



Hearing Transcript

Project:	EN010170 - Green Hill Solar Farm
Hearing:	Issue Specific Hearing 6 – Part 2
Date:	12 March 2026

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1

00:00:01.740 --> 00:00:04.020

Thank you, Mrs. Fowler, for that. Um,

2

00:00:05.700 --> 00:00:09.180

yeah, I mean, obviously conscious that through the, the period of the

3

00:00:09.620 --> 00:00:12.760

examination, I think, I think, National Highways have

4

00:00:12.800 --> 00:00:16.780

been, added to requirement twenty-one,

5

00:00:17.220 --> 00:00:20.580

I think, I think fifteen and, and sixteen as, as well.

6

00:00:20.740 --> 00:00:24.430

Um, but, perhaps if, if I could just turn to the applicant for,

7

00:00:25.060 --> 00:00:28.200

comments on, on those four particular

8

00:00:28.220 --> 00:00:30.220

requirements.

9

00:00:30.300 --> 00:00:32.960

Uh, Alison Dablin for the applicant.

10

00:00:33.060 --> 00:00:36.620

Uh, in relation to requirement three, we

11

00:00:36.680 --> 00:00:40.620

have, reviewed and consider that the appropriate

12

00:00:40.700 --> 00:00:44.320

way of addressing this is with a, an, an amendment in

13

00:00:44.500 --> 00:00:47.670

Schedule sixteen. Um, as,

14

00:00:48.300 --> 00:00:52.260

drafted, this, did not expressly require consultation

15

00:00:52.360 --> 00:00:56.240

on amendments to approved documents to be carried out with

16

00:00:56.360 --> 00:01:00.340

the bodies listed in the parent requirement, as it were.

17

00:01:00.400 --> 00:01:04.360

To address this, the applicant will be updating the definition

18

00:01:04.420 --> 00:01:08.140

of requirement consultee in Schedule sixteen so that it is

19

00:01:08.200 --> 00:01:12.060

both, anybody that is referred to as being required to be

20

00:01:12.160 --> 00:01:15.840

consulted by the relevant planning authority in discharging that

21

00:01:15.900 --> 00:01:19.420

requirement, but also in relation to applications made under

22

00:01:19.540 --> 00:01:23.260

requirement three, anybody that was required to be consulted in

23

00:01:23.300 --> 00:01:26.080

relation to the approval of the document that is to be

24

00:01:26.140 --> 00:01:29.660

amended. Um, this approach, it

25

00:01:29.700 --> 00:01:33.180

clarifies that the bodies are to be consulted on

26

00:01:33.340 --> 00:01:36.800

amendment rather than leaving this to the discretion of the relevant planning

27

00:01:36.880 --> 00:01:40.560

authority, but it also applies to anybody that is listed in the

28

00:01:40.600 --> 00:01:44.300

requirements, so it therefore is not specific to National

29

00:01:44.380 --> 00:01:45.480

Highways.

30

00:01:47.360 --> 00:01:49.540

In relation to requirement ten-

31

00:01:49.660 --> 00:01:51.240

Thank you. I'm just, just wondering, actually-

32

00:01:51.250 --> 00:01:51.250

Oh, okay

33

00:01:51.250 --> 00:01:54.050

...just for efficiency, whether it might...

34

00:01:54.060 --> 00:01:57.400

If, if there is perhaps a different answer to different requirements,

35

00:01:58.060 --> 00:02:01.520

perhaps, I'll go back to Mrs. Fowler first just to

36

00:02:01.600 --> 00:02:05.220

see, if there's any initial reaction to,

37

00:02:05.860 --> 00:02:09.581

that proposal to update definitions in Schedule

38

00:02:09.700 --> 00:02:13.620

sixteen and, and whether that might, address the concern

39

00:02:13.700 --> 00:02:17.520

you expressed regarding requirement three.

40

00:02:17.780 --> 00:02:20.180
Mrs. Vicky Fowler on behalf of National Highways.

41
00:02:20.220 --> 00:02:24.120
Um, so I suppose taking the works plan as an example,

42
00:02:24.180 --> 00:02:27.640
I'm not, I'm not convinced per se that we, we were

43
00:02:27.680 --> 00:02:29.900
required to approve the works plan.

44
00:02:30.060 --> 00:02:33.700
We've, we've approved them through this process and

45
00:02:33.800 --> 00:02:37.420
through, I suppose, matters like being a consultee on the

46
00:02:37.440 --> 00:02:40.780
environmental statements. But, so I suppose my, my only sort of

47
00:02:40.820 --> 00:02:44.760
hesitation is whether that's clear that, that National

48
00:02:44.820 --> 00:02:48.320
Highways as a, as a statutory undertaker in taking part in this

49
00:02:48.480 --> 00:02:51.540
process has actually been

50
00:02:51.580 --> 00:02:54.320
required to approve

51
00:02:55.180 --> 00:02:57.440
those certified documents. Do, do you follow?

52
00:02:57.460 --> 00:03:00.860
I mean, obviously we've made representations, but strictly speaking,
we've, we've,

53
00:03:00.870 --> 00:03:04.760

we've not, as I say, save

54

00:03:04.820 --> 00:03:08.620

for, like, the environmental statement where we would, we would be a, a statutory

55

00:03:08.660 --> 00:03:10.850

consultee. I'm not, I'm not convinced that's the

56

00:03:10.960 --> 00:03:13.700

case.

57

00:03:17.360 --> 00:03:19.900

Um, does the applicant want to respond to

58

00:03:19.960 --> 00:03:21.560

that?

59

00:03:21.680 --> 00:03:23.520

Uh, Claire Pocock for the applicant.

60

00:03:23.600 --> 00:03:23.740

Um,

61

00:03:24.980 --> 00:03:28.300

that is, correct. It would only apply where,

62

00:03:28.960 --> 00:03:32.640

the entity is a, is a consultee as specified in the

63

00:03:32.650 --> 00:03:36.320

requirements. So in the same way that, only Natural

64

00:03:36.340 --> 00:03:40.240

England and the Environment Agency are consultees on specific

65

00:03:40.280 --> 00:03:43.790

requirements, those would then, any amendments to those

66

00:03:43.860 --> 00:03:47.440

plans. I think what we're struggling to identify is why

67

00:03:47.620 --> 00:03:51.240

National Highways would need to be consulted on a matter that

68

00:03:51.300 --> 00:03:55.060

didn't relate to the strategic road network, which are

69

00:03:55.120 --> 00:03:58.040

covered by the protective provisions.

