management plan.

00:38:03:19 - 00:38:40:03

No part of the authorized development may commence until a written lamp has been submitted to and approved by Buckinghamshire Council, in consultation with the AA in Natural England. Then subparagraph four clarifies that for the purposes of subparagraph one, commence includes part H of

the preliminary works I and K and L, so we are adding back in those relevant permitted preliminary works, which ensures that the lamp cannot be approved.

00:38:43:23 - 00:38:53:27

Which ensures that no part of the authorised development I'm sorry may commence until the lamp is approved. So those cannot actually be carried out. Is that clear?

00:38:54:21 - 00:38:58:09

I think so. Can I ask, can you share your your view on that?

00:38:58:16 - 00:39:25:22

Er yes. Thank you, sir Daniel, because I work for the council. Um, this was a point that we raised as well. And um, being honest, it's because I've not seen this done with the requirement for the length before where, um, parts of the preliminary works have been put back in. Um, it seems to us that that probably does capture the issue that we're trying to address. Um, so, yes, while I've not seen it done that way before, I don't think we have any objection to that approach.

00:39:26:15 - 00:39:30:29

So you think it's probably an effective way of managing those preliminary works?

00:39:31:12 - 00:39:41:22

Yes, because it effectively puts the lamp even before the preliminary works, for the preliminary works that are identified. And requirement seven for at least that's my understanding of it.

00:39:41:24 - 00:39:44:17

Elizabeth, on behalf of the applicant. That's correct.

00:39:45:03 - 00:40:08:18

Okay. Thank you for that explanation. Thank you. Um, moving on then, to article eight Street Works. There is reference to the 1991 New New Roads Act, but should the article contain express notice provision requiring notice. You know, for instance, perhaps 42 days to be given to the street authority before any works are carried out.

00:40:27:22 - 00:40:42:11

Elizabeth, on behalf of the applicant. Um, we don't think that's necessary because that is what the payment scheme under article nine achieves and contains the necessary notice provisions.

00:40:43:02 - 00:40:46:16

Okay. Which was the other novel, but not quite novel.

00:40:47:03 - 00:40:48:03

Novel. Not quite novels.

00:40:48:05 - 00:40:52:22

Yeah, yeah. Uh, but can you content with that.

00:41:01:03 - 00:41:16:29

Thank you, sir. Daniel Kazak for the council. I mean, I think we would always prefer to have notice of things. Um, but, um, maybe if you just allow us to go away and just think about that, and it may be that we accept it, but I will put something in the post here, you know.

00:41:17:12 - 00:41:19:11

Okay. Thank you. Thank you. Thank you.

00:41:23:05 - 00:41:23:22

Okay.

00:41:23:24 - 00:41:35:21

Moving on to article ten power to Alter Streets, etc.. Uh, should this contain the same time limit? Same point really, as we've just been discussing for article eight. Should there be a time limit?

00:41:42:21 - 00:41:48:27

On behalf of the applicant, can you explain what you mean by time limits or doing time limit on exercising the power or notice provision?

00:41:49:11 - 00:41:51:09

Sorry. Notice I mean.

00:42:06:26 - 00:42:25:12

On behalf of the applicant. It seems like a fair enough request, but it's something I think we'll just have to consider in terms of the actual drafting, whether or not that's something we would add in or whether or not it would also similarly benefit from uniformity with the permit scheme. So if that's something we can take away, consider. Thank you.

00:42:26:02 - 00:42:27:19

Sure would like to comment on that.

00:42:27:26 - 00:42:42:12

Thank you sir. So I mean same point from us, which is obviously we'd appreciate notice and you'll have seen that we've asked for and the applicant has already put some nurses provisions in, in other parts. So the council just likes to know I think is he is is the view.

00:42:42:22 - 00:42:51:26

Okay. Thank you. And then moving on to article 12 temporary prohibition. Prohibition or restriction on use of streets and public rights of way.

00:42:53:24 - 00:43:19:22

Um Buckinghamshire Council you in rep 2-090. You maintain that there should be certainty that the streets and our rights of way are returned to the same condition as they were in before the temporary works. Um, I think you suggested a form of words that you wanted included. Um, has that been agreed with the applicant?

00:43:22:20 - 00:43:32:15

Thank you, Sir Danny, for council and the applicant. I want to come in first. I think the applicant's view is that it's covered by other mechanisms. But maybe if we let the applicant explain first, then I'll come back.

00:43:32:17 - 00:43:33:16

Okay. Thank you.

00:43:45:02 - 00:44:12:14

Oh, is this a match? On behalf of the applicant? Uh, our view is that this is covered by the outline rights of way and access strategy and also provisions in the Outline Construction Traffic Management plan. However, we can continue to review this and come back to you in deadline three, which we're intending to update the draft SEO for anyway.

00:44:13:13 - 00:44:15:07

Thank you. Did you want to comment on that?

00:44:15:09 - 00:44:47:10

Yes. Thank you sir. Daniel Gazelka for Council. I'll just say what our reasoning is and also points out where it's been used. So, um, the reasoning is at least my understanding of the explanation why it's not currently is it's covered by the US plans. And we can, via those plans, impose reasonable conditions. Um, it seems to me that it will always be reasonable for this to be done. Um, and so that's a reason to have it as a requirement of the DCO rather than something to be discussed subsequently. Um, I accept it's variable whether it's done in DCO.

00:44:47:12 - 00:45:08:24

So it was done in Stern Street and it was done in by us. Gill. But it's not being done in others. And I know just from another DC I'm working on. It is in the draft wording for the IGP Ursula scheme. So it is in the draft wording for line down. Um, so I appreciate the inconsistency in how this has been approached recently, but that's the reasoning anyway.

00:45:08:27 - 00:45:09:12

Okay.

00:45:09:14 - 00:45:13:11

Thank you. So it's to to make it explicit rather than just implied.

00:45:13:23 - 00:45:27:12

Explicit because I am so explicit and unavoidable in a sense. I mean, I don't I suspect it all comes to the same point really. But, um, that that was the reason and I think that's why it's included in bias, Gill and Stonestreet.

