



Hearing Transcript

Project:	Connah's Quay Low Carbon Power Project
Hearing:	Recording of Compulsory Acquisition Hearing 1 (CAH1)
Date:	18 March 2026

Please note: This document is intended to assist Interested Parties.

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

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1

00:00:02.860 --> 00:00:04.740

Prynhawn da. Good afternoon, everyone.

2

00:00:04.820 --> 00:00:07.580

Uh, it's now two o'clock and time for this hearing to begin.

3

00:00:07.660 --> 00:00:11.640

I now welcome, welcome you all to this compulsory acquisition hearing for the

4

00:00:11.660 --> 00:00:14.120

Connah's Quay Low Carbon Power Project.

5

00:00:14.800 --> 00:00:17.620

Can I just confirm you can hear me okay in the room?

6

00:00:17.660 --> 00:00:20.800

And okay online? Okay.

7

00:00:20.960 --> 00:00:24.390

Um, can I also confirm at the rear of the room we're recording and-- Thank you, and

8

00:00:24.480 --> 00:00:27.950

streaming. Thank you very much. Um, again, apologies again for those with this

9

00:00:27.960 --> 00:00:31.660

morning. My name is Nick Ely, and I've been appointed by the Secretary of State as

10

00:00:31.680 --> 00:00:35.180

the examining inspector to examine this application.

11

00:00:35.220 --> 00:00:37.900

You might hear me referred to as the examining authority or the XA.

12

00:00:38.740 --> 00:00:41.400

I'm joined by my colleagues from the Planning Inspectorate, Mr.

13

00:00:41.440 --> 00:00:44.520

Jake Stevens at the rear of the room, handling matters for today's

14

00:00:45.180 --> 00:00:48.400

hearing, and administration in the rear of the room, and Mr.

15

00:00:48.420 --> 00:00:52.030

Sam Stevens, the case officer, joining us virtually handling, the virtual

16

00:00:52.080 --> 00:00:54.490

attendees and components of the virtual meeting online.

17

00:00:55.760 --> 00:00:58.610

We also have the team from TM Services and Event Video at the rear of the room.

18

00:00:58.620 --> 00:01:01.700

They're handling the audio and visual components of this meeting, live streaming

19

00:01:01.740 --> 00:01:05.140

it, and recording the event. And Cymn Translation

20

00:01:05.220 --> 00:01:09.140

Services, who will translate any spoken Welsh into English for the benefit

21

00:01:09.180 --> 00:01:11.660

of any non-Welsh speakers in the room or

22

00:01:11.720 --> 00:01:15.250

online. We do welcome contributions in Welsh during this

23

00:01:15.340 --> 00:01:19.280

examination, and translation facilities are available for anyone who

24

00:01:19.300 --> 00:01:23.200

wishes to do so. Uh, for those in the room, headphones are available

25

00:01:23.240 --> 00:01:25.980

to hear Welsh translated to English when it is spoken.

26

00:01:26.000 --> 00:01:29.940

And online there are two options. One is, to click the

27

00:01:29.980 --> 00:01:33.960

translation feed, or two, to dial the telephone number where you will pick up

28

00:01:34.580 --> 00:01:37.960

Cymn services as they translate. Can I just check before we go any further, is

29

00:01:38.010 --> 00:01:41.960

there anybody in the room who would wish to speak in Welsh?

30

00:01:43.220 --> 00:01:45.860

No, I'm getting a-- And is there anybody online who'd like to make any

31

00:01:45.900 --> 00:01:48.100

representations in Welsh?

32

00:01:49.800 --> 00:01:52.380

I'm not getting any feedback online at the moment.

33

00:01:52.460 --> 00:01:56.270

So, please feel free to do so if you wish to do so later.

34

00:01:56.320 --> 00:01:59.120

If you let me know at the time, it will give us a bit of a chance to dish out the

35

00:01:59.140 --> 00:02:02.400

headphones and ensure the people online can hear the translation if it does

36

00:02:02.440 --> 00:02:05.620

happen. Uh, right. Again, apologies again.

37

00:02:05.680 --> 00:02:05.880

Um,

38

00:02:06.880 --> 00:02:09.700

if you set your device to silent, please take a call, nip out the room and feel

39

00:02:09.741 --> 00:02:12.100

free to come back in when it suits you.

40

00:02:12.200 --> 00:02:16.180

Um, toilets are out of the door and on the left, and

41

00:02:16.420 --> 00:02:19.560

there is no planned fire alarm this afternoon, so if there is a fire alarm, we will

42

00:02:19.620 --> 00:02:23.340

exit through the doors on my left and meet in the car

43

00:02:23.380 --> 00:02:26.540

park to muster.

44

00:02:27.920 --> 00:02:30.320

So this meeting will follow the agenda that's been published on the National

45

00:02:30.360 --> 00:02:32.740

Infrastructure website on the 10th of March this year,

46

00:02:33.660 --> 00:02:37.020

which is Examination Library reference EV8001 and

47

00:02:37.140 --> 00:02:41.060

EV8002 in English and in Welsh respectively.

48

00:02:42.120 --> 00:02:45.269

It might help you if you have a copy of this, and equally online if you have a copy

49

00:02:45.280 --> 00:02:48.580

to refer to. Thank you.

50

00:02:49.520 --> 00:02:52.400

Agenda's for guidance only. I've set out some general topics that I'd like to cover

51

00:02:52.420 --> 00:02:55.900

off, particularly with the applicant and any affected persons that are

52

00:02:56.160 --> 00:02:58.900

att-attending this hearing, so that I can understand their point of view and make

53

00:02:58.940 --> 00:03:00.980

sure I have heard their opinions.

54

00:03:02.160 --> 00:03:05.980

Um, please feel free to point out anything to me if it does relate to

55

00:03:06.000 --> 00:03:08.030

those, affected persons at the same time.

56

00:03:08.760 --> 00:03:12.420

Similarly, if we can't conclude today with all of the discussions, you can be more

57

00:03:12.440 --> 00:03:15.700

than welcome to follow up in writing to me to ensure that I see it that way as

58

00:03:15.740 --> 00:03:17.600

well.

59

00:03:18.440 --> 00:03:22.040

So today's hearing, as all the others have been, are being undertaken in a hybrid

60

00:03:22.120 --> 00:03:25.640

way. Some people are present here in the room with me, and some are joining us

61

00:03:25.700 --> 00:03:29.500

online on Microsoft Teams. I'll try and make sure I allow you all to

be inclusive

62

00:03:29.520 --> 00:03:33.380

and engage in the hearing, but if I do miss you online, please give me a nod

63

00:03:33.560 --> 00:03:36.660

or a tap if I don't see your hand has gone up and you want to speak.

64

00:03:38.400 --> 00:03:41.660

A recording of today's hearing will also be made available on the Connah's Quay Low

65

00:03:41.760 --> 00:03:45.660

Carbon Power Project section of the National Infrastructure Planning website,

66

00:03:45.700 --> 00:03:48.240

and as soon as practical after this hearing is finished.

67

00:03:48.740 --> 00:03:52.600

With this in mind, please speak clearly each and every time that you speak

68

00:03:53.120 --> 00:03:57.040

so that we have a, a document of who's made that for the record,

69

00:03:57.080 --> 00:04:00.940

and it helps for those online as well to understand who's speaking if the camera

70

00:04:00.980 --> 00:04:04.200

hasn't tracked them a-automatically.

71

00:04:04.320 --> 00:04:08.109

Um, a link to the Inspectorate's privacy notice is provided in the

72

00:04:08.160 --> 00:04:11.360

notification for this hearing, but and I'd ask you to make yourself familiar with

73

00:04:11.400 --> 00:04:14.740

that if you haven't done already. Uh, and if you have any concerns about how we

74

00:04:14.780 --> 00:04:18.661

might handle anything that we collect from you today or any data, please feel free

75

00:04:18.740 --> 00:04:22.060

to speak to us after the hearing. Okay.

76

00:04:22.120 --> 00:04:25.490

I'm now going to move on to the meeting in hand and, those of you who are

77

00:04:25.490 --> 00:04:27.980

participating today to introduce yourselves.

78

00:04:28.060 --> 00:04:32.020

Uh, I'm gonna start with the occupants in, people in the room, and

79

00:04:32.220 --> 00:04:34.870

then we're gonna move to the people online, to identify themselves.

80

00:04:34.960 --> 00:04:38.880

So I'm gonna start, if I can, with, the applicant first and

81

00:04:38.920 --> 00:04:42.860

ask them just to name themselves and who will be speaking on each

82

00:04:42.940 --> 00:04:43.380

relative

83

00:04:44.220 --> 00:04:46.280

item or all if, if that's, that's

84

00:04:46.320 --> 00:04:48.700

easier.

85

00:04:48.780 --> 00:04:52.060

Um, Elizabeth Tones of, Herbert Smith Freehills Kramer for the

86

00:04:52.140 --> 00:04:55.880
applicant. Um, I'm joined here today by, Mr.

87
00:04:55.890 --> 00:04:58.500
Roger Brandwood from Uniper and Mr.

88
00:04:58.520 --> 00:05:02.300
Hugh Turner from Uniper as well. Um, there are others who may speak

89
00:05:02.360 --> 00:05:05.300
if, if necessary, but I'll just introduce those for now.

90
00:05:05.340 --> 00:05:07.380
Thank you very much.

91
00:05:09.220 --> 00:05:13.120
Uh, can I move to Flintshire County Council, please?

92
00:05:13.220 --> 00:05:17.120
Hello. Um, Charlie Pope, senior planning officer with Flintshire
County Council.

93
00:05:17.200 --> 00:05:21.160
Um, and to my right, I have Susan Cordner, county solicitor

94
00:05:21.280 --> 00:05:23.700
with Flintshire County Council.

95
00:05:23.760 --> 00:05:23.900
Thank

96
00:05:23.940 --> 00:05:29.680
you.

97
00:05:32.060 --> 00:05:35.100
And then if I could go to-- I think, have I missed anybody in the
room before I go

98
00:05:35.120 --> 00:05:38.540
online? No. Okay. Um, can I go to the parties online, please?

99

00:05:38.560 --> 00:05:40.990
Can I go first to Tata, please, and their

100
00:05:41.020 --> 00:05:42.760
representatives?

101
00:05:45.280 --> 00:05:48.920
Shall I go first? Uh, Andy Pickford, former property director, Tata

102
00:05:48.930 --> 00:05:52.780
Steel. Uh, now back as a consultant, doing some

103
00:05:52.800 --> 00:05:53.950
project work for Tata

104
00:05:53.950 --> 00:05:58.260
Steel.

105
00:06:00.100 --> 00:06:00.130
Thank you, Mr.

106
00:06:00.130 --> 00:06:05.468
Pickford.Any

107
00:06:05.488 --> 00:06:09.408
other parties online? Uh, feel free, by the way, to, to come in
later if you

108
00:06:09.428 --> 00:06:12.788
wish. But are there any other parties online who would wish to speak
on any of the

109
00:06:12.868 --> 00:06:16.208
items on the agenda before I, I carry on?

110
00:06:18.688 --> 00:06:21.228
No? Okay, thank you. Like I said, but feel free to let me know if
you do

111
00:06:21.308 --> 00:06:22.788
later.

112

00:06:23.728 --> 00:06:25.878

Oh, sorry, I've just picked up with Turley. Sorry.

113

00:06:26.848 --> 00:06:29.498

Apologies. Yeah, Abby Roberts from Turley.

114

00:06:29.528 --> 00:06:32.488

We're also representing Tata.

115

00:06:33.928 --> 00:06:37.208

Gareth Barton from Turley as well.

116

00:06:37.288 --> 00:06:38.008

Thank

117

00:06:38.168 --> 00:06:46.908

you.

118

00:06:49.548 --> 00:06:53.968

Anybody

119

00:06:54.028 --> 00:06:57.508

I've missed at all from any other organization or a-as an affected person or

120

00:06:57.548 --> 00:07:00.287

interested party who'd like to speak today?

121

00:07:04.088 --> 00:07:06.078

Okay, moving on. Um,

122

00:07:07.688 --> 00:07:10.388

so item two on the agenda now. What, what's the purpose of this hearing, what we

123

00:07:10.428 --> 00:07:12.088

called it? Um, let me briefly explain.

124

00:07:12.108 --> 00:07:15.428

It's a compulsory acquisition hearing, and the hearing is to, for me-

125

00:07:15.468 --> 00:07:15.498

One other party.

126

00:07:15.498 --> 00:07:18.748

Oh, sorry. Is there one other party I missed?

127

00:07:19.928 --> 00:07:22.808

No. I thought I heard a bit of feedback then. Sorry.

128

00:07:22.848 --> 00:07:25.768

Um, the, the hearing is for m- the opportunity for me to examine the applicant's

129

00:07:25.808 --> 00:07:29.668

overall case, particularly in relation to compulsory acquisition and temporary po-

130

00:07:29.708 --> 00:07:33.588

and/or temporary possession. So in particular, to ensure,

131

00:07:33.888 --> 00:07:36.968

adequate examination of the provisions within the draft development consent

132

00:07:37.048 --> 00:07:40.688

order, I need to seek and authorize the compulsory acquisition of the land and all

133

00:07:40.708 --> 00:07:44.348

the rights over the land. I need to assess whether the conditions relating to the

134

00:07:44.408 --> 00:07:48.228

land and all rights being required for the proposed development or required to

135

00:07:48.268 --> 00:07:51.268

facilitate or be incidental to that development are being

136

00:07:51.308 --> 00:07:55.258

met. Assess whether there is a compelling case in

137

00:07:55.268 --> 00:07:59.088

the public interest for the land to be acquired compulsorily,

138

00:07:59.188 --> 00:08:02.828

and to discharge, my duty to hear affected persons by

139

00:08:02.868 --> 00:08:06.748

compulsory acquisition or temporary possession, which are referred to as affected

140

00:08:06.828 --> 00:08:07.208

persons

141

00:08:08.328 --> 00:08:11.888

who request to be heard. I haven't had any formal requests for anyone to be heard,

142

00:08:11.908 --> 00:08:15.688

but I have decided to call this hearing anyway just in case affected persons would

143

00:08:15.767 --> 00:08:18.488

like to put their point of view across to me.