70

00:03:58.120 --> 00:04:01.760

Um, and requiring consultation on a matter that

71

00:04:01.820 --> 00:04:05.520

is, you know, a minor amendment to the works plans related to

72

00:04:05.600 --> 00:04:09.450

a, a solar site, why they would need to be,

73

00:04:09.680 --> 00:04:12.880

consulted. I'm not aware that that is

74

00:04:12.960 --> 00:04:16.791

applicable across necessarily other

75

00:04:16.840 --> 00:04:20.750

planning regimes. Um, but it would

76

00:04:20.780 --> 00:04:21.579

be

77

00:04:22.440 --> 00:04:24.430

obviously useful to understand whether that is

78

00:04:25.320 --> 00:04:28.380

something that is requested on

79

00:04:28.420 --> 00:04:30.950

non-DCO, planning

80

00:04:31.020 --> 00:04:33.350
applications. Um,

81
00:04:34.180 --> 00:04:35.650
the applicant's position is that

82
00:04:36.980 --> 00:04:40.340
it is not necessary to consult with National Highways

83
00:04:40.520 --> 00:04:44.380
on every element of the DC0.

84
00:04:44.480 --> 00:04:48.070
Um, it, and it is only those elements that are relevant to National

85
00:04:48.120 --> 00:04:52.010
Highways' road network, of which we believe we've covered those

86
00:04:52.020 --> 00:04:55.880
particular requirements that relate to National Highways,

87
00:04:55.920 --> 00:04:56.180
which

88
00:04:57.020 --> 00:05:00.100
are, the usage of the road network.

89
00:05:00.120 --> 00:05:03.400
So any of them, matters that relate to

90
00:05:03.440 --> 00:05:06.940
transportation, which is the o- the requirements you mentioned
earlier in relation

91
00:05:07.200 --> 00:05:10.660
during both construction, operation, and decommissioning.

92
00:05:10.740 --> 00:05:14.700
Um, we've agreed that National Highways should be, a consultee, by

93
00:05:14.740 --> 00:05:18.000

reference to the relevant highway authority.

94

00:05:18.060 --> 00:05:21.350

Um, for the reasons that, Ms. Dablin's gonna mention in relation to the

95

00:05:21.540 --> 00:05:25.100

other requirements that have been requested, we don't believe it's

96

00:05:25.160 --> 00:05:28.760

appropriate or necessary to consult with National Highways on those

97

00:05:28.800 --> 00:05:32.660

documents and that the protection that they need for the specific works that

98

00:05:32.700 --> 00:05:35.860

relate to the road network or any interest that they

99

00:05:35.920 --> 00:05:39.220

have, for example, in relation to drainage, are covered by the protective

100

00:05:39.300 --> 00:05:41.710

provisions. Thank you.

101

00:05:45.100 --> 00:05:49.080

Thank you. Um, so Ms. Dablin, did you want to, just, just continue

102

00:05:49.160 --> 00:05:52.640

through, with, requirements ten, eleven, and

103

00:05:52.720 --> 00:05:53.760

thirteen, please?

104

00:05:54.608 --> 00:05:58.288

Alison Davlin for the applicant. Uh, in relation to

105

00:05:58.328 --> 00:06:02.048

requirement 10, which is in relation to fencing,

106

00:06:02.148 --> 00:06:05.948

it, the requirement provides for the approval of temporary and permanent

107

00:06:06.008 --> 00:06:09.168

fencing for the scheme by the relevant planning authority.

108

00:06:09.228 --> 00:06:13.208

The cable route for the scheme crosses the A45, which

109

00:06:13.288 --> 00:06:16.988

is part of the strategic road network, but as we've

110

00:06:17.028 --> 00:06:20.668

discussed in previous hearings, that is essentially the

111

00:06:20.748 --> 00:06:24.548

extent of the interaction with National Highways' undertaking.

112

00:06:24.558 --> 00:06:28.168

The other areas, including the slip roads that have been

113

00:06:28.188 --> 00:06:31.688

included within the scheme, the inclusion relates

114

00:06:31.768 --> 00:06:34.608

to traffic management measures rather than

115

00:06:35.208 --> 00:06:38.568

works. Um, in relation to the crossing

116

00:06:38.688 --> 00:06:41.728

itself, this is fully covered by the protective

117

00:06:41.788 --> 00:06:45.548

provisions, and, the extensive plan approval rights

118

00:06:45.608 --> 00:06:49.248

within the protective provisions would enable, the

119

00:06:49.288 --> 00:06:52.928

approval of the fencing around the, the trench-less

120

00:06:52.988 --> 00:06:55.888

technique that will be used to cross the A45.