00:45:27:19 - 00:45:28:15

Okay. Thank you.

00:45:28:24 - 00:45:58:24

Amy Sterling, on behalf of the applicant, if any. So it's just to be clear, it's not not being included because we think it could just be dealt with at some point in the future is because we think that the commitments that have already been made in the outline rights of way and access strategy and the outline tmp already sufficiently commit the applicant to restoring streets or public rights of way. Therefore, those already operate to Ultimately, the way the DCU works is the upfront section grants to the powers and the sort of the second half restricts incrementally those powers.

00:45:58:26 - 00:46:15:27

So we consider we're already restricted by the management plans, and therefore it would almost be like double counting to include it here. But ultimately, the principles agree that the applicant is committing to restoring the streets and the public rights of way. So I think it's just a point of drafting that I'm confident we can get to an agreeable solution.

00:46:16:02 - 00:46:20:23

Yeah, perhaps a point of clarity. If you look at that and come back to us.

00:46:21:11 - 00:46:38:09

Please move just to say Daniel, because for the camera. So just a flag. I mean, if it's wording that's just made clear in the plans as well, obviously the plan is secured. So it was more that it is not left to being something to be discussed. It just is the position. Thank you.

00:46:38:29 - 00:46:39:23

Thank you.

00:46:40:03 - 00:47:01:13

Moving on to article 14 use of private roads. Now, this article gives the applicant wide powers over all private roads within the order limits should this power be restricted to the road specifically mentioned in the application documents? Why do you need this wide range of power over all private rooms?

00:47:02:01 - 00:47:35:14

Elizabeth, on behalf of the applicant. Um, so you're correct, sir. The article creates a power to use a private road for a temporary period. Um, and this is proportionate to the limited nature of the use. Rather than extinguishing, suspending or permanently interfering with the rights of a private landowner. We are aware of other, um, development consent orders which identify the private roads, as you're suggesting, and we are very agreeable to updating our streets access.

00:47:35:16 - 00:47:41:03

Is there anything you give more clarity, and certainly to owners of private roads within the order limits.

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

And.

00:47:41:22 - 00:47:42:27

Assurance that.

00:47:43:00 - 00:47:43:15

Yes.

00:47:43:17 - 00:47:48:23

Um, who's development will be using those private rooms? So yeah, if that could be we've done.

00:47:48:25 - 00:48:02:06

Very much so. Yeah. So we will. Hopefully for deadline three subject to the availability of our consultants, if not deadline for update the streets access and rights of way plans to show the existing private roads.

00:48:02:22 - 00:48:21:23

Okay. Thank you. Um, moving on to article 16. Two agreements with street authorities. Uh, Buckinghamshire Council have suggested additional wording in their response to our written question. 1.12.9. Um, has that been agreed as the council want to comment further on that?

00:48:21:25 - 00:48:36:01

Thank you sir. Daniel Gazelka for the council. It may be worth again letting the applicant come in on on their reasoning on it, just so they're aware where it's come from. This is the equivalent wording from a Sizewell DCO. Um, but I appreciate it was also being discussions in the background as well, which I like.

00:48:37:24 - 00:49:07:10

Thank you, Elizabeth, so much on behalf of the applicant. That's correct. I understand there's been a lot of engagement between our respective, um, highways Consultants, and the consultants are currently reviewing and organizing a call. To bottom this issue out, but as it stands, we are proposing amended wording in the outline camp to confirm that we will provide the necessary security financial security for such works to be carried out as is standard.

00:49:08:25 - 00:49:11:22

The applicant is very much aware of this commitment.

00:49:12:19 - 00:49:17:19

Okay, so discussion is ongoing. Um, when do you envisage the.

00:49:17:24 - 00:49:24:23

I believe the action from yesterday. Was that an updated outline TMP would be provided at deadline for.

00:49:25:28 - 00:49:40:01

Okay. Thank you. Uh, moving on then to article 22 compulsory acquisition of land. Uh, should there be an additional paragraph confirming that compulsory acquisition rights do not extend to mines and minerals?

00:49:42:10 - 00:50:17:02

Elizabeth, on behalf of the applicant, we do not consider that the inclusion of an additional paragraph confirming this is necessary because we have, um, article 48, the compulsory acquisition of land, incorporation of the Mineral Code, which already achieves this purpose. So the incorporation of the mineral code means that when the undertaker compulsorily acquires land under the order, it does not also acquire the rights to mine minerals.

00:50:18:00 - 00:50:21:09

So you think it's explicit enough within the document?

00:50:21:11 - 00:50:21:28

That's right.

00:50:22:00 - 00:50:26:00

Yes. Fire. Under that article and additional paragraph.

00:50:26:05 - 00:50:28:00

We think it's already provided for.

00:50:29:02 - 00:50:34:06

Okay. Does the council have any concerns or comments on that?

00:50:35:23 - 00:50:45:17

Thank you sir. Danny. Because the council um, being honest, I don't think we'd addressed our mind to this that much because it wasn't something that we'd seen as an issue. Um,

00:50:47:03 - 00:51:10:02

the. Yeah. I mean, maybe if we just we probably have to go back away and think about it. If we wanted to say anything about it, I don't expect for as much we want to say about it. Um, as long as the mineral code is incorporated, that would seem to circumscribe the power in, in the the compulsory acquisition section. But, um, if we have any concerns, we'll flag it in the post now.

00:51:10:12 - 00:51:46:06

Okay. Thank you. Okay. Moving on then to article 232, which is the time limit for the exercise of authority to possess land temporarily or to acquire land compulsorily. The extended period of commencement in the event of a legal challenge has crept into a few recent dsos, but this does seem to run contrary to both to the apparent urgent need for this solar farm, and also the legislation proposed to reduce the number and length of legal challenges. Um, what is justification, For article 23, two and three.

00:51:54:17 - 00:52:27:23

On behalf of the applicant. I'm sorry, sir, just to clarify the question. So article 22 places a time limit on the exercise of compulsory acquisition via the service of a notice to treat or execution of a DVD. And that time period is five years from the day on which the order is made. That time period is entirely standard across maid disuse, and if you could repeat what the concern is, we can consider it further.