144

00:08:18.528 --> 00:08:21.518

I'm also keen to cover any site-specific issues that the, either the

145

00:08:21.568 --> 00:08:24.768

applicant, I know we don't have any statutory undertakers present

146

00:08:24.808 --> 00:08:28.277

today, or any, any of the affected persons wish to point out to me.

147

00:08:28.368 --> 00:08:32.348

So any particular land parcels, plots, or specific compulsory

148

00:08:32.389 --> 00:08:35.068

acquisition or temporary possession issues.

149

00:08:36.448 --> 00:08:39.568

So the hear-hearing is actually being held so that myself and ultimately the

150

00:08:39.608 --> 00:08:43.497

Secretary of State can test the applicant's contention in con- in the context of

151

00:08:43.548 --> 00:08:46.748

the applicable legislation, policy, and guidance.

152

00:08:46.808 --> 00:08:47.008

So

153

00:08:49.148 --> 00:08:52.337

as the examining authority, I consider the request for compulsory acquisition, and

154

00:08:52.368 --> 00:08:55.738

we must take into account not only what is heard today, but all relevant and

155

00:08:55.788 --> 00:08:59.468

associated information that is received, including the application document-

156

00:08:59.488 --> 00:09:01.968

documents, other oral submissions, and any written

157

00:09:02.008 --> 00:09:05.678

representations. I'll be guided and, you know,

158

00:09:05.768 --> 00:09:07.717

deliberating decide w-what should be...

159

00:09:07.948 --> 00:09:11.348

by the relevant human rights legislation, including the European Convention on

160

00:09:11.408 --> 00:09:14.528

Human Rights, Article 6, the right to a fair trial or

161

00:09:14.588 --> 00:09:18.448

hearing, number eight, the right to respect for

162

00:09:18.568 --> 00:09:22.388

private family life, privacy and family life, and, Article

163

00:09:22.448 --> 00:09:26.428

14, the protection from discrimination, and First Protocol, Article 1,

164

00:09:26.448 --> 00:09:29.788

the protection of property. So those are the things I'm gonna be considering when

165

00:09:30.128 --> 00:09:32.868

looking at the case for compulsory acquisition and temporary possession.

166

00:09:33.908 --> 00:09:34.468

Okay,

167

00:09:35.828 --> 00:09:39.608

does anybody have anything they want to ask or query before we move on to the

168

00:09:39.648 --> 00:09:41.328

main issues of the,

169

00:09:42.388 --> 00:09:45.128

purpose of the hearing?

170

00:09:46.888 --> 00:09:49.768

No? Okay. So I'm gonna move on to the first one, which is actually the applicant's

171

00:09:49.848 --> 00:09:53.837

case for compulsory acquisition and temporary possession, and I'm

172

00:09:53.848 --> 00:09:57.768

gonna ask the applicant, accepting that we have a, a very comprehensive

173

00:09:58.328 --> 00:10:02.068

written submission of statement of need, funding statement, and book of reference.

174

00:10:02.088 --> 00:10:05.948

I was gonna ask, would it be possible for you to succinctly summarize, the

175

00:10:06.008 --> 00:10:09.448

reasons why you are seeking compulsory acquisition and temporary

176

00:10:09.468 --> 00:10:13.408

possession, identify the powers that you are seeking, the relevant

177

00:10:13.448 --> 00:10:16.348

components of the draft development consent order where relevant,

178

00:10:17.568 --> 00:10:21.288

and why your strategy was for seeking compulsory acquisition powers or

179

00:10:21.348 --> 00:10:22.368

temporary possession powers,

180

00:10:23.268 --> 00:10:25.848

and similarly, what alternatives you looked at.

181

00:10:25.908 --> 00:10:28.008

So h-happy how you want to take that.

182

00:10:28.548 --> 00:10:31.918

What, what I'm trying to be clear on here is for Section

183

00:10:32.348 --> 00:10:36.188

122 of the Planning Act states that compulsory acquisition powers may only be

184

00:10:36.268 --> 00:10:40.148

authorized if the following conditions were met that we just described, that the

185

00:10:40.168 --> 00:10:43.808

land is required for the development which the consent relates,

there's a

186

00:10:43.868 --> 00:10:45.968
compelling public case. So

187

00:10:46.928 --> 00:10:50.908
can you, can you briefly give me the reason why you need the

188

00:10:50.968 --> 00:10:54.248
powers that you are seeking? Thank

189

00:10:54.288 --> 00:10:55.928
you.

190

00:10:56.048 --> 00:10:57.908
Uh, Elizabeth Tones for the applicant.

191

00:10:58.308 --> 00:11:02.098
Um, so there are sort of three strands to the, the, the compulsory

192

00:11:02.128 --> 00:11:06.068
acquisition powers being sought on a permanent basis, so permanent
freehold,

193

00:11:06.408 --> 00:11:09.888
permanent subsurface, and then permanent rights, and then temporary
possession

194

00:11:09.928 --> 00:11:11.498
is sought in addition to this.

195

00:11:12.408 --> 00:11:16.068
Um, in terms of the freehold interests that are being sought, this
is where

196

00:11:16.128 --> 00:11:18.088
permanent works will be delivered.

197

00:11:18.268 --> 00:11:22.258
Um, the ala- area of land primarily sought for this is

198

00:11:22.288 --> 00:11:25.248

within the main development area, which is shown on sheet eight of, of the land

199

00:11:25.328 --> 00:11:29.248

plans, and also in the construction and indicative enhancement area,

200

00:11:29.308 --> 00:11:31.648

which is on sheet nine of the land plans.

201

00:11:31.748 --> 00:11:35.368

Um, this land is primarily already owned, by the applicant,

202

00:11:35.648 --> 00:11:39.068

but powers of compulsory acquisition have nonetheless been sought and are still

203

00:11:39.128 --> 00:11:42.528

needed to ensure that no future interests are registered over the land

204

00:11:43.088 --> 00:11:46.088

that would have the potential to impede delivery of the proposed

205

00:11:46.108 --> 00:11:49.588

development. Um, permanent subsurface

206

00:11:49.708 --> 00:11:53.688

interests with surface rights are sought in respect of the pipeline

207

00:11:53.748 --> 00:11:57.728

works required, so these are shown on sheets six and seven of the land

208

00:11:57.788 --> 00:12:01.608

plans. Um, these interests are sought, for the existing

209

00:12:01.688 --> 00:12:04.948

pipeline and then also within the proposed C02

210

00:12:05.008 --> 00:12:07.108

corridor.

211

00:12:07.228 --> 00:12:11.084

Um-Permanent rights, are

212

00:12:11.144 --> 00:12:14.924

sought in respective areas where temporary works will take place, such as

213

00:12:15.024 --> 00:12:18.184

the, the water connection corridor, but then permanent rights of

214

00:12:18.264 --> 00:12:21.804

access will, will be required on an ongoing basis.

215

00:12:21.904 --> 00:12:25.224

Um, these areas can be found in sheets nine and-- eight and nine of the land

216

00:12:25.284 --> 00:12:29.144

plans. And then temporary possession powers have separately been

217

00:12:29.204 --> 00:12:32.504

sought in relation to the temporary works required,

218

00:12:32.964 --> 00:12:36.944

for access to works such as, in the proposed CO2 corridor, but

219

00:12:37.004 --> 00:12:40.984

then also for the, works required for the transport of abnormal

220

00:12:41.024 --> 00:12:44.634

indivisible loads, along the highway network and at the

221

00:12:44.704 --> 00:12:48.404

ports. So that's a brief overview of sort of

222

00:12:48.844 --> 00:12:51.844

the nature of the works required and how that ties into the, the rights

223

00:12:51.924 --> 00:12:53.104

sought.

224

00:12:53.164 --> 00:12:55.764

Thank you very much. That's helpful.

225

00:12:58.964 --> 00:13:00.784

Could I just ask one point of clarity on this?

226

00:13:00.844 --> 00:13:03.864

I think I know the answer already, but the permanent freehold rights you're

227

00:13:03.964 --> 00:13:07.834

seeking on the, existing site, you

228

00:13:07.884 --> 00:13:10.884

say is within Uniper's ownership

229

00:13:10.924 --> 00:13:14.164

already. Thanks.

230

00:13:14.224 --> 00:13:15.684

Uh, Elizabeth Tones for the applicant.

231

00:13:15.744 --> 00:13:19.564

Um, that is largely correct, yes.

232

00:13:19.634 --> 00:13:22.874

Yeah. But there are some areas where you are seeking

233

00:13:22.924 --> 00:13:26.744

permanent freehold rights out-ou-outside of the main

234

00:13:26.804 --> 00:13:27.484

development area

235

00:13:28.464 --> 00:13:31.834

in the, C02, the C02 corridor.

236

00:13:31.844 --> 00:13:32.564

Is that correct?

237

00:13:34.044 --> 00:13:35.644

Um, Elizabeth Tones for the applicant.

238

00:13:35.684 --> 00:13:39.544

So in the proposed C02 corridor, the, as per the, the

239

00:13:39.624 --> 00:13:43.304

change application, that has been downgraded, to just

240

00:13:43.464 --> 00:13:44.924

permanent subsurface. But-

241

00:13:44.934 --> 00:13:44.934

Right

242

00:13:44.934 --> 00:13:47.544

... as at the application stage, it was freehold, but-

243

00:13:47.664 --> 00:13:48.364

Right. Thank you

244

00:13:48.384 --> 00:13:49.784

... now downgraded.

245

00:13:49.804 --> 00:13:51.124

Thank you.

246

00:14:04.024 --> 00:14:06.544

Could you tell me how you, in your

247

00:14:07.784 --> 00:14:10.864

submission of the application, have justified,

248

00:14:13.304 --> 00:14:15.804

the case for compulsory acquisition where it's required,

249

00:14:16.784 --> 00:14:19.464

and the case for temporary possession where you are seeking those

250

00:14:19.544 --> 00:14:23.414
rights? So, again, what-- if it's easier for you to break it

251
00:14:23.424 --> 00:14:26.733
into those four categories you've already given me, entirely up to you. Is that...

252
00:14:26.764 --> 00:14:30.434
Yeah. Effectively, I think you've already sort

253
00:14:30.434 --> 00:14:34.324
of done it, and apologies, just doing it again for the, the record if you

254
00:14:34.364 --> 00:14:35.944
like, but if you could just clarify

255
00:14:36.784 --> 00:14:40.584
why you need each one of those things, for, for what

256
00:14:40.684 --> 00:14:43.144
reason, and what the alternative would be if you didn't.

257
00:14:43.164 --> 00:14:45.424
That make sense?

258
00:14:47.804 --> 00:14:49.704
Elizabeth Tones for the applicant.

259
00:14:49.784 --> 00:14:53.674
Um, so the applicant's considered, a variety of,

260
00:14:53.704 --> 00:14:57.684
of options, when developing its, its land acquisition strategy,

261
00:14:58.404 --> 00:15:01.424
to determine the nature of compulsory acquisition or temporary possession

262
00:15:01.684 --> 00:15:04.784
required to deliver the proposed development.

263

00:15:04.884 --> 00:15:08.744

Um, so seeking to deliver permanent works within its existing

264

00:15:08.784 --> 00:15:12.444

landholding, for example, and then where those works, fell

265

00:15:12.604 --> 00:15:15.584

outside of its landholding, such as in the proposed C02

266

00:15:15.624 --> 00:15:19.604

corridor, trying to constrain the area of land required,

267

00:15:20.304 --> 00:15:22.764

to that simply required for the delivery of works.

268

00:15:22.864 --> 00:15:26.104

Um, and that can be seen through the overlap between the works plans and the land

269

00:15:26.164 --> 00:15:28.424

plans and how the two correlate together.

270

00:15:29.324 --> 00:15:32.964

Um, for example, in the case of the proposed C02 corridor,

271

00:15:33.484 --> 00:15:36.244

the order limits mirror that of the overlapping high net

272

00:15:36.304 --> 00:15:40.024

order, to ensure that no additional land interests were, were

273

00:15:40.064 --> 00:15:44.024

encompassed by the proposed development beyond those necessary.

274

00:15:44.124 --> 00:15:48.114

Um, through the, the change application as well, the applicant has sought to, to,

275

00:15:48.124 --> 00:15:52.104

to reduce the, the, the nature of the acquisition sought in that corridor, as

276

00:15:52.184 --> 00:15:56.164

well. And then within the repurposed CO2 corridor,

277

00:15:56.464 --> 00:15:59.844

permanent subsurface interests have been sought along certain

278

00:15:59.964 --> 00:16:03.384

stretches of the pipeline where there is no clear evidence,

279

00:16:04.264 --> 00:16:07.144

that an existing, interest is being held.