121

00:06:55.968 --> 00:06:59.638

Um, and we therefore consider that, National

122

00:06:59.688 --> 00:07:03.228

Highways does have the appropriate level of oversight of,

123

00:07:03.768 --> 00:07:06.768

fencing to the extent that it, may interact with the

124

00:07:06.788 --> 00:07:10.508

strategic road network. Uh, in respect

125

00:07:10.608 --> 00:07:13.848

of requirement 11, which relates to surface and foul water

126

00:07:13.908 --> 00:07:17.628

drainage, as, Mrs. Fowler mentioned,

127

00:07:17.958 --> 00:07:21.628

the protective provisions apply to the strategic road

128

00:07:21.688 --> 00:07:25.428

network, or land that is owned by National Highways,

129

00:07:25.508 --> 00:07:29.248

which that would include the drainage that

130

00:07:29.348 --> 00:07:32.488

forms part of the strategic road

131

00:07:32.548 --> 00:07:33.948

network. Um,

132

00:07:35.568 --> 00:07:39.488

nevertheless, Article 17, which, provides

133

00:07:39.508 --> 00:07:43.328

the power to discharge water into drains c- it

134

00:07:43.408 --> 00:07:47.268

may only be exercised with the consent of the person to whom the drain

135

00:07:47.308 --> 00:07:50.468

belongs. So should there be any circumstance

136

00:07:50.568 --> 00:07:54.378

where there was a proposal to drain water

137

00:07:54.528 --> 00:07:57.898

into a highway drain that was,

138

00:07:58.948 --> 00:08:01.788

part of National Highways' undertaking,

139

00:08:01.808 --> 00:08:05.688

but not captured by the protective provisions, it would nevertheless

140

00:08:06.108 --> 00:08:09.988

require the consent of National Highways as the owner of that

141

00:08:10.028 --> 00:08:13.648

drain. For that reason, we don't think it necessary,

142

00:08:14.008 --> 00:08:17.588

to add them as a consultee for requirement

143

00:08:17.628 --> 00:08:19.888

11, which is primarily,

144

00:08:22.268 --> 00:08:26.108

I believe it is, the Environment Agency and Anglian Water who

145

00:08:26.168 --> 00:08:29.868

both are the, the regulator and the statutory

146

00:08:29.928 --> 00:08:33.018
undertaker for water in, in, in the

147
00:08:33.148 --> 00:08:35.668
area, who are

148
00:08:35.728 --> 00:08:39.369
con-consulted. Um, and then finally, in

149
00:08:39.389 --> 00:08:42.869
relation to requirement 13, which is the

150
00:08:42.928 --> 00:08:46.588
Construction Environmental Management Plan, this provides for a

151
00:08:46.708 --> 00:08:49.908
wider range of environmental mitigation measures during the

152
00:08:50.148 --> 00:08:54.108
construction period. Uh, from discussions with National Highways,

153
00:08:54.148 --> 00:08:58.088
we understand that the concern here primarily relates to the
potential for

154
00:08:58.108 --> 00:09:02.068
construction vehicles to track mud onto the highway and then

155
00:09:02.128 --> 00:09:04.868
onto the strategic, road network.

156
00:09:04.938 --> 00:09:08.638
Um, and that concern is noted and

157
00:09:08.688 --> 00:09:11.477
acknowledged, but as National Highways is

158
00:09:11.548 --> 00:09:14.197
consultant, consultee on the,

159
00:09:15.568 --> 00:09:19.108

as relevant highway authority in respect of both the Construction Traffic

160

00:09:19.188 --> 00:09:23.108

Management Plan and the Operational Traffic Management Plan, it's

161

00:09:23.128 --> 00:09:27.088

important to note that both of these documents do make provision for the

162

00:09:27.108 --> 00:09:30.268

relevant mitigation measures, that would address,

163

00:09:31.028 --> 00:09:34.818

these, th--these concerns. Uh, for example,

164

00:09:34.968 --> 00:09:38.708

section five point six of the outline Construction Traffic Management Plan

165

00:09:39.108 --> 00:09:41.928

expressly provides for wheel washing.

166

00:09:42.028 --> 00:09:42.298

Um,

167

00:09:44.628 --> 00:09:48.308

so yes, essentially, we are confident that the

168

00:09:48.348 --> 00:09:51.998

protective provisions combined with the requirements where National Highways is a

169

00:09:52.068 --> 00:09:55.958

consultee provides, complete, protection for

170

00:09:56.048 --> 00:09:58.168

them and their undertaking. Thank

171

00:09:58.208 --> 00:10:01.448

you.

172

00:10:02.328 --> 00:10:06.168

Thank you. Uh, Mrs. Fowler, was there anything you wanted to come back on

173

00:10:06.288 --> 00:10:08.608

any of those points?

174

00:10:08.848 --> 00:10:11.168

Mrs. Vicky Fowler on behalf of National Highways.

175

00:10:11.208 --> 00:10:14.548

Um, so no, I think, as I start, as I began this,

176

00:10:14.938 --> 00:10:18.368

section, I th- we, I think we fully acknowledge that in terms of

177

00:10:18.848 --> 00:10:22.188

protections, National Highways is protected,

178

00:10:22.948 --> 00:10:23.368

where

179

00:10:24.988 --> 00:10:28.628

works or things are happening on the strategic road net-road network.

180

00:10:28.648 --> 00:10:32.508

I think it, I think the concern is where things are happening adjacent to, and,

181

00:10:32.528 --> 00:10:34.408

and, and maybe I'm, maybe I'm,

182

00:10:36.568 --> 00:10:39.518

I'm wrong in understanding that there are construction compounds near

183

00:10:39.648 --> 00:10:43.348

the, near the A45. Now, clearly, that's not on the

184

00:10:43.408 --> 00:10:47.328

strategic road network, so we, we wouldn't have any oversight

185

00:10:47.388 --> 00:10:50.248

of that without reference to,

186

00:10:51.308 --> 00:10:54.848

being able to be consulted, for example, on the temporary fencing for that.

187

00:10:55.528 --> 00:10:55.938

Um,

188

00:10:58.008 --> 00:10:59.888

yeah, so that's, that's, so that's, so that's an example.

189

00:10:59.908 --> 00:11:03.128

And then on the Construction and Environment Management Plan, I think it was, it's

190

00:11:03.188 --> 00:11:05.168

not just mud, I think it's dust, et cetera.

191

00:11:05.188 --> 00:11:09.088

So it's, so it's anything, anything that could, could affect visibility, safety on

192

00:11:09.148 --> 00:11:11.748

the, on the SRM. Thank

193

00:11:11.828 --> 00:11:13.588

you.

194

00:11:20.228 --> 00:11:24.108

Okay, thank you. Um, I think un-unless the

195

00:11:24.168 --> 00:11:27.968

applicant wanted to come back on anything there, I th-I think we've got a, a

196

00:11:28.008 --> 00:11:31.568

good view of, where the differences are there.

197

00:11:31.588 --> 00:11:35.348

And, I, I'll probably just say to, National Highways, if, if

198

00:11:35.408 --> 00:11:39.248

there's anything that you, wanted to put in at the

199

00:11:39.308 --> 00:11:43.128

next deadline, or if there's any precedents or if you just wanted to

200

00:11:43.168 --> 00:11:47.008

explain, a bit further your concerns,

201

00:11:47.808 --> 00:11:51.008

that would be helpful. So is, is anything else the

202

00:11:51.028 --> 00:11:53.158

applicant wanted to say, or should we move

203

00:11:53.248 --> 00:12:03.012

on?Thank

204

00:12:03.092 --> 00:12:03.452

you.