00:52:27:25 - 00:52:35:09

The, um, the provision in there relating to legal challenges that in effect extends that period.

00:52:41:13 - 00:53:17:28

Amy Stirling on behalf of the applicant. When I understood, sir, this was accepted most recently by the Secretary of State. I understand it just last month in the spring. Well, so the farm order. And it is to prevent essentially the DCO being frustrated by legal challenge, which is entirely outside of the control of the applicant and the applicant considers to be justified given the critical national priority of this project, but nevertheless their high profile nature, they are known to attract objections and legal challenge, which would unfortunately, as I said, frustrate its delivery.

00:53:18:00 - 00:53:27:13

So the exercise of the CPO powers and the extension of that period in those circumstances is considered to be warranted and now precedent.

00:53:29:02 - 00:53:31:15

Okay. Is the council any view on that at all?

00:53:31:27 - 00:53:57:04

Thank you sir. Danny Gazelka for the council. Um, my understanding was that this is pretty standard, and indeed it might even now be achieved by the amendments and are planning infrastructure acts to provide more time for medicos when a J.R. is being brought. Anyway, I don't know if that would also cover this situation, because I believe those provisions are now in force and have been made and are now in force.

00:53:59:07 - 00:54:25:22

Jimmy Stirling, on behalf of the applicant, my concession review of them and consider whether or not this drafting is absolutely required. Even just this week, we also have been hearing there's been more announcements about changes to judicial review processes for development. Consent orders are now being subject to parliamentary approval. And so it is a moving feast, I think, hence why we consider it. You know, all in one place and plainly here for people to sort of review and comment on. But it's something we can consider.

00:54:27:01 - 00:54:31:25

And just the fact that we don't, we don't have any concerns about it. It is, I think, standard.

00:54:31:27 - 00:54:39:04

Okay. Uh, I've just been notified. I think, Mr. Preston, you wanted to comment. Was it on this particular article?

00:54:40:01 - 00:55:00:15

Uh, sorry. James Preston, Preston farms. I'm not a legal expert, so I'm sorry, sir. Um, I'm just concerned. This sounds like it could touch some of our issues to do with access. And given the the sort of national importance of what we do. Uh, this is an area I would like to get more advice on in terms of the actual wording.

00:55:02:02 - 00:55:10:21

Okay. So, um, are you going to submit, uh, something into the examination with regard to this particular article?

00:55:10:25 - 00:55:14:10

Uh, yes, I'll seek advice, but we might well do. Thank you sir.

00:55:14:13 - 00:55:15:21

Okay. Thank you.

00:55:17:27 - 00:55:41:25

Okay. Um, moving on to article 31, temporary use of land for constructing the authorized development. This was raised in our written question 11219. Why is a power required at 31 A2 to enter any other order land when this is not listed in schedule 11, and the applicants already have some degree of flexibility.

00:55:51:02 - 00:56:24:25

On behalf of the applicant. So I understand you're specifically referring to articles 31 a two being any other order land in respect of which no notice of entry has been served. The reason that we're seeking these powers under the second limb is to allow us to exercise temporary use powers across all of the order land, and this is necessary because it enables us to minimize the need for compulsory acquisition, particularly the compulsory acquisition of rights.

00:56:25:15 - 00:56:37:03

Um, we explain this further in the statement of reasons. Rep 1-010 at section 4.4. Um, and.

00:56:39:15 - 00:57:26:20

It's noted in that section that this power would allow us to enter onto the land for particular purposes, including site preparation works in advance of vesting of the relevant land rights. And as a result, we only need to compulsorily acquire the absolute minimum amount of land and rights over the land which is actually required to construct, operate and maintain the proposed development. Um, the classic example is with the cable corridor. So we would exercise this temporary use power during construction to enter the land, take temporary possession under article 31 and do the necessary micro siting works, um, to then identify where the precise location of the easement would then be needed.

00:57:26:27 - 00:57:35:19

Um, and then we would seek to permanently acquire the much narrower corridor. This is very well established and well presented.

00:57:35:21 - 00:58:07:01

Now I understand the principle. Um, I'm just wondering why it's it's so wide as to apply any other order land and why, um, the land that needs to be temporarily entered can't be more precisely defined for detailed design. And realize you have to go into that land to finalize the detailed design. And then, as you say, um, having done the detailed design, then only take take powers over the minimum of land for the actual proposed development.

00:58:07:12 - 00:58:15:07

Um, so I think the question is, is why? Why can't you be more precise than just any of the land border land.

00:58:16:10 - 00:58:48:00

In the Stirling on behalf of the applicant? I think the first point to note is that temporary possession is a much lesser power than freehold acquisition or permanent acquisition of rights. So it is considered that, for example, where a landowner has been notified that they may be subject to freehold acquisition, that is also potentially also subject to acquisition of rights or temporary possession, which would be a lesser interference with their private rights. It would not be possible now to identify within, for example, a cable construction corridor where we might need to take temporary possession.

00:58:48:02 - 00:59:37:28

For the reasons you have suggested, we are subjected to detailed design. Once we have a detailed design and we know what the construction corridor would be at that point, we would be required and before we take temporary possession, we would be required to give notice to the relevant land interests of the intention to take temporary possession over a strip of land, enter on to that strip of land, carry out the construction works and finish the construction work, then permanently acquire the rights to the easement, essentially to the cable. Alternatively, what we would have to do to ensure that we had the necessary flexibility and land to construct the project would be, for example, to take permanently acquire an easement over the entire plot, which would be a greater interference in the landowner's interest, but it would be necessary to ensure that we had the sufficient construction flexibility.

00:59:38:04 - 01:00:01:03

Prior to detailed design, or even after detailed design to ensure that we had the construction swathe. So it is simply not possible at this stage to say exactly where we would take the improvisation, because detailed design hasn't been carried out and we haven't actually entered on to take construction, but that would be notified to the relevant landowner in advance, and they would obviously be able to claim compensation under the provisions of the order as well.