280

00:16:07.604 --> 00:16:11.573

Um, a selective approach has been, been used there so that where we have

281

00:16:11.604 --> 00:16:14.394

existing land interests evidenced, no acquisition is

282

00:16:14.424 --> 00:16:16.844

sought.

283

00:16:16.854 --> 00:16:20.844

Thank you. I'll ta-- You've answered

284

00:16:20.854 --> 00:16:22.454

some of my following questions, so thank you for that.

285

00:16:22.464 --> 00:16:25.264

You know, obviously we're gonna look at the hierarchy you went through and what

286

00:16:25.324 --> 00:16:27.844

have you, but I think thank you very much. I think you've already touched on those.

287

00:16:27.863 --> 00:16:29.104

That's useful.

288

00:16:29.204 --> 00:16:33.804

Um...

289

00:16:41.164 --> 00:16:44.584

One thing I'm still slightly confused by, if I'm being brutally honest with myself,

290

00:16:44.624 --> 00:16:47.874

is on the CO2 corridor, and I'm, I'm missing out...

291

00:16:47.874 --> 00:16:49.924

Uh, I'll come on to the change request in a minute.

292

00:16:49.984 --> 00:16:53.864

I note that you've taken some elements out because the high

293

00:16:53.904 --> 00:16:56.844

net project will lead and do some of that development.

294

00:16:59.124 --> 00:17:02.724

What is the justification for, outside the scope of this,

295

00:17:03.064 --> 00:17:06.825

high net needing rights and acquisition on that site and

296

00:17:06.984 --> 00:17:10.764

y-this project also? Will not one of the projects

297

00:17:10.844 --> 00:17:14.285

lead and deliver the pipeline and the reinstatement and the making good and the

298

00:17:14.364 --> 00:17:18.164

future maintenance, or do both parties require

299

00:17:18.174 --> 00:17:21.714

those rights over that pipeline? Who...

300

00:17:21.744 --> 00:17:24.444

I'm, I'm struggling to understand if it's, if it's one party's pipeline, why do

301

00:17:24.484 --> 00:17:26.744
both parties need the rights?

302

00:17:28.904 --> 00:17:30.504
Elizabeth Tones for the applicant.

303

00:17:30.524 --> 00:17:34.104
So the high net order provides for the, the land

304

00:17:34.164 --> 00:17:37.744
acquisition rights in respect of the high net DCA works,

305

00:17:38.164 --> 00:17:41.744
which include one spare pipeline up to the Flint AGI and the
construction of the

306

00:17:41.784 --> 00:17:45.444
Flint AGI. For the proposed development, an

307

00:17:45.484 --> 00:17:48.404
additional spare pipeline will be required.

308

00:17:48.414 --> 00:17:52.364
The, the land rights and the ability to use compulsory acquisition
powers

309

00:17:52.424 --> 00:17:56.214
to construct that additional pipeline are not provided under that

310

00:17:56.324 --> 00:17:59.704
extant DCA, and that is why it's required under the proposed

311

00:17:59.724 --> 00:18:05.204
development.

312

00:18:07.444 --> 00:18:11.294
So sorry, I think if I'm right, the extant DCA for high net doesn't
cover the

313

00:18:11.324 --> 00:18:14.804
whole length of the pipeline. But I just wanted to make sure there's
no areas of

314

00:18:14.864 --> 00:18:18.600

overlap where both parties are seeking—Competing powers, if you

315

00:18:18.640 --> 00:18:21.600

like, over a, the same section of pipeline.

316

00:18:21.680 --> 00:18:23.050

Um, Elizabeth Jones for the applicant.

317

00:18:23.080 --> 00:18:26.920

So it, it is the same area, but there are two distinct pipes, so it's not that

318

00:18:26.960 --> 00:18:30.720

there is an additional stretch of pipe, rather than

319

00:18:30.760 --> 00:18:33.080

two parallel pipes will exist next to each other.

320

00:18:33.090 --> 00:18:35.300

Oh, right. Thank you. Thank you. Yeah.

321

00:18:35.360 --> 00:18:38.900

Sorry.

322

00:18:58.560 --> 00:19:02.400

Are there any questions either online, in the room about the overarching case?

323

00:19:02.420 --> 00:19:05.600

I will come to site-specific cases shortly about,

324

00:19:06.120 --> 00:19:07.700

particular land sections that were within

325

00:19:08.620 --> 00:19:11.520

the scope of the book of reference and that, the status on that.

326

00:19:11.540 --> 00:19:14.560

But are there anybody who wants to ask the overarching tests

327

00:19:15.340 --> 00:19:17.800

and, conditions that need to be met for

328

00:19:19.120 --> 00:19:21.979

the legislation to be recommended or not?

329

00:19:23.040 --> 00:19:25.230

Okay, no nods in the room and nothing online at the moment.

330

00:19:25.260 --> 00:19:27.460

So I'm gonna move on to item three point two, if you like.

331

00:19:27.940 --> 00:19:31.020

Appreciate we've just touched on this slightly already, which is the change

332

00:19:31.060 --> 00:19:34.940

request. Thank you again for the very, thorough breakdown you

333

00:19:34.980 --> 00:19:38.900

gave us last time of how you're proposing to change, the six changes

334

00:19:38.940 --> 00:19:41.300

that we're going to make to the, proposed development.

335

00:19:42.020 --> 00:19:45.140

Um, and I will be feeding back to you on the response from that shortly.

336

00:19:45.160 --> 00:19:48.490

But just noting the, the changes it seem to...

337

00:19:48.520 --> 00:19:50.400

Regarding,

338

00:19:52.100 --> 00:19:55.140

principally l- the land rights I'm interested in, principally were

339

00:19:56.120 --> 00:19:58.920

what was going on around the HyNet corridor and the changes in that

section of the

340

00:19:58.980 --> 00:20:02.400

site because of HyNet leading on that area and their reinstatement

341

00:20:02.480 --> 00:20:06.060

regime. The area around Connors

342

00:20:06.160 --> 00:20:06.480

Quay

343

00:20:08.300 --> 00:20:09.280

South.

344

00:20:11.060 --> 00:20:11.760

North.

345

00:20:11.780 --> 00:20:11.810

North.

346

00:20:11.810 --> 00:20:15.600

North, sorry. Uh, which is the, existing jetty

347

00:20:15.720 --> 00:20:19.590

which is being utilized by or owned by, Tata, and utilized

348

00:20:19.620 --> 00:20:22.980

by them and others, which we'll come onto as a separate

349

00:20:23.040 --> 00:20:26.829

item. Uh, I just wanted to pick up if there were any other changes on

350

00:20:26.880 --> 00:20:30.220

the, change request that we've currently received that I'm not aware of.

351

00:20:30.260 --> 00:20:33.280

I appreciate what's also happening in the, main development area, the

352

00:20:33.320 --> 00:20:37.180
MDA, regarding that moving the

353
00:20:37.280 --> 00:20:40.800
contractors compound, but that's, feels less concerning 'cause it's
between you as

354
00:20:40.840 --> 00:20:43.920
land and, and within the site boundary, if you like.

355
00:20:43.940 --> 00:20:46.860
Was there anything that you wanted to add to that and point out to

356
00:20:46.900 --> 00:20:47.980
me?

357
00:20:48.050 --> 00:20:49.300
Elizabeth Jones for the applicant.

358
00:20:49.340 --> 00:20:52.080
Th-those two changes identified are the only ones relevant in this
matter.

359
00:20:52.100 --> 00:20:53.820
That's excellent. Thank you.

360
00:20:53.900 --> 00:20:57.760
Um, so

361
00:20:57.800 --> 00:21:01.440
I'm, I'm gonna quickly move on to item three point three then in
that case, unless

362
00:21:01.460 --> 00:21:04.560
anybody wants to comment on it. Because I think those are the two
items I wanted to

363
00:21:04.580 --> 00:21:08.420
pick out. One is, thank you, the HyNet one, I must admit to, I

364
00:21:08.460 --> 00:21:11.400
still need to get my head around how the two pipelines are gonna

work and, and

365

00:21:11.740 --> 00:21:14.440

interact and who's gonna do the repairs as and when

366

00:21:14.480 --> 00:21:18.280

a, grass needs cutting or whatever it is on that

367

00:21:18.520 --> 00:21:21.900

pipeline route. And, and just trying to understand the, the subtle difference

368

00:21:21.920 --> 00:21:25.140

between the rights, the permanent rights, subsurface

369

00:21:25.220 --> 00:21:28.920

rights, and permanent

370

00:21:28.980 --> 00:21:32.840

freehold, which I don't think you have any, but HyNet does

371

00:21:32.900 --> 00:21:36.720

now. You've taken those item, land parcels number seven out of

372

00:21:36.760 --> 00:21:39.620

your, your scope now because HyNet will have that.

373

00:21:39.640 --> 00:21:43.250

But I'm just trying to still subtly understand how that all meshes together.

374

00:21:43.340 --> 00:21:43.610

I think,

375

00:21:47.180 --> 00:21:51.160

I think I'm still, still not clear in my head to how you, how the pipeline from

376

00:21:51.200 --> 00:21:55.140

the proposed plant at Connors Quay, the MDA,

377

00:21:55.220 --> 00:21:58.980
to the HyNet pipeline. There is some existing

378
00:21:59.080 --> 00:22:02.960
sections of existing pipeline. There are some new sections required
to

379
00:22:03.000 --> 00:22:06.320
be laid. Your proposed development is going

380
00:22:06.360 --> 00:22:09.860
to access with temporary possession and lay the new

381
00:22:09.920 --> 00:22:10.720
pipeline and

382
00:22:13.160 --> 00:22:15.670
propose permanent rights over that for access and

383
00:22:15.740 --> 00:22:19.560
maintenance. HyNet is gonna maintain the bit that

384
00:22:19.640 --> 00:22:23.530
it's got. Is that clear or am I... And then what about the bits of

385
00:22:23.580 --> 00:22:25.180
the existing pipeline

386
00:22:26.340 --> 00:22:29.820
that HyNet are conditioning but you will be

387
00:22:29.860 --> 00:22:33.320
relying on going forwards? So sorry.

388
00:22:34.279 --> 00:22:36.789
Um, Elizabeth Jones for the applicant.

389
00:22:36.789 --> 00:22:40.380
So, to clarify, the undertaker under the, the HyNet order, Liverpool
Bay

390

00:22:40.460 --> 00:22:44.400
CCS Limited, are also an undertaker within the

391
00:22:44.520 --> 00:22:48.140
proposed development draft DCO for the works within the proposed

392
00:22:48.200 --> 00:22:51.800
CO2 corridor and so will benefit from the rights of the

393
00:22:51.840 --> 00:22:53.760
DCO in that corridor to deliver

394
00:22:54.640 --> 00:22:58.460
the works of both their order and the works consented, to be
consented

395
00:22:58.660 --> 00:23:02.200
under the draft order, all those works.

396
00:23:02.300 --> 00:23:06.140
Um, the works within the proposed CO2 corridor are,

397
00:23:06.180 --> 00:23:10.040
yeah, all new. And then within the repurposed pipeline

398
00:23:10.080 --> 00:23:12.460
corridor, there were no works proposed.

399
00:23:12.480 --> 00:23:14.990
There's nothing shown on the works plans for that.

400
00:23:15.000 --> 00:23:18.720
But that pipeline will need to be used by the proposed development,
and therefore

401
00:23:18.740 --> 00:23:21.760
it is necessary that the required land interests are

402
00:23:21.820 --> 00:23:25.710
confirmed, and that's where the, the areas of, acquisition are

403

00:23:25.710 --> 00:23:27.320
shown along that corridor.

404
00:23:27.380 --> 00:23:31.200
Thank you.

405
00:23:31.210 --> 00:23:34.400
Thank you, 'cause I think that, that matches what I thought I
understood, but thank

406
00:23:34.440 --> 00:23:36.800
you for that. Thank you for confirming that.

407
00:23:36.900 --> 00:23:37.160
Um,

408
00:23:39.720 --> 00:23:41.460
right.

409
00:23:43.800 --> 00:23:44.140
So

410
00:23:45.180 --> 00:23:47.120
I think that covers off. Like I say, I'm happy with the

411
00:23:49.780 --> 00:23:52.900
statement, and na- of needs around the MDA site.

412
00:23:53.020 --> 00:23:56.640
I understand now, I think, more clearly what's happening between
there and the

413
00:23:56.660 --> 00:23:59.760
HyNet pipeline. Um,

414
00:24:02.200 --> 00:24:05.980
sort of two other areas I wanted to cover off were around the,
abnormally

415
00:24:06.020 --> 00:24:09.780
indivisible loads and the use of other land owners'

416

00:24:09.840 --> 00:24:13.340

sites for that. I'm just gonna go into that shortly.

417

00:24:13.460 --> 00:24:16.430

Uh, I'm just, what was the other thing I've just got here? Sorry.

418

00:24:16.440 --> 00:24:17.320

Do

419

00:24:17.340 --> 00:24:23.584

you-Yes.

420

00:24:24.984 --> 00:24:27.324

Let's-- Yeah, okay, let's, let's move on to the,

421

00:24:27.364 --> 00:24:30.964

the, the area of development within

422

00:24:31.004 --> 00:24:33.314

Tata ownership. Uh,

423

00:24:35.564 --> 00:24:38.764

would it be possible for you to give an update on negotiations with Tata and tell

424

00:24:38.784 --> 00:24:41.004

you the... who are joining us online?