205

00:12:05.072 --> 00:12:08.782

Um, so, were there any other interested parties that,

206

00:12:09.072 --> 00:12:12.952

wanted to raise anything, in relation to the DCO at this

207

00:12:13.152 --> 00:12:16.292

point? Uh, Mr. Anthony, you've got your hand up.

208

00:12:16.302 --> 00:12:19.172

Um, thank you. Philip Anthony, f- Stock Green Hill

209

00:12:19.292 --> 00:12:23.012

Solar. Um, some clarifications on

210

00:12:23.332 --> 00:12:26.552

some points, please. Um,

211

00:12:27.752 --> 00:12:31.252

the disapplication and modification of legislation under

212

00:12:31.832 --> 00:12:35.092

6.1E, Regulation 12,

213

00:12:35.832 --> 00:12:39.672

as I, as I've come to understand with a bit of help,

214

00:12:40.552 --> 00:12:42.692

looks to disapply the

215

00:12:42.872 --> 00:12:44.492

environment permitting

216

00:12:44.792 --> 00:12:46.952

regulations,

217

00:12:48.872 --> 00:12:52.352

in respect ... And I'm quoting I think now, "In

218

00:12:52.472 --> 00:12:55.562

respect of flood risk activity

219

00:12:55.852 --> 00:12:56.581

only."

220

00:12:58.172 --> 00:13:01.372

So the first part of my question is could you

221

00:13:01.472 --> 00:13:04.992

just provide some clarification on what that

222

00:13:05.012 --> 00:13:08.732

phrase refers to? What is

223

00:13:08.812 --> 00:13:12.572

flood risk activity, please?

224

00:13:19.612 --> 00:13:21.872

Would the applicant like to comment on that?

225

00:13:21.952 --> 00:13:23.112

Uh, Claire Budgick for the applicant.

226

00:13:23.152 --> 00:13:26.752

Um, we're just finding the correct, definition of

227

00:13:26.812 --> 00:13:30.312

it. Um, but it is a, it is, there are certain

228

00:13:30.352 --> 00:13:33.412

activities that require an environmental permit.

229

00:13:33.432 --> 00:13:37.112

Um, and, in this case, we are seeking

230

00:13:37.292 --> 00:13:41.182

not to, ac- obtain, have to obtain a permit in the

231

00:13:41.312 --> 00:13:45.152

usual way following the permitting process, but instead we

232

00:13:45.212 --> 00:13:49.132

would, require, the submission of documents to the

233

00:13:49.172 --> 00:13:52.972

Environment Agency under, the protected provisions that have been included

234

00:13:53.012 --> 00:13:56.852

instead. Um, I'll just see if whether my colleague has found the definition in

235

00:13:56.932 --> 00:13:59.392

the, regulations.

236

00:14:00.072 --> 00:14:03.052

Alison Dablin for the, applicant.

237

00:14:03.092 --> 00:14:06.932

The, environmental permits, for

238

00:14:06.992 --> 00:14:10.952

flood risk activities, there's a, a wide range of activities that are

239

00:14:11.012 --> 00:14:14.892

covered. Uh, the most relevant to this project is, is

240

00:14:14.932 --> 00:14:18.432

going to be, any activity within, eight

241

00:14:18.552 --> 00:14:22.432

meters of any, of the bank of a main

242

00:14:22.492 --> 00:14:26.012

river, or 16 meters if it's tidal, which would not apply

243

00:14:26.072 --> 00:14:29.932

here. Um, but it also covers, a, a wide

244

00:14:29.972 --> 00:14:33.901

variety of activities, in the vicinity

245

00:14:34.092 --> 00:14:37.872

of main rivers, which in this case would be, the River Nene.

246

00:14:37.912 --> 00:14:39.172

We, i- including,

247

00:14:41.172 --> 00:14:44.232

altering, repairing, or maintaining temporary or permanent structures

248

00:14:44.312 --> 00:14:48.212

in. It is essentially related

249

00:14:48.332 --> 00:14:51.952

to the fact that we are going to be laying a cable

250

00:14:52.012 --> 00:14:55.132
underneath the river. Um, that,

251

00:14:56.232 --> 00:15:00.092
that is the main activity that would require a flood risk activity

252

00:15:00.192 --> 00:15:03.792
permit from the Environment Agency, and that is

253

00:15:03.992 --> 00:15:07.672
primarily related to it being what's called a main river, which

254

00:15:07.792 --> 00:15:11.392
is the larger rivers in England, essentially.

255

00:15:12.492 --> 00:15:14.012
Um, and Claire Budgick, the applicant.

256

00:15:14.092 --> 00:15:17.672
Um, which is why if you then turn to Schedule 15 and Part

257

00:15:18.172 --> 00:15:22.072
7, which are the protected provisions for the Environment Agency, it
then as a

258

00:15:22.112 --> 00:15:25.952
definition of specified works, refers to the same

259

00:15:26.012 --> 00:15:29.672
activities that Ms. Dablin's just mentioned, which is works within
eight

260

00:15:29.752 --> 00:15:33.372
meters, of a flood events or drainage

261

00:15:33.432 --> 00:15:37.272
works, et cetera. So, the Environment

262

00:15:37.352 --> 00:15:40.482
Agency has agreed to the disapplication of the,

263

00:15:43.232 --> 00:15:44.292

in relation to flood risk

264

00:15:44.492 --> 00:15:48.352

permits. We, in resp- in exchange

265

00:15:48.432 --> 00:15:51.532

for, protected be- provisions being included in the draft

266

00:15:51.592 --> 00:15:55.192

DCO. Um, we can give the update now or

267

00:15:56.372 --> 00:15:59.512

in the next agenda item on that point.

268

00:15:59.552 --> 00:16:03.401

But, yeah, that, that's how the process works, so it ...