01:00:01:10 - 01:00:19:10

But but usually at this stage, even with the limited design that's been carried out, you can define a corridor with the weasel certainty under which that that cable can actually go, but within a reasonable width to allow for detailed design.

01:00:19:24 - 01:00:37:26

Amy Stirling, on behalf of the applicant, I'm not aware of any other um, DCO project which at this stage would be able to identify specifically within its order limits where the cable is going to go, and therefore restrict the powers of temporary possession. If that were possible, then the order limit should not be as extensive as as they are, and they would have to limit.

01:00:38:17 - 01:00:54:09

You know, exactly where the cable is going to go. I'm suggesting that you have enough information to find, um, a wider corridor in which, you know, a detailed design stage. Somewhere within that corridor is going to be feasible to actually put that cable.

01:00:55:18 - 01:01:04:12

Standing on behalf of the applicant. Those are the order limits. So that is the extent that we're able to identify where the relevant infrastructure is going to go now.

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

Okay. Could you give me a note that explains that please.

01:01:08:16 - 01:01:10:27

Amy Stirling, on behalf of the applicant. Yes of course.

01:01:11:03 - 01:01:13:12

Does Buckinghamshire want to comment on that at all?

01:01:14:00 - 01:01:46:22

Thank you sir. Danny for the council. Um, two things. One, yes, we understood that is why the the cable route corridor is drawn as it is, because that is as if there was any scope of the applicant to say we actually know a narrow or wet route for this cable. Then the Red line area should be drawn more narrowly. So. We agree with Miss Sterling there. Um, just for the avoidance of doubt and understanding, this power can only be used in respect of land, which otherwise could be the subject of other compulsory acquisition powers.

01:01:46:26 - 01:01:48:10

That's correct, isn't it?

01:01:49:09 - 01:02:06:00

Amy Stirling, on behalf of the applicant. Yes. Well, in the current circumstances, we're discussing it. It's the land which is otherwise subject to freehold acquisition or permanent acquisition of rights. There are some areas which are subject to temporary possession only, but those are listed in a schedule. And I do not believe those are the subject of this discussion. Yes.

01:02:06:06 - 01:02:17:14

Um, with the council, that was what I thought was the case, which means that in all situations, the use of this power would be less onerous from the alternative power of the applicant has. So on that basis for council wouldn't have any objection.

01:02:17:29 - 01:02:33:22

Okay. Thank you. Okay. Moving on to article 37 consent to transfer the benefit of the order. This refers to the possibility of transferring the benefit of the order. And can you please explain why any transfer, the benefit of any less than the entire order, can be justified?

01:02:44:28 - 01:03:17:08

On behalf of the applicant. I'm sorry. If you indulge me, I'll give you a need to give you an offshore wind. One example of yourself in my head, because that's where it commonly arises. So, for example, if this were an offshore wind, or you would transfer a part of the DCO because it's you'd have to transfer the cable assets to an off tow. So the generating station would stay with the generating entity,

and then the cable would be transferred to an officer. And the circumstances of a solar development consent order.

01:03:17:10 - 01:03:51:04

It is feasible, for example, that the applicant, if it builds a battery energy storage, may wish to transfer the bears to another SPV and so that they are sort of running independently. But of course, if it were to do that, then the SPV would be subject to all of the restrictions and controls which are already within the draft DCO, which apply to the relevant works that are being transferred. There have not been many solar details built, so only one, so it hasn't actually come up in practice. So much so now for solar, but it is very commonly done and relied upon for offshore wind projects.

01:03:51:25 - 01:04:04:19

Okay. Understanding that. But as currently drafted, the applicants could in theory transfer any number of small portions of the proposed development. So should there be some sort of limitation on that article?

01:04:06:20 - 01:04:20:21

Amy Stirling, on behalf of the applicant, I don't believe there would be any planning purpose for any limitation given. Any transfer would be subject to the controls of the development consent order. So I do not believe it would achieve any sort of useful planning purpose.

01:04:21:24 - 01:04:23:12

Thank you. Um.

01:04:25:02 - 01:04:32:26

that's Buckinghamshire. Any comments on that? We we note, uh, you've asked for notification to be given where it's intended to transfer the benefit of the order.

01:04:33:01 - 01:04:57:01

Uh, Danny Gazelka for the council. Yes. I mean, ultimately, our our powers are very constrained in this area. It's essentially overseen by, um, the secretary of state and related constraints and the DCO. Um, again, we've not identified a concern with this, but it's not an article really aimed at us. Um, so if we have any concerns, we'll write it in the notebook. And nothing is occurring to me right now.

01:04:57:15 - 01:05:13:08

Okay. Thank you. Um, moving on to article 41. Tree subject to tree preservation orders. Can you please explain why there's no obligation to obtain the approval of the local planning authority? And how can you justify the exclusion of the duty to replant?

01:05:19:14 - 01:05:27:01

I think that's referring to section 261 replacement of trees. 1990 act.

01:05:31:15 - 01:05:34:15

That's article 40. 41. One be.

01:05:36:24 - 01:05:54:15

Amy Stirling, on behalf of the applicant. The reason why there is no further approval mechanism is because in this instance, it would be considered that the DCO takes precedence, given the way that the article has been drafted. There are no currently known trees subject to the tree Preservation Orders, which would have to be removed if any were to

01:05:56:01 - 01:06:33:12

be put in come into existence. A tree subject to a Tree Preservation Order, which is probably an unlikely scenario given how maturity would really have to be to be subject to a TPO within the order limits, then that would take place after the application has already been submitted and the DCO is being granted, and in which case the applicant considers. At that point, the Secretary of State would essentially have granted the statutory authority for the undertaker to remove the tree subject to the tree preservation order. So it would not. It would not or should not be necessary for the undertaker to have to seek separate consent from the local planning authority, given it has just been granted its DCO by the Secretary of State.

01:06:33:19 - 01:06:53:07

Um, I take your point that if we were to remove a tree subject to TPO, should there be some, um, replacement mechanism? I don't actually know if that's possible. And I like for like, type scenario, but that's something that we can consider and see if there's anything that we would put in the outline lamp, or probably it would be in the outline lamp.