425

00:24:41.084 --> 00:24:44.884

And again, briefly, if we could introduce why you need

426

00:24:44.904 --> 00:24:48.564

that specific site or why you may need it into the future for

427

00:24:48.604 --> 00:24:52.204

your... the routing of the loading, potential

428

00:24:52.224 --> 00:24:54.884

loadings, and then an update on the status of negotiations,

429

00:24:54.904 --> 00:24:56.604
please.

430
00:24:58.684 --> 00:25:00.404
Uh, good afternoon. Hugh Turnock, the applicant.

431
00:25:01.344 --> 00:25:04.824
Um, in terms of status of negotiations, there was a meeting

432
00:25:04.904 --> 00:25:08.764
with, Tata on the sixth of January via Teams,

433
00:25:09.164 --> 00:25:11.964
and subsequently followed up with emails on the twentieth

434
00:25:12.964 --> 00:25:15.344
of February and the twenty-sixth of February.

435
00:25:15.384 --> 00:25:18.364
Twenty-sixth of February, we supplied draft heads of terms of
agreement that we

436
00:25:18.404 --> 00:25:22.264
believe reflect the discussions with, Tata when we met and addressed

437
00:25:22.284 --> 00:25:25.804
their concerns. And subsequently, I've sent an email on the

438
00:25:25.924 --> 00:25:29.784
thirteenth of March seeking, an update and any thoughts on those
draft heads of

439
00:25:29.824 --> 00:25:33.744
terms that have been issued. And we now, today have had a response
from Tata

440
00:25:33.784 --> 00:25:36.844
to say, acknowledging receipt of the heads of terms and to say
they'd be back

441
00:25:36.884 --> 00:25:39.804
in contact once their lawyers had considered them.

442

00:25:39.864 --> 00:25:42.164

So and that's the status at the moment.

443

00:25:42.204 --> 00:25:45.624

Thank you. So again, just I, I'll move on to some other sites in a moment, but just

444

00:25:45.664 --> 00:25:47.364

focusing specifically on the Conners Quay

445

00:25:48.284 --> 00:25:51.604

North site. I struggle with north 'cause I think it's down... upstream.

446

00:25:51.624 --> 00:25:55.404

But anyway, in the north q- it's north, it's north of the river, isn't it?

447

00:25:55.444 --> 00:25:57.604

That's the trick. Right. Um,

448

00:25:59.164 --> 00:26:02.564

would it be possible to come to Tata and their representatives now to, hear

449

00:26:02.584 --> 00:26:06.384

from you and h- and your o-opinions on, the proposed development,

450

00:26:06.864 --> 00:26:08.664

the proposed use of your land,

451

00:26:09.484 --> 00:26:13.384

and how you feel that the status of negotiations with regard to that

452

00:26:13.424 --> 00:26:16.404

and the use of the powers are?

453

00:26:16.504 --> 00:26:19.324

Yeah. I-- Andy Pickford, Tata Steel. I can come back on that.

454

00:26:19.364 --> 00:26:22.984

Yes, we've, we've had an intel discussion on the heads of terms.

455

00:26:23.104 --> 00:26:26.024

Um, I think it's fair to say it's probably very early days.

456

00:26:26.044 --> 00:26:28.264

There's no commercial terms as yet.

457

00:26:28.384 --> 00:26:32.364

Um, but, but there are some fairly fundamental points I think probably we

458

00:26:32.404 --> 00:26:35.884

just need to set down, which I think Terleys have already sort of

459

00:26:35.944 --> 00:26:39.764

indicated. One, we think it would need access through the

460

00:26:39.824 --> 00:26:43.484

works. It's a secure work, so everybody who comes on site has to get

461

00:26:43.524 --> 00:26:47.124

inducted, be approved. Um, and we'd need to

462

00:26:47.184 --> 00:26:50.444

agree some form of, protocol for that to happen.

463

00:26:50.564 --> 00:26:52.694

Uh, clearly we can't have people coming on 'cause it...

464

00:26:52.744 --> 00:26:56.013

you have to drive all the way through the site to get to the, the,
the

465

00:26:56.104 --> 00:26:58.814

dock. Uh, I think the second point is

466

00:26:59.624 --> 00:27:00.954

we haven't had any as yet

467

00:27:01.844 --> 00:27:05.584
surveys or reports done on the condition of that

468
00:27:05.824 --> 00:27:09.304
wharf, and whether any works would need to be done,

469
00:27:10.684 --> 00:27:13.264
and how that would be done and what would need to be done.

470
00:27:13.364 --> 00:27:17.264
Um, and then, I think the, the final point is

471
00:27:17.344 --> 00:27:21.104
the applicants asked for a five-year term with the ability to

472
00:27:21.144 --> 00:27:24.504
extend for another seven years. Uh, under

473
00:27:24.524 --> 00:27:28.424
Tata's approval process, that would need Indian board, but it would
also

474
00:27:28.484 --> 00:27:32.474
need our funders' approval, because of

475
00:27:32.504 --> 00:27:36.204
the funding that UK government are giving to Port Talbot for the new

476
00:27:36.244 --> 00:27:40.024
electric arc. UK government are effectively now the, the

477
00:27:40.084 --> 00:27:42.844
party with the interest under that funding, under that

478
00:27:43.144 --> 00:27:47.084
restriction. Um, so we'd have to make that through that, and that
takes

479
00:27:47.144 --> 00:27:49.944
some time to get. It's not a simple thing to get, as is India.

480

00:27:49.964 --> 00:27:53.284

So there will be a, a lengthy approval path from our point of

481

00:27:53.304 --> 00:27:56.284

view. Uh, I'm not saying that that can't be done.

482

00:27:56.304 --> 00:27:58.934

I'm just saying that we're quite an early stage, and I think there's quite a lot of

483

00:27:58.964 --> 00:28:02.293

detail that would need to be done before we could say it works for us or it doesn't

484

00:28:02.344 --> 00:28:03.224

work for us.

485

00:28:04.204 --> 00:28:06.784

Thank you, Mr. Pickford. Yeah, I think, I think that, that's helpful.

486

00:28:06.864 --> 00:28:07.024

Um,

487

00:28:08.104 --> 00:28:09.704

perhaps not a little unsurprising as well.

488

00:28:09.724 --> 00:28:12.984

You're, you know, Tata are a very la- large organization and appreciate, you know,

489

00:28:13.404 --> 00:28:16.504

all of the things you mentioned regarding access across a live working

490

00:28:16.644 --> 00:28:20.534

site. Um, want to protect your interest to make sure that the assets

491

00:28:20.564 --> 00:28:23.364

that you own are in good condition when before and after.

492

00:28:23.434 --> 00:28:26.204

And equally, the length of the duration, the extension of the works,
I can

493

00:28:26.244 --> 00:28:28.124
understand how that would impact on,

494

00:28:29.204 --> 00:28:31.964
seeking board approvals and also potentially UK government
approvals.

495

00:28:32.004 --> 00:28:35.664
Thank you for that. Um, I guess what I'm looking at from here is

496

00:28:37.004 --> 00:28:40.744
am I, am I, am I getting any red flags from any party about this
particular issue?

497

00:28:40.764 --> 00:28:44.404
Are you telling me, "I thoroughly object to this," or,

498

00:28:46.284 --> 00:28:50.144
is this something that you believe is, is developable, albeit

499

00:28:50.184 --> 00:28:53.324
with your commercial terms and all of the things you've just
mentioned with the

500

00:28:53.364 --> 00:28:55.574
applicant? Is there any reason I should have concern? Is there
any...

501

00:28:55.584 --> 00:28:59.444
Is this is your opportunity to say to me, "I really, really do or do
not want this

502

00:28:59.484 --> 00:29:01.864
to happen"? Um-

503

00:29:01.904 --> 00:29:05.844
No, I think, I think from our point of view, we are quite happy to
continue to

504

00:29:05.884 --> 00:29:09.493

talk to them. And if we can come to a sensible, you know, solution that works for

505

00:29:09.544 --> 00:29:12.864

both parties, great. You know, that, that would be relevant.

506

00:29:12.904 --> 00:29:15.774

So we're not, we're not saying no. We're just saying there's a lot of detail to get

507

00:29:15.774 --> 00:29:15.804

done.

508

00:29:15.824 --> 00:29:19.534

Subject. Yes. No, that's help... That's, that, that's great. Thank you very much.

509

00:29:19.544 --> 00:29:21.894

That's, that's exactly the point of, today's hearing for me.

510

00:29:21.924 --> 00:29:24.784

From, you know, just trying to identify any,

511

00:29:26.304 --> 00:29:30.174

potential significant concerns around, people having

512

00:29:30.204 --> 00:29:33.924

their rights potentially, changed by

513

00:29:33.964 --> 00:29:35.444

legislation.

514

00:29:36.484 --> 00:29:40.024

Okay. Uh, but I do appreciate all of the caveats that you've mentioned there as

515

00:29:40.064 --> 00:29:42.934

well and, and appreciate that that would go on long after if this proposed

516

00:29:42.964 --> 00:29:45.894

development is, is approved or not, that you'd still need to seek all that and all

517

00:29:45.924 --> 00:29:48.474

those agreements and, and they would continue. So thank you.

518

00:29:48.584 --> 00:29:52.504

Um, what I'm seeking really is just to ensure

519

00:29:52.544 --> 00:29:55.984

that the, the rights of your organization are not being, impinged

520

00:29:57.984 --> 00:29:59.544

compulsorily.

521

00:30:00.724 --> 00:30:04.284

Yeah. I, I think subject, subject to the, the detail-

522

00:30:04.404 --> 00:30:04.524

Yeah

523

00:30:05.104 --> 00:30:07.664

... then, then we're quite happy and we're quite happy that we'll talk to

524

00:30:07.704 --> 00:30:10.484

them and we'll see if we can come to a, a sensible commercial

525

00:30:10.544 --> 00:30:11.894

out-outcome.

526

00:30:11.924 --> 00:30:13.364

Okay.

527

00:30:15.104 --> 00:30:18.644

Thank you. Um, well, that's different to many other

528

00:30:18.684 --> 00:30:20.144

projects.

529

00:30:20.204 --> 00:30:21.844

Yeah.

530

00:30:21.924 --> 00:30:25.848

Um-I would just like to touch

531

00:30:26.008 --> 00:30:29.668

on, again, and I know, I think I know the answer to this, and I do empathize with

532

00:30:29.708 --> 00:30:31.048

your previous answer, particularly Mr.

533

00:30:31.088 --> 00:30:34.928

Strawn, about why you may need up to three potential

534

00:30:35.128 --> 00:30:35.968

route options.

535

00:30:37.048 --> 00:30:40.988

The, the use of particularly compulsory acquisition powers, which I accept

536

00:30:41.288 --> 00:30:44.188

are not in the instance that we've just discussed with Tata, it would be temporary,

537

00:30:44.408 --> 00:30:47.568

rights that you would be seeking to use their facilities.

538

00:30:47.588 --> 00:30:51.468

But open-ended temporary possession powers, which although,

539

00:30:51.488 --> 00:30:55.398

like I say, are less, perhaps problematic for landowners, but,

540

00:30:55.888 --> 00:30:58.608

over a longer period of time with less certainty,

541

00:30:59.388 --> 00:31:02.428

is a, is an, is an incredibly powerful piece of legislation.

542

00:31:02.448 --> 00:31:06.028

You know, it gives you rights over other people's land.

543

00:31:06.048 --> 00:31:09.548

And the fact that you're identifying to me that you are looking at three potential

544

00:31:09.588 --> 00:31:13.548

route options, and I think you... If I'm-- Correct me again if I'm wrong,

545

00:31:13.608 --> 00:31:17.328

you've established that because you don't, understandably, you don't yet

546

00:31:17.388 --> 00:31:20.408

know who may be your supplier if you go ahead with the

547

00:31:20.428 --> 00:31:24.208

project, you want to give them as much optionality on choice of routes

548

00:31:24.228 --> 00:31:28.208

and size of plant coming in through up to three different potential port

549

00:31:28.288 --> 00:31:31.128

options. It does look like

550

00:31:32.788 --> 00:31:36.728

a disproportionate use of power to access all three of

551

00:31:36.768 --> 00:31:39.608

those sites within your order limits.

552

00:31:39.668 --> 00:31:43.408

It-- At the last hearing where we were

553

00:31:43.418 --> 00:31:47.408

talking, principally about transport and the reason why

554

00:31:47.448 --> 00:31:49.808

you needed those three routes, I was quite clear that wasn't a compulsory

555

00:31:49.848 --> 00:31:52.288
acquisition hearing, but this one is.

556

00:31:52.468 --> 00:31:56.348
Um, I want to look at the, mis- you know, not

557

00:31:56.388 --> 00:32:00.318
misuse, I mean, disproportionate use of power for, in that, in that case.

558

00:32:00.408 --> 00:32:04.048
Um,

559

00:32:06.008 --> 00:32:09.918
you cited precedent, but I haven't been able to find any where other similar

560

00:32:10.028 --> 00:32:12.318
type power projects have

561

00:32:14.568 --> 00:32:18.368
used within their order limits large tracts of land for

562

00:32:18.428 --> 00:32:22.228
potential route optioneering. Um, I am

563

00:32:22.268 --> 00:32:25.968
aware of similar power station projects that have moved abnormal

564

00:32:26.028 --> 00:32:27.848
indivisible loads, and you may be aware of,

565

00:32:29.068 --> 00:32:31.788
the, reply that we've had from... Oh, gosh.