269

00:16:03.432 --> 00:16:07.172

And it's all part of what we've discussed at previous hearings,
which is this being

270

00:16:07.212 --> 00:16:11.192

a one consent, process whereby

271

00:16:11.232 --> 00:16:15.032

you try and minimize the other legislative processes that you need
to go

272

00:16:15.072 --> 00:16:18.892

through. Um, however, the E- Environment Agency, at the

273

00:16:18.952 --> 00:16:22.711

moment will only disapply the need for an environmental permit in
respect of flood

274

00:16:22.772 --> 00:16:26.652

risk activities. So to the extent an environmental permit is
required

275

00:16:26.692 --> 00:16:30.452

for any other type of activity, then you would need to go through the permitting

276

00:16:30.592 --> 00:16:34.512
regime. So it's quite specific. Thank you.

277

00:16:34.572 --> 00:16:35.922
Uh, thank you. Is that helpful, Mr. Anthony?

278

00:16:35.932 --> 00:16:37.932
Well, it's, it is helpful and, and

279

00:16:39.152 --> 00:16:42.692
just again for my, understanding,

280

00:16:43.452 --> 00:16:44.532
main rivers

281

00:16:45.572 --> 00:16:49.432
are included in this, not, for example, the

282

00:16:49.792 --> 00:16:53.592
smaller brooks and, other water

283

00:16:53.692 --> 00:16:56.112
courses?

284

00:16:57.492 --> 00:17:01.372
Alison Dablin for the applicant. There are

285

00:17:01.412 --> 00:17:05.392
ordinary water courses. Similar activities are,

286

00:17:05.812 --> 00:17:08.272
governed by the Land Drainage Act,

287

00:17:08.353 --> 00:17:11.732
where what is called an ordinary water course consent

288

00:17:12.232 --> 00:17:16.212
essentially does the same role for the smaller, water

289

00:17:16.272 --> 00:17:19.952

courses. We are also proposing to disapply

290

00:17:20.172 --> 00:17:24.012

Section 23 of the Land Drainage Act, and again, there are

291

00:17:24.093 --> 00:17:27.593

protected provisions, this time for the benefit of the Lead Local Flood

292

00:17:27.672 --> 00:17:31.052

Authority, which is, Part,

293

00:17:31.232 --> 00:17:31.912

uh ...

294

00:17:31.932 --> 00:17:35.492

Bear with

295

00:17:35.552 --> 00:17:36.472

me.

296

00:17:37.492 --> 00:17:40.652

Uh, Part, Part 9. Uh, Part 9 of,

297

00:17:41.052 --> 00:17:45.012

Schedule 15. So very much in the same

298

00:17:45.132 --> 00:17:48.532

way, instead of separately

299

00:17:48.572 --> 00:17:52.212

applying for an ordinary water course consent under the Land Drainage

300

00:17:52.262 --> 00:17:56.212

Act, there is the, application is made to the Lead

301

00:17:56.272 --> 00:17:59.192

Local Flood Authority under the protected provisions.

302

00:18:01.472 --> 00:18:02.112

Thank you.

303

00:18:02.132 --> 00:18:02.752

Thank you

304

00:18:04.940 --> 00:18:07.200

Uh, did you have any other points, Mr. Anthony?

305

00:18:07.260 --> 00:18:10.380

Yes. Uh, we may just request a,

306

00:18:11.600 --> 00:18:13.170

an adjunct question ,

307

00:18:13.180 --> 00:18:14.740

please.

308

00:18:15.040 --> 00:18:18.160

You may already have ... Sorry, Kaye Brown, Stock Green Hill Solar.

309

00:18:18.240 --> 00:18:21.280

You may already have covered this, it was just a thought as you were explaining

310

00:18:21.340 --> 00:18:25.300

that. Um, are you aware that Northampton, with the River Nene, obviously floods

311

00:18:25.340 --> 00:18:29.320

quite a lot clearly. Um, and the sluice gates in Northampton

312

00:18:29.340 --> 00:18:32.490

are controlled from Northampton because they, they're opened and shut along the

313

00:18:32.540 --> 00:18:35.540

River Nene, to prevent flooding in

314

00:18:35.580 --> 00:18:39.460

Peterborough. I, I just, you, you just

315

00:18:39.500 --> 00:18:42.600

might wanna think about that. I don't know what the drilling implications would

316

00:18:42.640 --> 00:18:46.350

have on that as a positive or negative, but ...

317

00:18:46.460 --> 00:18:49.200

Uh, Alison Dablin for the applicant.

318

00:18:49.280 --> 00:18:53.220

We've, been in discussions with the Environment Agency about

319

00:18:53.280 --> 00:18:56.840

what would be required, and, I'm aware that they have highlighted some flood

320

00:18:56.880 --> 00:19:00.640

defenses in the area that they, they're going

321

00:19:00.700 --> 00:19:04.010

to need us to, try and avoid if we can.

322

00:19:04.100 --> 00:19:07.720

Um, so yes, in terms of the flooding,

323

00:19:08.440 --> 00:19:11.820

flood control mechanisms for downstream, that is gonna

324

00:19:11.860 --> 00:19:12.760

be something that is,

325

00:19:14.120 --> 00:19:17.640

in discussions with the Environment Agency, to ensure that we aren't

326

00:19:17.700 --> 00:19:20.700

affecting, adversely any flood defenses.

327

00:19:20.720 --> 00:19:22.520

Thank you.

328

00:19:24.540 --> 00:19:26.240

Thank you. Mr. Anthony, was there anything else?

329

00:19:26.320 --> 00:19:29.900

Uh, two other, areas. Um,

330

00:19:30.560 --> 00:19:34.300

with respect to 17.1, the discharge of

331

00:19:34.400 --> 00:19:38.220

water, the undertaker may use any

332

00:19:38.280 --> 00:19:42.120

watercourse or any public sewer or drain for the drainage of water in

333

00:19:42.160 --> 00:19:44.440

connection with the construction or maintenance or dec-

334

00:19:44.800 --> 00:19:47.680

decommissioning of the authorized development.