01:06:53:15 - 01:06:55:24

If I could ask for any comments on that.

01:06:57:00 - 01:07:31:24

Thank you Sir Danny, because I'll go for council. So that that last point is how I understood it would be managed if it were to come up, which is you would identify that as a tree subject with TPL as part of the DCO. And then in the it would be also identified for the purpose of the outline lamp, and then we would secure something in the detailed lamp to mean that something was done in respect of it. Um, and this is just removing the standard duty in the act rather than saying that. And therefore we as the council can't secure the replacement. Um, but yes, that's as far as our thinking has gone on it.

01:07:31:26 - 01:07:38:24

Um, but I think, um, I think the applicant might have just said it's going to look at the point further. So if something comes up, we will we will consider it.

01:07:39:08 - 01:07:39:23

Okay.

01:07:39:25 - 01:07:48:17

Anyway, selling on behalf of the applicant. Um, yes. I'll have to remind myself what's already in line with anything in this regard. And if something isn't there, we can consider whether it's appropriate to add something.

01:07:48:24 - 01:07:54:29

Okay. Thank you. Um, moving on then, to schedule one authorised development.

01:08:01:23 - 01:08:32:15

I think we've covered that really in the work number nine that we discussed earlier. So I don't propose asking anything on that. Um, schedule two then requirement seven landscape and ecological management plan. And this was raised in the examining authorities. Written question 11228. Um, should there be an additional paragraph to the effect that no permitted preliminary work should be carried out? And again, I think we've covered this off as well.

01:08:32:17 - 01:08:52:25

And we yeah, I won't go into that. Okay. Requirement eight fencing and other means of enclosure. So as you mentioned earlier this has been updated. Deadline two uh, but should there be a provision requiring the applicant to complete the fencing and other means of enclosure to a standard approved by the relevant planning authority?

01:08:56:19 - 01:09:31:10

Elizabeth Savage on behalf of the applicant, um, we have looked at requirement eight subparagraph for, for example, where the written details provided must accord with the relevant design commitments, and then five, six and seven say that any construction site must be securely fenced in accordance with the approved details and then those approved details are. The approving body is Buckinghamshire Council. So we thought that um this had been addressed.

01:09:32:10 - 01:09:35:22

Okay. This Buckinghamshire content that's been covered off.

01:09:36:09 - 01:09:41:24

Thank you sir. Daniel for the council. Um, I did wonder whether it was missing.

01:09:43:17 - 01:09:54:01

Does the wording secure all fences will comply with the plans? Or is it just for construction fences? Um.

01:09:56:13 - 01:09:58:15

It was my concern.

01:09:58:21 - 01:10:13:10

Understood. So, um, Elizabeth, on behalf of the applicant, looking at subparagraph seven again, any permanent fencing approved under subparagraph two, um, for a part of the authorised development. Must be.

01:10:15:20 - 01:10:25:06

Completed before the date of final commissioning of that part, and must be properly maintained the operational lifetime of that part of the authorized development.

01:10:26:06 - 01:10:44:11

Daniel Kozak for the council noted. So I think the thing then that probably made my ears prick up is of a wording difference to five and the wording in accordance with approved details. And just wonder

whether you might extend, just copy and paste that wording. It's implicit anywhere but and understand.

01:10:44:13 - 01:10:56:09

Yes, we're very happy to update, um, paragraph five with that wording, because we do very much intend to accord with the approved details, so it can definitely go in there.

01:10:56:22 - 01:11:03:22

Thank you for council. Um. Thank you. Sorry, but we're suggesting was use the wording from five and six and seven.

01:11:03:27 - 01:11:05:19

Yes, yes. Thank you.

01:11:07:15 - 01:11:17:22

Okay. Uh, moving on to requirement 13, construction traffic management plan. The question here is should National Highways be added as a consul T?

01:11:20:06 - 01:11:22:09

As one of the highway authorities.

01:11:22:21 - 01:11:38:24

Elizabeth, on behalf of the applicant, um, we note that the traffic impacts in Oxfordshire County Council and the national highways networks are not considered significant in the assessment. But where we've discussed and we're very happy to include them as a consultation.

01:11:38:26 - 01:11:40:06

I think, for completeness.

01:11:40:10 - 01:11:41:00

Certainly.

01:11:41:19 - 01:11:42:04

Okay.

01:11:44:27 - 01:12:20:29

Um, moving on then. The next one, requirement 14 operational noise. It's not so much the requirement. What I wanted to raise actually was paragraph 2.5.2 in the Osmo and the Corps, working hours 7 a.m. to 7 p.m. Mondays to Fridays and 7 a.m. to 12 p.m. on Saturdays. Uh, but what I wanted to Highlight was the hour either side of those core working hours for travel to and from the site.

01:12:21:22 - 01:12:34:11

I just wanted to, well, ask Buckinghamshire in the first instance. Are you content with the hours, the core hours and the suggested hour either side of the core hours and the you content that.

01:12:34:17 - 01:12:35:08

Thank you sir.

01:12:35:10 - 01:12:38:15

Um, the noise associated with that is adequately.

01:12:38:17 - 01:13:09:21

Um, thank you, Sir Daniel, for the council. Um, I can say that I've not had any concerns raised with myself or my planning officer internally, but, um, just for the avoidance of doubt, will go and check that again. My understanding from the applicant's transport. Um, expert, was it yesterday or the day before or the day is a blurred was the aim was to try and ensure that the actual travelling period wouldn't be in peak highway period, which is why it's so early and so late. Um, but we will check just from.

01:13:09:23 - 01:13:16:09

Because, I mean, 7:00 am is early, so but so we will we will make inquiries and come back in the know for quite.

01:13:17:25 - 01:13:20:25

A thank you. And then, um.

01:13:23:26 - 01:13:38:09

Just a follow on from that really where on site works are typically outside the core working hours, they'll comply with the restrictions pursuant to the DCO consenting process. Um, what, uh, what works would they encompass.