566

00:32:31.868 --> 00:32:33.848
Was it Welsh Government or was it National Highways?

567

00:32:33.948 --> 00:32:36.668

I can't remember who it was who came back to us and said, "There is a perfectly

568

00:32:36.808 --> 00:32:40.518

reasonable piece of, easy-to-use legislation in

569

00:32:40.588 --> 00:32:44.208

place that allows you to move abnormal and indivisible loads

570

00:32:44.408 --> 00:32:47.848

even across, other people's land necessarily,

571

00:32:48.168 --> 00:32:52.158

without using the compulsory acquisition or temporary possession powers."

572

00:32:52.168 --> 00:32:56.068

But, I do acknowledge that you wanted it all wrapped up in a nice DCO

573

00:32:56.088 --> 00:32:59.168

wrapper, as you were saying, that you wanted to have a one-stop shop for the

574

00:32:59.208 --> 00:33:02.368

legislation. So I just wanted to come back and test this because this is a, this is

575

00:33:02.408 --> 00:33:06.388

a, a perhaps... I think where I'm getting to, in summary, is that the, the

576

00:33:06.528 --> 00:33:10.308

extent of the lawde- order limits of all of the land that you're looking to

577

00:33:10.528 --> 00:33:14.468

g-gain temporary possession and, lesser

578

00:33:14.568 --> 00:33:17.268

compulsory acquisition, but temporary possession over feels

579

00:33:17.328 --> 00:33:21.098

significant. Could you just give me some reassurance again that, that

580

00:33:21.308 --> 00:33:23.808

you really do need it? Is that

581

00:33:23.868 --> 00:33:28.568

fair?

582

00:33:30.888 --> 00:33:34.588

James Strawn for the applicant. So I'm gonna suggest we tackle this in two

583

00:33:34.688 --> 00:33:38.148

parts, and I'm just gonna get Mr. Brandwood to, to

584

00:33:38.968 --> 00:33:42.168

tackle the first part as to the, what you referred to as

585

00:33:42.208 --> 00:33:43.708

optionality of the three

586

00:33:44.548 --> 00:33:47.688

locations. And then if I may, I'll just come back to you on

587

00:33:47.748 --> 00:33:50.368

disproportionate use of power.

588

00:33:50.408 --> 00:33:51.178

Perhaps disproportionate's-

589

00:33:51.178 --> 00:33:51.268

Sorry

590

00:33:51.328 --> 00:33:53.048

... a bit u-unfair of a hard word, but yeah.

591

00:33:53.057 --> 00:33:56.588

The short, shorthand for the consi- the, the, the question you're

592

00:33:56.668 --> 00:33:57.228

asking-

593

00:33:57.268 --> 00:33:57.368

Yeah

594

00:33:57.388 --> 00:33:59.988

... testing. Yeah.

595

00:34:00.108 --> 00:34:01.848

Sorry. That's a bit too close.

596

00:34:03.488 --> 00:34:05.708

Um, thank you very much. Roger Brandwood for the applicant.

597

00:34:06.328 --> 00:34:09.678

Um, yeah, so regarding the, the three options for,

598

00:34:10.208 --> 00:34:14.069

AAL deliveries from Port of Austin, Ellesmere Port and

599

00:34:14.149 --> 00:34:16.368

Connors Quay, I think

600

00:34:17.348 --> 00:34:20.888

as we perhaps previously discussed, but to, to repeat for

601

00:34:20.928 --> 00:34:24.208

clarity, you know, we have assessed all three of

602

00:34:24.268 --> 00:34:27.879

those routes in the construction transport management plan, and there is an

603

00:34:28.408 --> 00:34:32.008

AAL impediment study, I think it's called, as part of that,

604

00:34:32.508 --> 00:34:36.169

that's, that's been submitted. Um, I, I think

605

00:34:36.228 --> 00:34:40.028

it's, it's, it's fair to say that those, those three ports

606

00:34:40.129 --> 00:34:44.087

offer, offer the project different options and optionality in terms

607

00:34:44.188 --> 00:34:46.669

of, in terms of deliveries. Um,

608

00:34:47.569 --> 00:34:51.069

and it, it, you know, it, it, it is very much the case that we would

609

00:34:51.788 --> 00:34:55.768

wish to have the ability to use all of those routes to

610

00:34:55.808 --> 00:34:59.348

deliver AALs to, to site. And the, the

611

00:34:59.408 --> 00:35:02.128

reasoning for that is,

612

00:35:03.468 --> 00:35:06.188

is that some of those routes lend themselves better to

613

00:35:06.228 --> 00:35:10.088

different types of load. So for, for example, if we

614

00:35:10.128 --> 00:35:13.168

start at Connors Quay North, because that's kind of what we've just been talking

615

00:35:13.188 --> 00:35:16.888

about, that in principle at least lends

616

00:35:16.928 --> 00:35:20.727

itself to what you might think of as, as, as larger but less

617

00:35:20.948 --> 00:35:23.768

heavy, you know, less, less physically massive

618

00:35:24.388 --> 00:35:27.858

loads. Um, so they can be brought by barge and

619

00:35:27.888 --> 00:35:31.808

offloaded, in a potentially, you know,

620

00:35:31.848 --> 00:35:35.328

in, with a kind of roll-off, roll-on/roll-off arrangement, which is

621

00:35:35.748 --> 00:35:38.348

partly relating to the, to the change.

622

00:35:38.368 --> 00:35:41.888

But in, in principle, that's a bit of optionality we have there.

623

00:35:41.968 --> 00:35:45.808

Um, and then those, those large loads can be brought, subject to agreement

624

00:35:45.848 --> 00:35:49.808

with Tata obviously, can be brought to site and, and up and

625

00:35:49.948 --> 00:35:52.428

round and, and over the Flintshire Bridge.

626

00:35:52.488 --> 00:35:56.128

And that mass restriction, that, that weight restriction

627

00:35:56.788 --> 00:35:59.738

primarily relates to crossing the bridge.

628

00:35:59.848 --> 00:36:03.288

Um, but in terms of distance, that, that is quite

629

00:36:03.348 --> 00:36:07.008

short, relatively speaking. Um, so it's quite, it's quite an

630

00:36:07.048 --> 00:36:10.958

attractive option for us to, to, to do that, and it, and it helps to

631

00:36:11.088 --> 00:36:14.708

kind of reduce impacts elsewhere and, and what, what have you.

632

00:36:14.748 --> 00:36:18.708

But, you know, acknowledging that there is a, a weight restriction, there

633

00:36:18.728 --> 00:36:22.088

will be some larger items. And, and just to give an example, so

634

00:36:22.768 --> 00:36:26.668

for example, we- items such as perhaps as a, you know,

635

00:36:26.708 --> 00:36:30.188

some of the larger columns or some of the larger vessels we might bring that way.

636

00:36:30.208 --> 00:36:34.104

So they're physically quite big, butRelative to their physical size,

637

00:36:34.114 --> 00:36:35.044

they're not so heavy.

638

00:36:35.064 --> 00:36:35.704

Yeah, understood.

639

00:36:35.804 --> 00:36:39.694

Um, whereas in contrast, coming from, coming

640

00:36:39.724 --> 00:36:42.644

from Mostyn, there are some restrictions to the kind of physical envelope, or

641

00:36:42.704 --> 00:36:44.994

however you'd like to look at that, that you can...

642

00:36:45.024 --> 00:36:47.914

of, of the size of things you can, you can bring.

643

00:36:48.024 --> 00:36:50.844

Um, envelope's not quite the right word, but I can't remember what it is.

644

00:36:50.964 --> 00:36:54.624
Um, but it's, it's perhaps better suited to, to

645
00:36:54.784 --> 00:36:57.444
heavier loads, that fit in that envelope.

646
00:36:57.464 --> 00:37:01.264
So that's the kind of... that's the optionality that we're looking
to retain and,

647
00:37:01.284 --> 00:37:04.724
and, and extending that out to Ellesmere Port.

648
00:37:04.764 --> 00:37:08.054
In terms of order limits and, and request around that, we're

649
00:37:08.084 --> 00:37:10.894
not requesting any order limit. Yeah.

650
00:37:10.904 --> 00:37:12.984
There aren't any order limits in that direction.

651
00:37:13.044 --> 00:37:16.904
So the, the, the, the most relevant part, if you're coming

652
00:37:16.944 --> 00:37:20.744
from Ellesmere Port, in terms of, you know, central

653
00:37:20.844 --> 00:37:24.704
red line boundary and what have you, is the, or actual red line
boundary,

654
00:37:24.764 --> 00:37:28.484
is, is the roundabout which we would require to have those, those
rights

655
00:37:28.584 --> 00:37:31.304
over to bring things from Connah's Quay north.

656
00:37:32.584 --> 00:37:34.264
Thank you. Yeah. Really, really good. Thank you.

657

00:37:34.364 --> 00:37:34.574

Um,

658

00:37:36.164 --> 00:37:39.104

understood. Um,

659

00:37:41.704 --> 00:37:45.424

and, and again, helpful. It's just reinforcing to me the

660

00:37:45.464 --> 00:37:49.444

reason why you need the temporary possession on the route to Mostyn, which is

661

00:37:49.504 --> 00:37:50.104

quite long,

662

00:37:51.124 --> 00:37:54.224

is because of that sweat path analysis for loads coming down there, that you'll

663

00:37:54.234 --> 00:37:57.484

need to make some adjustments to that road if you're gonna bring larger objects

664

00:37:57.524 --> 00:38:01.284

down that r- that route. And al- And your restrictions on, like you say, e-easier

665

00:38:01.324 --> 00:38:04.304

to bring a heavier thing in there than the other way. Okay. I've got that.

666

00:38:04.344 --> 00:38:07.484

That's, that's helpful. Thank you for that. Yeah. Sorry, Mr., Mr.

667

00:38:07.504 --> 00:38:09.414

Straw, did you say you wanted to come in on some point as well?

668

00:38:09.464 --> 00:38:13.124

It w- Well, I, I mean, if that answers the question sufficiently, I

669

00:38:13.324 --> 00:38:15.604
certainly don't want to add to it. But I think you just...

670

00:38:15.614 --> 00:38:19.604
I, I'm just gonna pick up on the, the test, of

671

00:38:19.824 --> 00:38:23.604
w- taking temporary possession,

672

00:38:24.324 --> 00:38:24.704
and

673

00:38:25.584 --> 00:38:29.444
really just to emphasize that in relation to interference

674

00:38:29.524 --> 00:38:33.204
with, property rights, there are those

675

00:38:33.244 --> 00:38:37.184
various tests. But th- two, two issues with that.

676

00:38:37.224 --> 00:38:40.783
First of all, in considering proportionality, the temporary

677

00:38:40.824 --> 00:38:44.684
nature of possession, is,

678

00:38:44.724 --> 00:38:48.484
is important because these are, whilst they involve some

679

00:38:48.504 --> 00:38:52.254
interference with property rights, they're, by their

680

00:38:52.324 --> 00:38:55.384
nature, are temporary possession only.

681

00:38:55.424 --> 00:38:59.264
And the second point linked to that is i-in relation

682

00:38:59.384 --> 00:39:00.124
to considering

683

00:39:01.284 --> 00:39:04.704

in any- with any interference with property, it is relevant to look

684

00:39:04.804 --> 00:39:08.404

at, well, what is the actual interference that the power

685

00:39:08.524 --> 00:39:12.184

authorizes? And here,

686

00:39:12.204 --> 00:39:14.564

the... although it looks like a lot of

687

00:39:14.904 --> 00:39:18.704

land, what we're concerned with is ensuring that the

688

00:39:19.544 --> 00:39:22.424

subsurface, principally the subsurface

689

00:39:23.604 --> 00:39:27.504

potential rights of landowners,

690

00:39:27.544 --> 00:39:30.884

which arises in consequence of a peculiarity of the

691

00:39:30.964 --> 00:39:34.804

law, that, you know, y-you may actually own the subsoil even though you don't

692

00:39:35.024 --> 00:39:35.684

know you do-

693

00:39:35.764 --> 00:39:35.974

Yep

694

00:39:36.524 --> 00:39:40.404

... that that is addressed through this order to avoid

695

00:39:40.464 --> 00:39:44.064

any complications. But

696

00:39:44.144 --> 00:39:48.064

it, as to its actual impact, real impact on people

697

00:39:49.064 --> 00:39:52.164

or their property interests, they're, they're very

698

00:39:53.024 --> 00:39:56.584

remote, if I can put it in that way. That contrasts with

699

00:39:57.024 --> 00:40:00.994

the disadvantages if, if an issue were to arise of not

700

00:40:01.004 --> 00:40:04.424

being able to d-deliver the otherwise needed

701

00:40:04.464 --> 00:40:08.304

development, or for, as Mr. Brown was, was describing, if

702

00:40:08.344 --> 00:40:12.204

it's clear that one needs to take a particular load down one route,

703

00:40:12.244 --> 00:40:16.044

and it's better to take another load down another route,

704

00:40:16.104 --> 00:40:19.984

being hampered in due course by having to follow a

705

00:40:20.024 --> 00:40:23.924

different procedure, even if it was sufficient, a-as opposed

706

00:40:23.964 --> 00:40:27.644

to dealing with it now, particularly where, in

707

00:40:27.724 --> 00:40:30.304

fact, no one is raising an objection.

708

00:40:30.314 --> 00:40:33.484

And I know you're acting as the guardian of the public interest, but

709

00:40:34.044 --> 00:40:38.004

th-that question, that, that absence of objection, plus

710

00:40:38.074 --> 00:40:41.304

the nature of the actual interference are all

711

00:40:41.364 --> 00:40:45.164

relevant to an assessment of proportionality.