335

00:19:48.340 --> 00:19:52.140

Um, now, I understand

336

00:19:52.580 --> 00:19:56.420

that if there is a fire at the

337

00:19:56.580 --> 00:20:00.500

BES site, or one of the BES

338

00:20:00.600 --> 00:20:02.260

sites, and

339

00:20:03.140 --> 00:20:06.900

there will be bunding for the,

340

00:20:07.400 --> 00:20:10.100

any water used to douse

341

00:20:10.180 --> 00:20:14.160
that. But are we assured

342

00:20:14.260 --> 00:20:14.600
that

343

00:20:16.500 --> 00:20:18.280
should it, should any water

344

00:20:19.260 --> 00:20:22.700
escape from the bunding or during the flood, that, that

345

00:20:23.120 --> 00:20:26.700
that is therefore not included in this,

346

00:20:27.140 --> 00:20:29.680
provision?

347

00:20:30.360 --> 00:20:33.280
Alison Dablin for the applicant. Yes.

348

00:20:33.300 --> 00:20:36.900
Article 17 applies to clean water only,

349

00:20:36.960 --> 00:20:40.800
essentially. Um, paragraph five requires the

350

00:20:40.820 --> 00:20:44.740
undertaker to take such steps as are reasonably practical to

351

00:20:44.820 --> 00:20:48.600
secure that any water that is discharged into a watercourse or
public sewer or

352

00:20:48.620 --> 00:20:52.330
drain under the article is as free as may be practicable from

353

00:20:52.360 --> 00:20:55.530
gravel, soil, other solid substance, oil or matter in

354

00:20:55.600 --> 00:20:59.400

suspension. The intention behind this article

355

00:20:59.500 --> 00:21:03.140

is essentially to permit clean water to

356

00:21:03.200 --> 00:21:06.640

be disposed of through, sewers or existing

357

00:21:06.700 --> 00:21:10.460

watercourses. But it in no way permits the

358

00:21:10.540 --> 00:21:14.200

discharge of polluted water, and through the

359

00:21:14.260 --> 00:21:18.060

discussions with the Environment Agency, they've been

360

00:21:18.280 --> 00:21:22.220

very clear about making sure that the drainage proposals in respect

361

00:21:22.240 --> 00:21:25.810

of the BES are secure, and that in the event of a flyer,

362

00:21:26.200 --> 00:21:29.860

a, a fire even, all of the flood water, the

363

00:21:29.940 --> 00:21:33.720

firefighting water, everything would be retained so that it could

364

00:21:33.780 --> 00:21:36.740

be treated, tested, and

365

00:21:37.500 --> 00:21:40.740

disposed of in a safe way without polluting the environment.

366

00:21:40.780 --> 00:21:44.100

That's so understand. Thank you. And my last, uh-

367

00:21:44.180 --> 00:21:44.230

Yeah

368

00:21:44.600 --> 00:21:48.350
... question relates to, Schedule 2

369

00:21:48.460 --> 00:21:50.550
requirements. Um,

370

00:21:51.760 --> 00:21:55.600
so, Schedule 2 requirements includes the

371

00:21:55.640 --> 00:21:59.180
establishment of a community liaison group,

372

00:22:00.220 --> 00:22:03.540
and then a whole range of other,

373

00:22:05.040 --> 00:22:08.960
related matters that I, I think the community liaison

374

00:22:09.060 --> 00:22:12.900
group might have some reference,

375

00:22:14.100 --> 00:22:16.180
involvement with.

376

00:22:17.080 --> 00:22:20.720
Are we assured that the terms of

377

00:22:20.760 --> 00:22:23.719
reference for the community liaison group

378

00:22:24.399 --> 00:22:27.260
and the other matters will be

379

00:22:27.680 --> 00:22:31.120
published and, that

380

00:22:31.500 --> 00:22:35.440
local parish councils, for example, and or

381

00:22:35.520 --> 00:22:38.060

perhaps residents, which are sort of included,

382

00:22:39.040 --> 00:22:42.200

will be able to, to comment on those?

383

00:22:48.040 --> 00:23:16.320

Alison

384

00:23:16.360 --> 00:23:18.730

Dublin for the applicant. Um,

385

00:23:19.560 --> 00:23:23.420

our understanding is that the terms of reference that were agreed

386

00:23:23.560 --> 00:23:26.480

with the, relevant planning authorities would be

387

00:23:26.660 --> 00:23:29.960

uploaded, onto their website,

388

00:23:31.080 --> 00:23:34.140

where, so they would be visible and, viewable

389

00:23:34.220 --> 00:23:36.900

by the general public.

390

00:23:36.920 --> 00:23:40.680

Okay. Uh, so the responsibility for that lies

391

00:23:40.960 --> 00:23:44.660

with the planning authority to publish them.

392

00:23:45.440 --> 00:23:47.300

Is that correct?

393

00:23:47.400 --> 00:23:48.700

Uh, Claire Broderick for the applicant.

394

00:23:48.740 --> 00:23:52.540

In our experience on other, DCAs, discharge of

395

00:23:52.560 --> 00:23:55.960

requirements are, handled in the same way as, other

396

00:23:56.480 --> 00:23:59.780

sort of planning applications, and discharge of,

397

00:24:01.100 --> 00:24:04.978

uh-Conditions and, particularly for outline planning

398

00:24:05.188 --> 00:24:08.598

permissions, et cetera. So on, on the ones we've been involved in, the,

399

00:24:09.348 --> 00:24:12.228

local planning authority has treated those in the same way as other

400

00:24:12.248 --> 00:24:15.828

applications and uploaded the materials onto their website.

401

00:24:15.968 --> 00:24:18.948

I don't believe there's any reason that that wouldn't, that same approach wouldn't

402

00:24:18.988 --> 00:24:22.528

be taken here. So in the same way you can view a general planning

403

00:24:22.568 --> 00:24:26.288

application on the council's website, you would be able to review the discharge

404

00:24:26.648 --> 00:24:29.768

of requirement applications on the council's, websites.

405

00:24:29.788 --> 00:24:32.828

But perhaps the local planning authorities can confirm.

406

00:24:32.888 --> 00:24:36.118

And, and w- because of course, when we, when that

407

00:24:36.228 --> 00:24:40.108
happens, as a member of the public, one can

408
00:24:40.568 --> 00:24:41.828
comment and

409
00:24:43.648 --> 00:24:46.588
have input on, on what that might be.

410
00:24:51.388 --> 00:24:54.908
Nicola Thompson, North Norfolk County Council. Um, yes, it would be
the same.

411
00:24:54.928 --> 00:24:56.918
Like, once submitted, then we would, um...