01:13:39:26 - 01:14:10:03

Elizabeth, on behalf of the applicant? So these are set out and secured in the outline stamp rep 2059 um, they are abnormal or emergency construction traffic movements. So that's paragraph 2.9.2. Um, in the event of abnormal or emergency construction traffic movements, specific noise mitigation measures would be put in place to reduce the potential noise impact at nearby noise receptors.

01:14:10:20 - 01:14:17:21

Um, those measures are set out in section three of the outline set up. Um,

01:14:19:18 - 01:14:51:26

and they include avoiding vehicle movements over regular services, prohibiting the sounding of vehicle horns, um, utilizing low noise reversing systems, vehicles and intermittent used to be shut down. Um, and the other kind of category of works outside of those hours are using trenches techniques such as HDD and abnormal invisible load deliveries. So ah these are.

01:14:53:28 - 01:15:30:17

These HDD and Ale deliveries may be necessary during the evening Sundays, bank holidays or um, at night. They would be agreed with the local planning authority prior to these works, and the outline, Kemp secures further controls if nighttime operation is required and those securing measures are in

section 2.1 of the outline Kemp, and include that closest residents to the works will be notified of the start and completion of the works.

01:15:31:11 - 01:15:55:14

Um HDD plant would be installed and operated such that noise levels don't exceed a level of 45dB at the closest neighboring noise sensitive location. And lastly, depending on the plant used, location, depth, etc., this may require the use of acoustic screening or acoustic screening using temporary solid barriers.

01:15:57:11 - 01:16:04:29

Okay. Thank you. Is the council content that is sufficient controls over that work outside working hours?

01:16:05:01 - 01:16:26:25

Yes. Thank you, Sir Because of the council? Um, yes. Um, because we can secure it in the detailed camp. I'm also reminded very helpfully. Para 2.9.1, I think, is the reason we've not raised concern before. About 7 a.m. as a start time. Um, but I will check for completeness with our, um, environmental health officer. But that should deal with the idea of piling at 7:01 a.m..

01:16:29:02 - 01:16:42:19

Okay. Thank you. Uh, this is a general comment. Um, the word substantially appears on a number of occasions. Um, how do you justify the use of that? That word.

01:16:56:03 - 01:17:32:08

On behalf of the applicant. The use of the word substantially. Um, and that final plans must be substantially in accordance with outline plans is very standard and accepted across development consent orders. It is necessary because it allows the requisite flexibility to respond to issues arising from detailed design, or in any other new and relevant circumstances, while still preserving the ability for the relevant planning authority to withhold approval of any scheme it considers inappropriate or inadequate.

01:17:32:27 - 01:17:57:13

We feel that using substantially strikes the necessary balance between securing the measures in the outline management plans, while providing comfort to all stakeholders on their delivery and implementation. Because the outline plans are sufficiently detailed while also preserving the necessary flexibility should circumstances change. Um at detailed design.

01:17:59:19 - 01:18:06:28

For example, if the measures that were being sought were no longer considered the most appropriate or effective.

01:18:10:16 - 01:18:37:28

We also note that schedule 16 contains the necessary lock, which is the in the procedures for discharging requirements. If we depart too far from what is in the outline plans in any material sense, the developer needs to confirm that when submitting the final detailed plan for approval, that it

doesn't result in any new material or new or materially different environmental effects compared to those that have been assessed in the US.

01:18:39:23 - 01:18:43:15

Okay. Thank you. Does Buckinghamshire want to comment at all?

01:18:43:17 - 01:19:03:05

Thank you, Sir Danny, for counsel. Um, my understanding is it is the standard wording in pretty much old SEO that you use substantially, um, at least recently. Um, and yeah, because it's to do with the scope of the plans rather than, than complying with the detailed plans, which obviously is the thing that you really want to ensure. So yeah. No concerns here.

01:19:03:10 - 01:19:04:12

Okay. Thank you.

01:19:04:23 - 01:19:37:24

Amy Stirling, on behalf of the applicant, I'm conscious they aren't here I think. So, just to be clear, this is a point which is being raised by the Environment Agency. I think this is going to have to go in the box of agreed to disagree. And of course, the examining authority and your recommendation on the Secretary of State may decide to recommend and or include substantially or not. So it is not something that the applicant intends to amend during the course of examination of things currently stand. But of course, alternative course of action could be taken. But it is really a point, I think, being raised by the Environment Agency, although consciously or not here, so that it was useful to raise.

01:19:38:07 - 01:19:53:13

Okay. Thank you. And then moving on to schedule 16 procedure for the discharge of requirements as currently drafted, a deemed consent provision, which can be satisfied by an email to a public body, seems very much open to misunderstanding.

01:19:55:05 - 01:20:29:10

So thank you, sir. Daniel Gazelka for the council. Um, we're in a position where we need we? We emailed. We've not had a chat with the applicant yet. We need to have a chat with the applicant I think is the longer shot they'll miss. Because also I know we have concerns about um, some of the time limits provided for as well. Um, and just seeing what's flexible and proportionate. Noting that the um pins guidance nurse 15 suggest agree a proportionate timescale. So I think we will discuss in the background and hopefully I don't know when the next draft echo is due, but hopefully have something by then.

01:20:30:16 - 01:20:31:24

You'd like to comment on then.

01:20:32:07 - 01:20:37:06

Let's say match on behalf of the applicant. That sounds like a great approach. We'll discuss.

01:20:38:01 - 01:20:38:18

Okay. Thank you.

01:20:38:22 - 01:20:52:21

Can I give me a second? I just come from the last point. The we are submitting a draft DCO deadline three, but we would also submit one at deadline for us. I suspect that, um, we picked up that discussion for deadline for just conscious of our growing list of actions.

01:20:53:13 - 01:21:06:11

Thank you. Okay, so those are the questions I had on the article scheduling and requirements. I'll just open it up now to anyone in the room or any other further queries.

01:21:06:23 - 01:21:50:09

Thank you sir. Daniel Gazelka for the council. There's a couple of them which may or may not go anywhere, but I'll raise them just so we can. Um, it's some of the ones that we raise in our air. It's not all of them. So I'll just pick up a few more that we didn't pick up before. So the first one was the one that we, um, listed at, um. Power of Thought in in table 5.1, related to article six, one E about removals of effects of legislation. And we flagged re supplying section 106 of the Water Industry Act, which is the right to connect to, um, the uh, to public sewers.