712

00:40:45.244 --> 00:40:49.163

Uh, and I... that's what... That, that was sort of the legal input

713

00:40:49.204 --> 00:40:52.704

I was going to, to give to you. It's a different situation, of course, if

714

00:40:52.744 --> 00:40:56.743

you're taking someone's field, and they're, they object

715

00:40:56.764 --> 00:41:00.024

to it because it has a direct impact on their farm or

716

00:41:00.084 --> 00:41:03.144

whatever. Um, it could be a very small area of

717

00:41:03.204 --> 00:41:07.124

land. Uh, b- the disproportionately that may be affected if

718

00:41:07.164 --> 00:41:08.494

there was some other alternative.

719

00:41:08.564 --> 00:41:12.044

Here, seemingly large areas, but very s- minimal

720

00:41:12.104 --> 00:41:15.624

impact, but significant for the project,

721

00:41:16.844 --> 00:41:17.604

in a nutshell.

722

00:41:18.384 --> 00:41:18.924

Thank you.

723

00:41:18.944 --> 00:41:22.314

Well, a large nutshell, obviously. But, uh...

724

00:41:22.344 --> 00:41:23.134

Sorry, did you want-

725

00:41:24.644 --> 00:41:28.014

No, that, that's helpful. Thank you. Again, I...

726

00:41:28.184 --> 00:41:30.864

Just opened up another little wormhole in my brain because

727

00:41:33.744 --> 00:41:36.764

I think it's useful because I hadn't quite made the distinction.

728

00:41:36.864 --> 00:41:40.804

I was under the misapprehension, I believe, then, that you were keeping your

729

00:41:40.884 --> 00:41:44.724

options open depending on your successful tenderer, perhaps saying, "I

730

00:41:44.744 --> 00:41:48.324

would... I have a preference to use this port because perhaps I'm, it's, I'm in a

731

00:41:48.364 --> 00:41:52.254

co- in a controlling interest in it or not," or there was

732

00:41:52.284 --> 00:41:55.144

some historic use. My understanding now, firstly, what Mr.

733

00:41:55.164 --> 00:41:57.484

Brown was telling me is you... different routes for different things.

734

00:41:57.524 --> 00:42:00.794

Makes sense and helpful to know. I don't think I'd really drawn out...

735

00:42:00.824 --> 00:42:03.304

I t- I obviously knew about the weight limit on the Flintshire Bridge, but hadn't

736

00:42:03.344 --> 00:42:07.024

drawn out that, that you might still bring very large

737

00:42:07.104 --> 00:42:10.544

objects that way 'cause it's just more convenient and less disruptive to the

738

00:42:10.564 --> 00:42:12.864

community and transport. So I thank you for that.

739

00:42:13.524 --> 00:42:17.274

Just moving on to what we were saying there about, um...

740

00:42:17.304 --> 00:42:19.364

and I like the way you phrased it, Mr.

741

00:42:19.404 --> 00:42:23.084

Straw as well, that what is the actual interference with the land and the rights?

742

00:42:24.084 --> 00:42:25.264

I, I appreciate what you're saying.

743

00:42:25.304 --> 00:42:29.084

You might want to make some alterations to some highways or just

744

00:42:29.144 --> 00:42:32.604

temporarily take down some road signs or roundabout signs, whatever, to then go

745

00:42:32.644 --> 00:42:36.084

back and put them back afterwards just to move large abnormal loads

746

00:42:36.144 --> 00:42:40.092

around. I do have a little flag of concern going off in my brain,

747

00:42:40.112 --> 00:42:42.352

which is your statement of need. I w-

748

00:42:43.192 --> 00:42:46.592

don't expect you to look at the document now, but where we talked about the subsoil

749

00:42:46.612 --> 00:42:50.162

rights and the, the fact that ownership is up, you do mention that there is some

750

00:42:50.192 --> 00:42:52.732

compulsory acquisition of land under the

751

00:42:52.792 --> 00:42:56.612

highway. I think it's possibly only where

752

00:42:56.652 --> 00:42:56.832

the

753

00:42:58.192 --> 00:43:01.312

carbon dioxide pipeline crosses.

754

00:43:01.332 --> 00:43:04.611

But I just wanted to clarify that you're not seeking compulsory acquisition of

755

00:43:04.672 --> 00:43:05.132

people's

756

00:43:06.772 --> 00:43:09.892

land under the highway and not restoring it.

757

00:43:09.902 --> 00:43:13.692

'Cause I, I, I understand everything that's said in the statement of need that

758

00:43:13.732 --> 00:43:17.332

there's little value to it, and that people probably possibly don't even know they

759

00:43:17.412 --> 00:43:20.732

own it, and therefore its, its marketable value is small.

760

00:43:20.752 --> 00:43:24.412

But I just wanted to make sure what extent are we talking about there?

761

00:43:24.452 --> 00:43:27.212

Happily, equally, if you'd rather, rather than put you on the spot, come back in

762

00:43:27.292 --> 00:43:27.992

writing to that.

763

00:43:28.812 --> 00:43:31.062

Um, I just wanted to cl-- I think I've asked a question in my written questions

764

00:43:31.112 --> 00:43:32.612

before.

765

00:43:33.972 --> 00:43:35.712

James Straughan for the applicant.

766

00:43:35.772 --> 00:43:39.732

So I think it'd be sensible for us to do the check

767

00:43:39.742 --> 00:43:43.532

that you've asked for before I try and answer that question, unless

768

00:43:43.572 --> 00:43:46.592

Ms. Tones knows immediately the answer.

769

00:43:46.912 --> 00:43:49.732

It, it's section six of, of the statement of need and six, six point two.

770

00:43:49.752 --> 00:43:53.352

But j- please just... It, it's where you're saying you're looking to extinguish,

771

00:43:54.512 --> 00:43:57.182

landowners' rights under the highway permanently.

772

00:43:57.182 --> 00:44:00.132

I'm thinking what... I can sort of understand that where you cross the highway with

773

00:44:00.172 --> 00:44:03.232

the pipeline, but I just wanna make sure that it's, it's the o- it's only temporary

774

00:44:03.292 --> 00:44:05.112

possession, you're seeking for the remainder of the route.

775

00:44:05.172 --> 00:44:08.672

I think it is, and I think from cross-referencing to the book of reference, it is.

776

00:44:08.692 --> 00:44:11.852

But I just wanted to make sure that I'm, I'm clear on that.

777

00:44:11.892 --> 00:44:15.872

Or whether this is some grand asset acquisition for the entire length of

778

00:44:15.952 --> 00:44:17.332

the north coast.

779

00:44:19.592 --> 00:44:22.112

Thank you. Do you want to?

780

00:44:24.052 --> 00:44:25.192

James Straughan for the applicant.

781

00:44:25.552 --> 00:44:27.912

We think we know the answer, but we'll, we'll just check.

782

00:44:27.932 --> 00:44:30.652

Thank you. Um, excellent. Thank

783

00:44:30.692 --> 00:44:32.732

you.

784

00:44:34.652 --> 00:44:37.852

So I'm coming to the conclusion of my site-specific

785

00:44:39.052 --> 00:44:42.092

compulsory acquisition and temporary possession questions.

786

00:44:42.132 --> 00:44:45.972

I just wanted to check before we move on to, statutory undertakings.

787

00:44:45.992 --> 00:44:49.732

But is there any other affected persons, either in the room

788

00:44:50.272 --> 00:44:52.852

or online, who would like to draw to my attention any

789

00:44:53.652 --> 00:44:57.232

specific land parcels, plots, or sites that are being

790

00:44:57.452 --> 00:45:00.752

subjected to this proposed development and like to raise it with me

791

00:45:00.812 --> 00:45:05.132

now?

792

00:45:09.272 --> 00:45:12.732

Thank you. Okay. Moving on to statutory undertakings.

793

00:45:12.772 --> 00:45:16.632

I haven't received a representation from statutory undertakings that they object to

794

00:45:16.672 --> 00:45:20.052

your, seeking rights over their land and their apparatus,

795

00:45:21.052 --> 00:45:25.032

o-other than, Tarfon, treating them effectively as

796

00:45:25.052 --> 00:45:27.712

a statutory undertaker in this case, 'cause I believe they are.

797

00:45:27.812 --> 00:45:28.052

Um,

798

00:45:30.052 --> 00:45:33.792

can you, Ms. Tones, could you, could you please clarify to me, is, is that your

799

00:45:33.812 --> 00:45:36.752

understanding as well, or are there any statutory undertakings that you want to

800

00:45:36.792 --> 00:45:40.652

draw to my attention where you believe negotiations will not be resolved

801

00:45:40.812 --> 00:45:43.972

by the end of this examination or anywhere you would like me to

802

00:45:44.012 --> 00:45:47.772

exercise, a stronger recommendation

803

00:45:48.012 --> 00:45:48.172

or

804

00:45:49.912 --> 00:45:51.292

decision to the Secretary of State?

805

00:45:51.892 --> 00:45:53.572

Um, Elizabeth Tones for the applicant.

806

00:45:53.582 --> 00:45:57.352

Um, to clarify, relevant representations were submitted by certain statutory

807

00:45:57.392 --> 00:46:01.312

undertakings, which the applicant has responded to in its response to relevant

808

00:46:01.322 --> 00:46:05.152

representations. These largely respect- reflect the ongoing nature of

809

00:46:05.172 --> 00:46:07.452

negotiations and protected provisions.

810

00:46:07.492 --> 00:46:11.472

Um, at this stage, the applicant does not envisage any material, issues

811

00:46:11.492 --> 00:46:14.272

which would prevent agreement before the close of the examination.

812

00:46:14.312 --> 00:46:16.572

Thank you. That's excellent. Thank you for that.

813

00:46:16.592 --> 00:46:19.252

Yeah, I've gone through your latest statement of common ground, commonality as

814

00:46:19.292 --> 00:46:21.632

well, and that's a similar position to what I noted.

815

00:46:21.992 --> 00:46:24.632

People are still saying we're not quite there yet, but I don't anticipate not

816

00:46:24.672 --> 00:46:26.542

getting there. Um,

817

00:46:28.272 --> 00:46:32.132

just to double-check, are there any statutory undertakings, that are

818

00:46:32.152 --> 00:46:33.532

present today, including

819

00:46:33.752 --> 00:46:36.682

Flintshire? Flintshire.

820

00:46:36.692 --> 00:46:39.432

Yeah. Uh, Toni Pope, Flintshire County Council.

821

00:46:39.512 --> 00:46:42.692

Um, I think at, at this stage, we don't really need to add anything further than

822

00:46:42.712 --> 00:46:46.492

what we've already added in our local impact report related to

823

00:46:46.532 --> 00:46:50.072

those issues. Um, namely related to Part

824

00:46:50.412 --> 00:46:54.411

3 and, works to streets, and that we would like to

825

00:46:54.472 --> 00:46:58.062

see detailed design related to access and all of the normal

826

00:46:58.132 --> 00:46:59.702

provisions that's included with that.

827

00:46:59.752 --> 00:47:03.532

We felt that included in this DCO was actually a departure from a

828

00:47:03.592 --> 00:47:06.312

recently approved DCO that Flintshire had

829

00:47:06.472 --> 00:47:10.332

agreed. Um, and we'd like to see the same provisions in that other DCO that was

830

00:47:10.392 --> 00:47:12.112

agreed, the high net one.

831

00:47:12.152 --> 00:47:12.692

Okay.

832

00:47:12.702 --> 00:47:16.592

And further to that, the, protected provisions as well, we

833

00:47:16.632 --> 00:47:20.432

felt that the, this DCO was proposing somewhat

834

00:47:20.632 --> 00:47:24.612

slightly more relaxed provisions than what we have previously

835

00:47:24.652 --> 00:47:27.252

agreed on o-other DCOs. We want to see that change.

836

00:47:27.272 --> 00:47:29.472

But all of these issues we've referenced in the-

837

00:47:29.482 --> 00:47:29.482

No worries

838

00:47:29.482 --> 00:47:33.312

... LIR, nineteen point five and nineteen point six.

839

00:47:33.352 --> 00:47:36.292

Thank you.

840

00:47:38.372 --> 00:47:41.592

Just, again, apologies. I've read your LIR, but I just want to clarify and make

841

00:47:41.612 --> 00:47:42.552

sure I understand again that

842

00:47:44.032 --> 00:47:47.532

are you suggesting there that you would like to see the detailed design for things

843

00:47:47.592 --> 00:47:49.032

like the temporary access arrangements

844

00:47:50.432 --> 00:47:54.422

rather than referring to them in a, to follow, in the, in the

845

00:47:54.452 --> 00:47:58.432

DCO order? You'd like to see the detail now in, in,

846

00:47:58.472 --> 00:47:59.692

in advance.

847

00:48:00.532 --> 00:48:04.052

I- We-- What we're saying is that as part of the DCO arrangement is there would be

848

00:48:04.092 --> 00:48:07.472

a caveat in there that said that the,

849

00:48:07.812 --> 00:48:11.292

highways authority can consider the detailed design when it comes to the access

850

00:48:11.352 --> 00:48:12.772

arrangements. I think that that's-

851

00:48:12.892 --> 00:48:13.202

Ah, right, right

852

00:48:13.202 --> 00:48:15.932

... as we had previously arranged on a previous DC0.