412
00:24:56.928 --> 00:25:00.148
Given that it's a community requirement, we would

413
00:25:00.208 --> 00:25:03.768
consult, relevant parish councils and ward counselors

414
00:25:04.268 --> 00:25:06.948
so that, you're made aware and can make comments on

415
00:25:06.988 --> 00:25:08.728
those.

416
00:25:08.738 --> 00:25:09.868
Thank you very much.

417
00:25:09.908 --> 00:25:13.528
Yeah. Presumably that would be the same for the other local
authorities.

418
00:25:13.568 --> 00:25:17.188
Thank you. Oh, Mrs. Howell's got her hand

419
00:25:17.228 --> 00:25:17.808
up.

420

00:25:19.128 --> 00:25:21.058
I'll try not to break the mic today.

421
00:25:21.128 --> 00:25:21.418
Um,

422
00:25:22.368 --> 00:25:25.588
just to, just if I could just take you back to the discharge into
the watercourse,

423
00:25:26.048 --> 00:25:27.418
point. Um,

424
00:25:28.788 --> 00:25:29.958
w- will there be any,

425
00:25:32.048 --> 00:25:34.948
restrictions or any attentions paid to the

426
00:25:35.028 --> 00:25:38.788
current water levels, the river levels at the t- time of

427
00:25:38.828 --> 00:25:41.448
discharge, or does the

428
00:25:41.488 --> 00:25:45.268
disapplication, of the licensing

429
00:25:45.348 --> 00:25:47.988
mean that you can release it at any old

430
00:25:48.048 --> 00:25:50.138
time?

431
00:25:50.208 --> 00:25:51.728
Uh, Claire Butcher of the applicant.

432
00:25:51.748 --> 00:25:55.548
I think is, probably tired of me saying this, but the, the

433
00:25:55.588 --> 00:25:59.148

DCO works in having general powers, and those are then

434

00:25:59.168 --> 00:26:01.168
restricted by the management plans.

435

00:26:01.208 --> 00:26:04.828
So this gives a general power, but the way that any discharges

436

00:26:04.868 --> 00:26:07.968
work would be controlled via those management plans.

437

00:26:08.048 --> 00:26:11.297
Um, so we, Ms. Dablin, talked earlier about,

438

00:26:11.668 --> 00:26:15.348
discharges relating to the BEWS and how that would be controlled in
the

439

00:26:15.428 --> 00:26:17.968
outline battery safety management plan.

440

00:26:18.008 --> 00:26:21.408
Similarly, there will be, there's a drainage requirement and a
requirement to

441

00:26:21.508 --> 00:26:24.298
have drainage, plans that would need to be approved.

442

00:26:24.308 --> 00:26:28.288
And so that level of detail, will go in those manage- the final

443

00:26:28.368 --> 00:26:31.588
versions of those management plans that are approved by,

444

00:26:32.068 --> 00:26:35.768
the, local authorities in consultations with bodies like the
Environment

445

00:26:35.868 --> 00:26:39.628
Agency. So that level of detail is in the management plan, but the
article

446

00:26:39.668 --> 00:26:43.388

itself gives a broad power that then subject to whatever

447

00:26:43.428 --> 00:26:46.828

requirements are in those management plans.

448

00:26:46.868 --> 00:26:47.658

Thank you.

449

00:26:47.968 --> 00:26:51.648

Thank you for clarifying that. Um, and I think

450

00:26:51.668 --> 00:26:55.617

Mr. Burrell has a hand up as well. Um,

451

00:26:55.648 --> 00:26:58.988

do you have comments on the, the drafting of the development consent

452

00:26:59.088 --> 00:26:59.968

order?

453

00:27:00.048 --> 00:27:01.228

Yes. Um,

454

00:27:02.388 --> 00:27:06.248

there's an absence of, or any intent

455

00:27:06.268 --> 00:27:07.088

to reflect

456

00:27:08.388 --> 00:27:12.308

public interest as a concept. Now,

457

00:27:12.468 --> 00:27:16.408

I relate that to the fact that our representatives

458

00:27:16.828 --> 00:27:20.148

in the area are our local authorities, and in this

459

00:27:20.168 --> 00:27:23.868

particular, scheme, there's three local authorities that are

460

00:27:23.908 --> 00:27:26.888
represented here. Now, one of the key

461

00:27:27.708 --> 00:27:30.948
elements of having, the public

462

00:27:31.068 --> 00:27:34.668
interest actually actively,

463

00:27:35.548 --> 00:27:38.908
present with the, scheme

464

00:27:38.948 --> 00:27:42.868
that's being proposed is that there's sufficient manning

465

00:27:43.048 --> 00:27:46.948
and resource of the relevant departments that are

466

00:27:46.988 --> 00:27:50.648
going to be actors, consulting,

467

00:27:51.308 --> 00:27:54.508
reviewing any applications from,

468

00:27:55.128 --> 00:27:58.448
or say, for conditions, et cetera, submitted by the

469

00:27:58.828 --> 00:28:02.588
applicant in good time. And I would

470

00:28:02.768 --> 00:28:05.368
state here and now that through

471

00:28:05.868 --> 00:28:09.568
experience, the local authorities

472

00:28:09.728 --> 00:28:13.148
planning, building control, local highways authority are

473

00:28:13.308 --> 00:28:17.268
overwhelmed with existing workload,

474

00:28:18.108 --> 00:28:21.187
staff shortages, et cetera. So

475

00:28:21.247 --> 00:28:24.788
therefore, in the public interest element of this,

476

00:28:25.628 --> 00:28:29.248
where is the provision for the local

477

00:28:29.288 --> 00:28:31.888
authorities to be resourced

478

00:28:34.608 --> 00:28:37.738
in preferably, preferably by the

479

00:28:38.308 --> 00:28:42.188
applicant to provide the staff numbers to allow

480

00:28:42.248 --> 00:28:45.808
for appropriate eight to 10-week response times

481

00:28:46.448 --> 00:28:50.108
and other issues that actually is going to mean in the public

482

00:28:50.168 --> 00:28:54.008
interest for the local communities, et cetera, that these

483

00:28:54.108 --> 00:28:57.668
particular judgments and consideration is actually

484

00:28:57.788 --> 00:29:01.428
properly carried out in good time and

485

00:29:01.488 --> 00:29:05.388
not pressured into just agreeing to things

486

00:29:05.488 --> 00:29:09.428

or there's no time to respond, and therefore the applicant can go

487

00:29:09.488 --> 00:29:11.848
through appeal processes, et cetera.