01:21:50:18 - 01:22:33:14

Um, and we suggested that um, article 18 provides a bespoke scheme which is narrower than section 106 of the Water Industry Act, and we suggested that the applicant might apply section 106. I'll say that that's for two reasons. Um, one um, sorry. On two further points. One, I appreciate it's not standard in DC shows. Um, so that may be the answer to it, but the reason I flag it is because, um, I know from the judicial review of the Gatwick DCO, which we're still waiting on, a first instance decision on this is a ground of judicial review in that claim.

01:22:33:17 - 01:22:49:06

Um, I was expecting we'd have the judgment by now, but we don't. Um, so it may be that we can wait because we're expecting a judgment soon, but I just wanted to flag it because it does indicate a conflict where you could use this to avoid the effect of article 18 of the DCO.

01:22:49:27 - 01:22:51:03

Okay. Miss Stirling.

01:22:52:29 - 01:23:15:09

Amy Stirling, on behalf of the applicant, and I believe our response was that we would await the outcome of the judicial review decision to decide whether any amendments need to be made. It's expected, as it currently stands, that is still our position, but we will keep this subject to to review, noting that it is not standard in any details that I'm aware of.

01:23:15:16 - 01:23:16:21

Okay. Thank you.

01:23:16:26 - 01:23:30:10

And so again, the reason I raised it was I mean, the point is recognized. Um, it wasn't I don't think it was particularly in that table. But we got back but completely recognized that. Yeah. That's fine. Um.

01:23:33:16 - 01:24:04:21

Uh, yes. And then more a query than a suggested amendment change for now. Again, a schedule two, requirement 18, which is the discharge. Uh, sorry, not discharge decommissioning. Uh, requirements. Um, and we raised the query, welcoming further clarity on what would happen where the undertaker for The who is the current subject of the DCO were to go bust. Essentially I'll be be um be liquid liquidated.

01:24:04:23 - 01:24:24:13

Is that the right word? I can't remember, um, and I know that the applicants response, which is it's all secured, etc. but I'm not sure if the answer the applicant gives us is a direct answer to the question of what happens if a legal entity ceases to exist. Uh, again, I appreciate this is the standard wording. So it's more for clarity than anything else.

01:24:26:26 - 01:25:00:27

Amy Stirling, on behalf of the applicant, um, I think this is one of the in terms of ceases to exist entirely. I'm aware of people commonly requesting decommissioning security on the face of the DCO, but I'm not sure that would even help in the circumstance where the undertakers dissolved entirely. It's a new point, in all honesty, that has been raised to me. Um, I have heard, you know, if the undertaker just sort of disappears And do we need decommissioning security secured under the article? Our view is no, because generally you do not need to double count.

01:25:00:29 - 01:25:19:04

Decommissioning security and this will generally be dealt with by the property agreements to ensure that the landowner has the relevant security that it can remove the works in its land does not remain burdened. But in terms of the applicant was dissolved just generally and is something I have to take away. Sir.

01:25:19:27 - 01:25:23:21

Could you come back to us on that then, please? By deadline three.

01:25:24:15 - 01:25:34:15

He was saying on behalf of the applicant, I suspect only my thoughts are we've we've got about 60 actions which which are sort of towering over us. So I suspect deadline for that one.

01:25:34:17 - 01:25:35:06

Agreed.

01:25:37:21 - 01:25:44:04

Thank you, Sir Danny, for the council. Those are the two that I was going to raise. And as I say, they may not go anywhere.

01:25:44:25 - 01:26:20:05

Okay. Thank you. Anywhere else in the room? Any queries on articles or requirements? Now, can I go online? He wants to raise any comments or issues. Okay. I can't see any. Hands up. Okay. We'll move on then to agenda item five, which is protective provisions with the applicant. Please provide an

update on progress with protective provisions. Since the position reported in the status of negotiations with such undertakings, a deadline to which was wrapped to dash 083.

01:26:21:03 - 01:26:24:26

Elizabeth, on behalf of the applicant. Certainly, sir.

01:26:26:18 - 01:26:30:20

In alphabetical order, start with Anglian Water Services Limited.

01:26:32:07 - 01:26:55:13

The parties discussed the outstanding decommissioned and redundant pipes issue and the applicant confirmed Anglian Anglian Water on the 6th of May that considered that this issue had been resolved. And we are just waiting for Anglian Water to confirm that Internally, but we are confident that these will be agreed before well before the end of examination.

01:26:58:07 - 01:27:24:03

National Grid Electricity Distribution East Midlands plc also applicable to National Grid Electricity Distribution plc. The applicant is currently following its internal approval processes to facilitate execution of the related commercial agreement, as the papers are agreed. National grid electricity transmission.

01:27:25:25 - 01:27:26:13

The.

01:27:28:14 - 01:27:49:21

National grid electricity transmission Njit has just returned comments. Two days ago, on the 19th of May, together with a draft side agreement which the applicant is currently reviewing, we consider that the protective provisions are close to agreement and the only outstanding issues relate to amendments to certain defined terms.

01:27:51:10 - 01:28:00:13

We are also awaiting a draft interface agreement for review. We're confident that these and agreements will be agreed prior to the end of examination.

01:28:02:01 - 01:28:03:28

Openreach limited.

01:28:05:24 - 01:28:37:17

The applicant is currently awaiting an update from Openreach and the negotiations continue and are progressing well and we're just waiting for the latest turn of the draft from Openreach. StarCraft UK, who are on behalf of the East Clayton Energy Limited. StarCraft issued a draft interface agreement to the applicant on the 30th of April.

01:28:37:29 - 01:28:51:13

We're currently reviewing that, um, given that both parties are seeking to acquire cable rights in the particular plot in question, We are confident that the interface agreement will be agreed before the end of examination.