853

00:48:15.972 --> 00:48:19.352

Not being an expert on legal matters, but...

854

00:48:19.392 --> 00:48:22.412

Thank you, Ms. Pope. Yeah, so wha- sorry, you're saying being a consultee once

855

00:48:22.482 --> 00:48:23.692

the detailed design is developed?

856

00:48:23.702 --> 00:48:27.052

'Cause I'm just trying to preempt what the applicant's gonna say, "We, we don't,

857

00:48:27.112 --> 00:48:29.592

you know, because we haven't awarded the contract yet or whatever, you know, we

858

00:48:29.652 --> 00:48:31.232

don't yet know how we're gonna do that." But I'm just...

859

00:48:31.252 --> 00:48:33.172

So you would like to be, once

860

00:48:35.052 --> 00:48:38.992

the design works for any temporary access arrangements begin, you'd like to be

861

00:48:39.052 --> 00:48:42.862

a, a consultee and a signatory or a, aeffectively

862

00:48:42.872 --> 00:48:45.312

a, a permitting authority to that in advance.

863

00:48:45.532 --> 00:48:47.752

Susan Cordiner from Flintshire County Council.

864

00:48:47.772 --> 00:48:51.092

I think it's just to use same as for the high net to have the right to

865

00:48:51.132 --> 00:48:53.252

c-cons-consultation.

866

00:48:53.292 --> 00:48:53.812

Okay.

867

00:48:53.832 --> 00:48:57.532

And also protective provisions in relation to the street works, which was in the

868

00:48:57.592 --> 00:48:58.172

high net-

869

00:48:58.552 --> 00:48:58.772

Okay

870

00:48:58.912 --> 00:49:00.432

... DCO.

871

00:49:00.472 --> 00:49:04.012

Thank you, Ms. Cordiner. Um, back to the applicant with that.

872

00:49:04.072 --> 00:49:05.412

Uh, are any of those issues

873

00:49:06.752 --> 00:49:10.352

cause you any concern if you were to introduce those into your draft

DCO, or is it

874

00:49:10.412 --> 00:49:12.052

something you f- you wanna challenge now?

875

00:49:12.512 --> 00:49:14.212

Um, Elizabeth Jones for the applicant.

876

00:49:14.252 --> 00:49:18.072

Um, so there is already a detailed design requirement within the draft DCO, which

877

00:49:18.112 --> 00:49:21.052

is for express approval by Flintshire County Council.

878

00:49:21.152 --> 00:49:25.052

Um, if, if there were updates required to that, the

879

00:49:25.112 --> 00:49:25.772

applicant would,

880

00:49:26.592 --> 00:49:29.652

would welcome comments. Um, we weren't aware of this issue.

881

00:49:29.662 --> 00:49:29.682

Um-

882

00:49:29.692 --> 00:49:32.332

Okay. Thank you. And then similarly, the protective provisions, what you're saying

883

00:49:32.372 --> 00:49:36.332

is you'd like to see your protective provisions from the high net DCO matched in

884

00:49:36.372 --> 00:49:37.892

the draft development consent order.

885

00:49:37.912 --> 00:49:39.992

Perhaps if you could have a look at that and see if that would impact

886

00:49:41.212 --> 00:49:45.152

adversely your, your position, or if you'd like to say, perhaps at the next

887

00:49:45.192 --> 00:49:48.532

deadline why you may or may not wish to adopt those.

888

00:49:48.612 --> 00:49:51.172

Um, the applicant will take that away and write in and respond.

889

00:49:51.212 --> 00:49:51.912

Thank you.

890

00:49:52.852 --> 00:49:54.872

Um, can... Susan Cordiner from Flintshire.

891

00:49:54.892 --> 00:49:58.352

Can I just add, I think there have been some concerns over,

892

00:49:58.712 --> 00:50:02.492

taking the subsoil, but that's-- we're looking at that much, much more closely.

893

00:50:02.512 --> 00:50:05.992

We're not, not able to say too much, but I think there's been a concern over slump.

894

00:50:06.092 --> 00:50:08.952

If there was a slump, with the, with the

895

00:50:08.992 --> 00:50:12.472

pipeline. Um, but that, that's something that

896

00:50:12.612 --> 00:50:15.972

I've, I've heard referenced, but I don't have any further detail

897

00:50:16.032 --> 00:50:17.752

about.

898

00:50:18.172 --> 00:50:20.282

Sorry, so I'm just trying to work out where we're going with that

one.

899

00:50:20.312 --> 00:50:20.672

It just-

900

00:50:21.212 --> 00:50:21.472

If-

901

00:50:21.512 --> 00:50:24.762

With the, the high net project... Or no, sorry, are you relating to...

902

00:50:24.772 --> 00:50:28.232

Are you saying the, the existing works that high nets are doing has caused a slump

903

00:50:28.252 --> 00:50:31.992

of the pump pipeline, or that you're concerned that that slumping around the

904

00:50:32.052 --> 00:50:34.492

pipeline isn't adequately covered in future?

905

00:50:34.872 --> 00:50:38.852

I think it's a concern we'd want to check that there is, there is provision

906

00:50:38.932 --> 00:50:42.492

if there was a slump. It's just something I've heard referenced, so I just want to

907

00:50:42.552 --> 00:50:44.482

draw it to your attention. Um-

908

00:50:44.492 --> 00:50:48.452

So just again, for my point of clarity here, if the works go ahead and get

909

00:50:48.572 --> 00:50:50.872

done, and a pipeline gets put in, and

910

00:50:52.012 --> 00:50:55.632

within the defects liability period of this project, there's a big dip where the

911

00:50:55.652 --> 00:50:58.372
pipeline was put in, you'd like to see

912

00:50:59.352 --> 00:51:03.292
some sort of protection that the applicant will come back and make that good so

913

00:51:03.332 --> 00:51:04.452
that you've not got a big-

914

00:51:05.192 --> 00:51:05.562
Mm-hmm. Thank you

915

00:51:05.562 --> 00:51:06.232
... trench for your

916

00:51:06.272 --> 00:51:10.892
hillside.

917

00:51:15.232 --> 00:51:16.552
Elizabeth Jones for the applicant.

918

00:51:16.592 --> 00:51:20.452
Just to clarify that there are no new pipeline works proposed

919

00:51:20.472 --> 00:51:24.432
beneath the highway, that the pipeline that runs beneath the highway is the,

920

00:51:24.472 --> 00:51:26.882
the existing pipeline to be repurposed.

921

00:51:26.882 --> 00:51:30.772
I, I, I think... Understand that, but I think it was also any, any works

922

00:51:30.932 --> 00:51:34.402
in the countryside as well. So saying if you, if you undertake works, and for

923

00:51:34.432 --> 00:51:37.242

whatever reason, once it's reinstated, it, it...

924

00:51:37.252 --> 00:51:41.052

after a period of time, it consolidates and slumps.

925

00:51:41.092 --> 00:51:44.712

Would there be an expectation that you would go back and make it good to the way it

926

00:51:44.752 --> 00:51:46.572

was before?

927

00:51:48.932 --> 00:51:50.662

Perhaps feel free to take that one away if that's,

928

00:51:54.512 --> 00:51:56.802

uh...

929

00:52:01.052 --> 00:52:01.952

Okay. Um,

930

00:52:03.272 --> 00:52:05.812

I think that covers, statutory undertakings.

931

00:52:05.992 --> 00:52:08.912

I, I also have had representations from a number of others,

932

00:52:10.572 --> 00:52:11.992

power providers and,

933

00:52:12.772 --> 00:52:14.232

transport providers. But,

934

00:52:15.652 --> 00:52:19.502

looking at your latest statement of commonality and statement of common ground with

935

00:52:19.502 --> 00:52:22.532

those parties, negotiations appear to be gr- progressing

936

00:52:22.612 --> 00:52:26.352

well, subject to them, ensuring that their protective

937

00:52:26.412 --> 00:52:29.112

provisions protect their apparatus and equipment.

938

00:52:30.172 --> 00:52:32.432

So if everybody's okay, I'm gonna move on to,

939

00:52:33.552 --> 00:52:35.992

Crown Land next. Um,

940

00:52:37.092 --> 00:52:40.932

joy. Um, I'm assuming I haven't got a

941

00:52:40.972 --> 00:52:42.692

representative of the king present.

942

00:52:42.712 --> 00:52:43.012

But,

943

00:52:44.072 --> 00:52:48.052

the... what I'm interested in now is if you could give me an update on

944

00:52:48.112 --> 00:52:51.892

your negotiations with Crown Estate and how well they're progressing,

945

00:52:51.952 --> 00:52:53.052

knowing full well that

946

00:52:54.192 --> 00:52:56.852

the joy that that brings.

947

00:52:56.892 --> 00:52:58.961

So Hugh Turner for the applicant. Um,

948

00:53:00.172 --> 00:53:04.032

you'll see from the book of reference, the land, Crown Land plans

and the

949

00:53:04.172 --> 00:53:08.092

lands rights negotiations tracker that in effect we've got four types

950

00:53:08.152 --> 00:53:11.892

of Crown Land in this DC0. So we've got the Crown Estate, which

951

00:53:11.932 --> 00:53:15.472

has sporting rights and mines and minerals. There's two elements there.

952

00:53:16.252 --> 00:53:19.652

We have the Ministry of Defence, which has an extant agreement for a

953

00:53:19.712 --> 00:53:23.702

pipeline, and then we have National Assembly for Wales, which,

954

00:53:24.012 --> 00:53:26.922

owns land adjacent to the A4--

955

00:53:27.212 --> 00:53:29.792

A448. Got my numbers the wrong way around.

956

00:53:29.832 --> 00:53:33.252

Um, and we've assumed that there's, a, ad medium

957

00:53:33.652 --> 00:53:36.892

filum, on some unregistered land in the, in the middle of the

958

00:53:36.952 --> 00:53:40.832

road. Um, negotiations are,

959

00:53:41.172 --> 00:53:44.912

progressing. I'm pleased to say that the Crown Estate have provided us

960

00:53:44.972 --> 00:53:48.082

commercial terms, which we've accepted this morning in respect of the sporting

961

00:53:48.152 --> 00:53:48.712
rights.

962

00:53:49.672 --> 00:53:52.672
Solicitors are instructed in respect of the sporting rights and
mines and

963

00:53:52.732 --> 00:53:56.652
minerals. The mines and minerals elements, we're in contact with

964

00:53:56.752 --> 00:53:59.612
the Crown's agents, and we've provided them with

965

00:53:59.712 --> 00:54:03.092
plans, with survey information, borehole,

966

00:54:03.432 --> 00:54:05.572
testing information, and they're, they're

967

00:54:06.572 --> 00:54:10.512
c-conducting an assessment, and we're awaiting a commercial proposal

968

00:54:10.592 --> 00:54:13.172
from them to deal with the, the mines and minerals.

969

00:54:13.212 --> 00:54:17.082
So in terms of the Crown, two elements, they're, they're
progressing, and

970

00:54:17.132 --> 00:54:20.992
we're hopeful they will be dealt with, in the examination, period.

971

00:54:21.012 --> 00:54:24.272
In respect of, the Ministry of Defence, we've been in discussions
with,

972

00:54:24.492 --> 00:54:27.662
their in-house, chartered surveyor and,

973

00:54:27.862 --> 00:54:31.682
solicitor. The, extant agreement for the

974

00:54:31.752 --> 00:54:35.612

pipeline appears to be historic. They don't have any assets in that area.

975

00:54:35.632 --> 00:54:38.552

They believe it is, no longer

976

00:54:38.562 --> 00:54:42.512

relevant, and we're, awaiting them confirming

977

00:54:42.632 --> 00:54:46.452

how we deal with that, whether that's through a Section 135

978

00:54:46.492 --> 00:54:47.952

or, some other means.

979

00:54:49.100 --> 00:54:52.000

And then the final element, which is National Assembly, we've been in

980

00:54:52.040 --> 00:54:54.380

discussions with their in-house property team.

981

00:54:54.500 --> 00:54:54.860

Um,

982

00:54:56.880 --> 00:55:00.780

progress is slow, but, I'm confident that

983

00:55:00.820 --> 00:55:04.680

we will also get that dealt with and get their consent.

984

00:55:04.720 --> 00:55:06.880

Thank you. That's excellent. Um,

985

00:55:12.240 --> 00:55:16.120

I, I he-hesitate to say that all sounds promising w-only

986

00:55:16.130 --> 00:55:19.770

'cause my previous experience working with Crown and working

987

00:55:21.140 --> 00:55:24.740

for the Crown. But, I would just

988

00:55:25.180 --> 00:55:26.060

caution that

989

00:55:27.000 --> 00:55:30.420

my experience certainly of DCOs is s--it's always the Crown Estates that's the

990

00:55:30.600 --> 00:55:32.080

last little hurdle

991

00:55:32.880 --> 00:55:36.529

because, it's very difficult to get them to come to, that, that table, and

992

00:55:36.560 --> 00:55:39.460

also because they've got quite a lot ongoing and very busy and not very

993

00:55:39.500 --> 00:55:42.660

well-resourced to cover all of the, requests that are particularly coming

994

00:55:42.680 --> 00:55:45.740

through at the moment. So yes, if you could just as we go through the examination,

995

00:55:45.800 --> 00:55:48.700

keep that up to date, and I'll be watching that with interest 'cause,

996

00:55:49.020 --> 00:55:51.060

obviously, we cannot

997

00:55:52.040 --> 00:55:52.640

recommend a

998

00:55:53.580 --> 00:55:55.350

acquisition or temporary powers over Crown land.