01:28:53:16 - 01:29:25:18

Thames Water Utilities Limited Thames Water has also just returned their comments on the applicants and we are currently reviewing those. UK Power Networks Limited. We have sought an update from UK PM as we're just waiting for their response on the latest draft commercial agreement and then the other remaining statutory undertakers. There's been no change since deadline two. So that's the EA Buckingham and Reversal IDB

01:29:27:05 - 01:29:35:15

and Scottish and Southern Energy Power Distribution Limited and Vodafone because they are all agreed or are not required.

01:29:37:23 - 01:29:48:12

Keith thank you. I'm conscious we've got National Grid and Statecraft on the line virtually. uh, rather, those organizations like to comment

01:29:49:29 - 01:29:52:11

on the protective provisions and progress.

01:29:53:04 - 01:29:59:01

Good morning, sir. Um, Jenny Thompson, on behalf of StarCraft UK. Um, only to comment that we would agree with that summary.

01:29:59:13 - 01:30:00:19

Okay. Thank you.

01:30:02:10 - 01:30:21:09

Um, Hannah Abu Harb I wish I had Sutherland for National Grid, um, and, um, electricity transmission. And I would say the same. We're. Yeah. Agreeing in the process of the protect provisions inside agreement. No, no, no change to what? Um, the applicant solicitor said.

01:30:21:29 - 01:30:23:07

That's great. Thank you.

01:30:25:19 - 01:30:30:04

Okay. Any other queries or comments on protective provisions?

01:30:32:07 - 01:30:40:16

No. We then move on to item six consents, licenses and other agreements. Uh, can you provide an update on these, please?

01:30:41:28 - 01:31:23:04

Certainly. Elizabeth Mitchell, on behalf of the applicant. The Applicant Schedule of Other Concerns and Licenses document, which is Rep 1014, provides a table, as you're aware, which summarizes the additional consents and licenses likely to be required given that many of these are to be obtained post consent. We don't have any substantive updates for you today, sir, but if this changes, um, will definitely continue to keep the schedule of other consents and licenses under review, and also use the Statements of Common Ground as a vehicle to provide updates, um, where relevant to the particular stakeholder as well.

01:31:23:24 - 01:31:44:06

Okay. Thank you. Uh, any queries or comments on the consents, licenses and agreements? I don't see anyone in the room. Um. Anyone online? I don't see anyone online either. So that brings us then to item seven, which is a review of the actions.

01:31:46:04 - 01:32:33:02

In Stirling on behalf of the applicant. I'm most anxious part of these few days. Hopefully I can do Elizabeth justice in her role in the previous days, and so issue specific healing to action points and action. Number one applicant to provide commentary on excluding the definition of materially, new or materially different um to LSC and for deadline three the applicant to consider sorry action point two applicant to consider whether to include the fennec drafting for the order land definition also for deadline three action point three Buckinghamshire Council to consider whether article nine, which is a permit scheme, provides suitable notice for the powers under article eight deadline 3 or 4.

01:32:39:28 - 01:32:50:15

Um, Danica. Cancel apologies. We'll have to go back to the officer, which, if there wasn't a bank holiday, we could probably do. But because if we know something before we. We will put it in before deadline for.

01:32:50:17 - 01:32:51:27

Yeah. Okay. Thank you.

01:32:53:03 - 01:33:42:08

Thank you. Um, action point for applicant to consider whether to include the notice of provision in article ten. Um, action point again for deadline three. Action point five applicant to consider whether the outline rights of way strategy and outline TMP adequately cover restoration for the purposes of article 12, and to signpost that or otherwise to include drafting again for deadline three. Action point number six, the applicant to update the saddle plans to show existing private roads, ideally for deadline three if not for deadline for action point number seven, the applicant to provide the updated outline TMP at deadline for making reference to provision under section 2.78 equivalent agreements with the Highways Authority.

01:33:42:21 - 01:34:16:21

Action point number eight the applicant consider whether an extension of the timescale for compulsory acquisition powers in the event of judicial review is required, in light of recent DCO judicial review legislative reforms. I would suggest that one, probably for a deadline for services that would take a bit more, a bit more consideration and action. Point nine press and farms to consider

article 23 to further and take necessary advice on whether you have comments and concerns on the judicial review timescales referred to within that article.

01:34:17:15 - 01:34:38:02

Action point ten applicant to provide a note on the extent of temporary possession power sought, and a justification of a freehold and permanent acquisition. I suggest we can include that in our summary notes or summary of hearing. Note to a deadline three and then if you have any further questions, perhaps that could form part of your second written questions.

01:34:38:04 - 01:34:39:22

Okay. Yeah. That sounds.

01:34:40:06 - 01:35:10:06

Um. Action point of living. Arrogant to consider any updates to the outline lamp, which mean if any tree is subject to TPO was removed, it can be replaced. And we'll need to speak to our landscape. Consultant will aim for deadline three. If not for deadline for the pointless thing is is kind of established. Um, action point number 12, the applicant update requirement eight six and eight seven, which is the fencing article requirement to incorporate the accordance wording which currently is in subparagraph five.

01:35:10:09 - 01:35:37:17

We can do that for deadline three. Action .13 Buckinghamshire Council to check if their content with the working hours outlined in the c tmp. Um. I suspect again that would be discussion with the highways consultants. I suggest probably for deadline for um, action point number 14. Sorry, can I say that if you're not content with the working hours in the outline c tmp, can you let us know in advance? Because then we can make any necessary updates for a deadline for that would be helpful.

01:35:37:23 - 01:35:40:03

Thank you for the council. Yes. Yeah. Thanks.

01:35:40:15 - 01:36:01:21

Um, uh, action point number 14, applicant and Buckinghamshire Council to discuss and seek to agree. Schedule 16 wording on the discharge of requirements. I suggest the deadline for and action .15. The applicant to consider what would occur for the purposes of the decommissioning. Article 18 if the undertaker was dissolved or no longer existed.

01:36:02:14 - 01:36:28:26

Okay. Thank you. I didn't have anything else. So those actions are agreed. Um, okay. We now moved to close the hearing then. So the recording of this hearing will be published on our website as soon as possible after the hearing. And thank you for everyone's participation, participation and submissions at this hearing. Uh, the time is 1106, and this hearing is now closed. Thank you.