999

00:55:55.360 --> 00:55:57.420

It has to be something that's negotiated with them.

1000

00:55:58.180 --> 00:55:58.340

Um,

1001

00:55:59.480 --> 00:56:02.280

thank you for that.

1002

00:56:03.100 --> 00:56:06.560

I was gonna move on. If anyone... Does anyone have any questions on Crown land

1003

00:56:06.600 --> 00:56:10.180

before I move on? No? No. Not online. No, thank you.

1004

00:56:10.580 --> 00:56:13.760

I was gonna move on to the final item, which is, the funding statement and the,

1005

00:56:14.540 --> 00:56:17.760

the demonstration by the applicant of their ability to undertake the

1006

00:56:17.800 --> 00:56:19.490

project effectively. Um,

1007

00:56:20.460 --> 00:56:24.380

thank you I-- for the responses to my written questions, and

1008

00:56:24.420 --> 00:56:27.350

I do appreciate why Uniper's,

1009

00:56:28.260 --> 00:56:31.480

balance sheet has changed dramatically in recent years. I do get that.

1010

00:56:31.500 --> 00:56:35.040

I thank you for the recent submissions you've made, but also that have updated that

1011

00:56:35.060 --> 00:56:38.460
position and made a bit of clarity around that in response to my writing.

1012
00:56:38.900 --> 00:56:42.140
Can I just check, have there been any changes in your,

1013
00:56:43.500 --> 00:56:47.020
funding statement or, anything that would

1014
00:56:47.440 --> 00:56:50.580
require you to, update me on that position?

1015
00:56:53.460 --> 00:56:55.740
Roger Bannister for the applicants.

1016
00:56:56.200 --> 00:56:58.600
Um, I don't believe we have any changes since that

1017
00:56:58.680 --> 00:57:00.960
update.

1018
00:57:02.400 --> 00:57:03.200
Okay. Thank you.

1019
00:57:04.220 --> 00:57:07.070
What I would note is we were seeking clarity around,

1020
00:57:09.860 --> 00:57:11.000
the, the quite dramatic change

1021
00:57:11.040 --> 00:57:14.600
in your, in Uniper's position, and I totally appreciate the reasons for that

1022
00:57:14.640 --> 00:57:18.610
regarding the, recent conflicts, both, both of the significant ones recently,

1023
00:57:18.640 --> 00:57:22.300
and that. I think what is clear from the funding statement is

1024

00:57:22.380 --> 00:57:25.610

Uniper evidencing your considerable asset stock and the ability to finance the

1025

00:57:25.610 --> 00:57:29.460

project. And I would just remind you of the requests made earlier from the

1026

00:57:29.500 --> 00:57:33.380

community about support where possible and with help with things like the footpath

1027

00:57:33.440 --> 00:57:36.860

site and the energy price issues that the local swimming pool is

1028

00:57:36.920 --> 00:57:40.280

facing. So I appreciate that reluctance

1029

00:57:40.340 --> 00:57:43.440

to move your order limits. I get that, and, and not within the scope of the

1030

00:57:43.480 --> 00:57:47.380

proposed development, and lay new infrastructure to a, a swimming

1031

00:57:47.420 --> 00:57:49.500

pool. I do completely empathize with that.

1032

00:57:49.520 --> 00:57:52.200

That's not within what this project is about.

1033

00:57:52.220 --> 00:57:55.380

But I just think if you could revisit and look at how you work in the wider

1034

00:57:55.420 --> 00:57:58.860

community benefit, particularly given the, the funding statement you've submitted

1035

00:57:58.880 --> 00:58:00.700

to me, that would be really useful.

1036
00:58:00.780 --> 00:58:00.960
Um,

1037
00:58:03.100 --> 00:58:04.580
because what they're proposing is

1038
00:58:05.440 --> 00:58:08.020
footpath safety improvements, which would be beneficial perhaps to
your,

1039
00:58:09.320 --> 00:58:12.700
your workforce who are commuting to your site, and also support the
local community

1040
00:58:12.720 --> 00:58:16.640
interest groups in man-managing their energy usage, which you're a
key part of in

1041
00:58:16.680 --> 00:58:20.160
these challenging times. So if I could just remind you to have
another look at

1042
00:58:20.300 --> 00:58:21.360
that, that'd be very helpful. Thank

1043
00:58:21.400 --> 00:58:25.740
you.

1044
00:58:28.260 --> 00:58:31.380
Um, I think that's it for me on all the items on the agenda.

1045
00:58:31.420 --> 00:58:34.920
That's brief and sweet. Um, are there any issues or

1046
00:58:34.940 --> 00:58:38.040
actions, arising that you want me to go through in any more detail?

1047
00:58:38.080 --> 00:58:41.660
I know there's some points there that I'm asked for follow-up, and I
will be,

1048

00:58:42.120 --> 00:58:45.420
again, just clarifying some points in the next section of written questions.

1049

00:58:45.460 --> 00:58:46.880

But is there anything you'd like to pick up

1050

00:58:46.920 --> 00:58:50.000

on?

1051

00:58:56.520 --> 00:58:58.700

Ja-James Strong for the applicant.

1052

00:58:59.300 --> 00:59:02.240

Sir, thank you for that, invitation.

1053

00:59:02.250 --> 00:59:06.000

Uh, we're only going to raise one, matter, and that

1054

00:59:06.220 --> 00:59:06.959

is the

1055

00:59:08.019 --> 00:59:11.060

open question of whether you, you would need further

1056

00:59:11.380 --> 00:59:15.040

hearings. There, there is that further

1057

00:59:15.160 --> 00:59:17.440

week that has been reserved for that.

1058

00:59:18.300 --> 00:59:21.460

Um, I sa- I, I say that partially for selfish reasons

1059

00:59:21.540 --> 00:59:23.860

because, I

1060

00:59:24.680 --> 00:59:28.380

have found myself in difficulty for the Wednesday and Thursday of that week as a

1061

00:59:28.420 --> 00:59:32.200
result of the Court of Appeal. Not that that should influence your

1062
00:59:32.300 --> 00:59:32.840
progress, but,

1063
00:59:34.800 --> 00:59:37.560
we would welcome, I

1064
00:59:37.600 --> 00:59:40.560
think generally for the team, if, if those hearings aren't gonna be
necessary,

1065
00:59:40.580 --> 00:59:41.160
that's-

1066
00:59:41.180 --> 00:59:41.300
Yeah

1067
00:59:41.340 --> 00:59:44.280
... that helps us organize. If they are considered to be

1068
00:59:44.300 --> 00:59:47.420
necessary, an early indication of that would also be

1069
00:59:47.700 --> 00:59:48.500
helpful.

1070
00:59:48.540 --> 00:59:48.800
Yeah.

1071
00:59:48.860 --> 00:59:52.620
And also, if they were to happen, whether they could happen

1072
00:59:52.900 --> 00:59:55.140
on one, one day, which is the Tuesday.

1073
00:59:55.160 --> 00:59:55.960
But-

1074
00:59:56.000 --> 00:59:57.200

Understood

1075

00:59:57.380 --> 01:00:00.860

... that, that was the only thing I think we had to, to raise with you and just

1076

01:00:00.900 --> 01:00:03.900

to notify you of that difficulty on my part.

1077

01:00:04.420 --> 01:00:08.040

Thank you. Okay. Noted. Um, certainly at the mo-

1078

01:00:10.660 --> 01:00:13.300

I just wanted to say thank you for all of the support you've given at these

1079

01:00:13.340 --> 01:00:14.480

hearings and the previous hearings.

1080

01:00:14.600 --> 01:00:18.040

I think I've got, if not all

1081

01:00:18.100 --> 01:00:20.970

my questions answered that I haven't had answered in writing.

1082

01:00:21.000 --> 01:00:23.580

I've got some follow-up questions that will come in writing.

1083

01:00:23.740 --> 01:00:27.520

I, at the moment, have no further need, I think, for any, formal

1084

01:00:27.600 --> 01:00:30.540

hearings. I've not, um-- I've held

1085

01:00:30.600 --> 01:00:33.920

these, held an open floor hearing, which was,

1086

01:00:33.990 --> 01:00:36.950

frankly, poorly, poorly attended, which is a shame.

1087

01:00:36.980 --> 01:00:40.060

But, I have heard from some members of the public, not as many as perhaps I

1088

01:00:40.080 --> 01:00:43.310

expected, but maybe that is telling me that they are in support of your project

1089

01:00:43.340 --> 01:00:43.680

and,

1090

01:00:45.000 --> 01:00:46.920

w-w-uh, wish it to go ahead. Um,

1091

01:00:48.120 --> 01:00:51.500

I have called this compulsory acquisition hearing, which

1092

01:00:51.720 --> 01:00:55.628

again, I had no affected personRequest one, but I wanted to make sure that any

1093

01:00:55.808 --> 01:00:58.388

parties that were, were going to be affected by the works had the opportunity to

1094

01:00:58.408 --> 01:01:00.208

express their views to me. So,

1095

01:01:01.048 --> 01:01:04.948

sorry, summarily, I think not. I think I will not be requiring a

1096

01:01:05.268 --> 01:01:08.438

further round of hearings. The only things which may change that, and I'll

1097

01:01:08.548 --> 01:01:12.208

apologize if they do kick in, but I'll give you as much notice as I can, is if,

1098

01:01:12.768 --> 01:01:16.208

we get a swell demand that everybody missed this and wants a future

1099

01:01:16.248 --> 01:01:18.368

open floor hearing. I suspect not.

1100

01:01:18.448 --> 01:01:22.318

If I get an affected person contact me and say, "I was

1101

01:01:22.368 --> 01:01:25.578

not made aware of this hearing for some reason, and I demand a compulsory

1102

01:01:25.608 --> 01:01:27.188

acquisition hearing," I may have to consider that.

1103

01:01:27.208 --> 01:01:31.088

But, again, I think we've made ample opportunity for them to

1104

01:01:31.148 --> 01:01:34.848

make their point across to us. And then thirdly, and this is just a slight

1105

01:01:34.928 --> 01:01:38.868

caveat, if we were to receive some further evidence that would require me

1106

01:01:38.908 --> 01:01:42.508

to hold a further hearing, such as a legal submission,

1107

01:01:42.968 --> 01:01:46.388

I hope not, but, it may be necessary for us to hold a

1108

01:01:46.428 --> 01:01:48.848

third year hearing in person. But

1109

01:01:50.008 --> 01:01:53.608

my gut feeling is at the moment that, I am not

1110

01:01:53.768 --> 01:01:55.348

requiring a further round of hearings.

1111

01:01:55.368 --> 01:01:58.867

But, and similarly, or if you needed to change anything with compulsory acquisition

1112

01:01:58.928 --> 01:02:02.068

regulations which require more parties being notified and

1113

01:02:02.088 --> 01:02:03.288

informed.

1114

01:02:04.268 --> 01:02:07.308

But yeah, certainly at the moment my gut feeling is not.

1115

01:02:08.248 --> 01:02:10.268

J-James Strong for the applicant. Thank you very much, sir.

1116

01:02:10.328 --> 01:02:14.198

That's very helpful i-indication, I take

1117

01:02:14.268 --> 01:02:16.388

it, with the caveats that you've expressed.

1118

01:02:16.888 --> 01:02:19.188

Thank you.

1119

01:02:21.448 --> 01:02:25.028

Right. Okay. Uh, are there any other matters of business, for this hearing

1120

01:02:25.048 --> 01:02:28.498

that, anyone wants to raise either online or in the

1121

01:02:28.548 --> 01:02:30.348

room?

1122

01:02:31.288 --> 01:02:34.828

No. Just concludes for me to say, thank you very much again for attending

1123

01:02:34.848 --> 01:02:38.318

today. Uh, thank you for all your input. I really do value it.

1124

01:02:38.318 --> 01:02:42.168

It's been incredibly helpful and helps paint that picture in my brain, particularly

1125

01:02:42.208 --> 01:02:45.368

the way that some of the descriptions, I've got some very good ones written down

1126

01:02:45.388 --> 01:02:48.028

that you've given me for that. So thank you very, very much.

1127

01:02:48.108 --> 01:02:48.308

Um,

1128

01:02:49.368 --> 01:02:52.728

thank you again, Flintshire, for being here all throughout, and it's been really

1129

01:02:52.768 --> 01:02:56.008

useful for you. And thank you for Tata and your colleagues joining online as well.

1130

01:02:56.048 --> 01:02:59.538

That's been very helpful to hear from you and also hear the positive nature in

1131

01:02:59.568 --> 01:03:02.288

which you're engaging in this, examination.

1132

01:03:02.337 --> 01:03:06.078

So thank you. I'm now going to close this hearing, and this concludes all the

1133

01:03:06.108 --> 01:03:09.348

hearings in the second round. And as I've alluded to, I don't envisage needing a

1134

01:03:09.388 --> 01:03:12.048

third round of hearings. But, should something come in which

1135

01:03:12.548 --> 01:03:15.848

legislatively requires me to call a further round of hearings, unfortunately, I

1136

01:03:15.888 --> 01:03:19.228

would have to do that. But hopefully, I don't think I will need a further round of

1137

01:03:19.248 --> 01:03:23.168

hearings. Um, this hearing is now closed at three minutes past three o'clock in

1138

01:03:23.368 --> 01:03:24.548

the afternoon. Thank you all, and thank you very

1139

01:03:24.568 --> 01:03:32.068

much.