488

00:29:11.868 --> 00:29:15.708
It's extremely important that that resourcing

489

00:29:15.808 --> 00:29:19.268
is upfront. The only way I

490

00:29:19.788 --> 00:29:22.448
foresee this to be is if, for instance, it's actually

491

00:29:24.068 --> 00:29:27.948
built in with Section 106 agreements as part of the

492

00:29:27.988 --> 00:29:31.248
DCO that thoroughly,

493

00:29:31.668 --> 00:29:35.588
reflect the costs and time element that's required

494

00:29:35.648 --> 00:29:39.548
to get that manning resource for the local authorities

495

00:29:39.648 --> 00:29:40.468
to be ready

496

00:29:41.968 --> 00:29:45.928
for when and if the actual, application

497

00:29:45.968 --> 00:29:47.228
is, is approved.

498

00:29:48.408 --> 00:29:52.248
Without this, I would say there's a major failing

499

00:29:53.108 --> 00:29:56.928
in having an assumption that the local authorities

500

00:29:57.048 --> 00:29:58.768
can just pick up the workload

501

00:29:59.768 --> 00:30:03.668
and run with it without it being properly resourced to

502

00:30:03.768 --> 00:30:05.188
deal with this matter-

503

00:30:05.228 --> 00:30:05.408
Thank you

504

00:30:05.418 --> 00:30:07.408
... that will go on for se- several years.

505

00:30:07.732 --> 00:30:11.552
Okay. Thank you, Mr. Burrell. Um, did the applicant want to, just,

506

00:30:11.932 --> 00:30:13.772
respond to that?

507

00:30:13.892 --> 00:30:15.632
Uh, Claire Bodger for the applicant.

508

00:30:15.692 --> 00:30:16.192
Um, so

509

00:30:17.012 --> 00:30:20.272
resourcing of, local authorities is obviously,

510

00:30:20.352 --> 00:30:24.112
um... We are aware of that and the applicant is mindful of that.

511

00:30:24.172 --> 00:30:27.542
Um, we talked, I think in response to one of the earlier

512

00:30:28.012 --> 00:30:31.492
questions about the use of planning performance agreements.

513

00:30:31.592 --> 00:30:35.512

Um, and those are a, a mechanism by way,

514

00:30:36.152 --> 00:30:39.172

the developer, can provide support for

515

00:30:39.212 --> 00:30:43.032

additional resourcing, outside of the, the formal

516

00:30:43.152 --> 00:30:47.032

statutory process. So Schedule 16 includes, the

517

00:30:47.072 --> 00:30:50.812

requirement to make a payment for the actual discharge of,

518

00:30:51.112 --> 00:30:54.432

any of the, plans or approvals.

519

00:30:54.512 --> 00:30:58.422

Um, but it's in the applicant's interest, as I've said, to,

520

00:30:58.652 --> 00:31:02.422

make sure that the, local planning authority has already had sight of that

521

00:31:02.512 --> 00:31:06.012

document, that their concerns have been addressed.

522

00:31:06.092 --> 00:31:09.192

Um, otherwise, there's a high likelihood that that application will be

523

00:31:09.232 --> 00:31:13.162

refused. Um, on one of Island Green Power's other projects,

524

00:31:13.192 --> 00:31:16.652

which is West Burton, we're in the process of

525

00:31:16.672 --> 00:31:20.472

negotiating, a planning performance agreement relating to the

526

00:31:20.512 --> 00:31:24.072

discharge of requirements, because that has been, granted

527

00:31:24.112 --> 00:31:27.832

consent. So that is something that, Island Green Power, definitely do

528

00:31:27.852 --> 00:31:31.792

intend to do for its projects. Um, and it is in the interests, of the

529

00:31:31.832 --> 00:31:35.112

developer. Um, but a- as has been said before, that does

530

00:31:35.772 --> 00:31:39.152

sit outside of the statutory process and is a voluntary,

531

00:31:39.672 --> 00:31:42.282

voluntary type of agreement. But the...

532

00:31:42.292 --> 00:31:46.092

It is very much in the applicant's interest to do so, because that way it can stay

533

00:31:46.112 --> 00:31:49.832

on program and meet its grid connection date. Thank you.

534

00:31:51.392 --> 00:31:55.212

Okay, thank you very much for that. Um, Mr. B- Mr.

535

00:31:55.252 --> 00:31:57.232

Burrell, I can see you've got your hand up again.

536

00:31:57.292 --> 00:32:01.252

Yeah. Um, again, in the public interest, this

537

00:32:01.332 --> 00:32:02.952

is to do with,

538

00:32:04.432 --> 00:32:08.272

what appears to be an unknown body of, to be referenced, and that is

539

00:32:08.372 --> 00:32:12.192
building control. Now, building

540
00:32:12.292 --> 00:32:15.372
control, I would firmly

541
00:32:15.952 --> 00:32:19.002
recommend that it's written into the

542
00:32:19.092 --> 00:32:22.752
DCO, that it's the local authority's building

543
00:32:22.832 --> 00:32:25.032
control department that is

544
00:32:25.152 --> 00:32:28.812
utilized, not a private building

545
00:32:28.892 --> 00:32:32.532
control company. The difference being that the local

546
00:32:32.572 --> 00:32:36.092
authority building control department has enforcement

547
00:32:36.212 --> 00:32:36.772
powers,

548
00:32:37.612 --> 00:32:40.812
whereas the private building control company only has

549
00:32:40.832 --> 00:32:44.532
advisory role. It's extremely

550
00:32:44.552 --> 00:32:48.032
important in the public interest for the local area

551
00:32:48.652 --> 00:32:49.072
that

552
00:32:50.012 --> 00:32:53.992
they have some degree of confidence that all the construction

553

00:32:54.072 --> 00:32:57.752

works, et cetera, follow agreed regulatory,

554

00:32:58.592 --> 00:33:01.272

protection and build standards, et

555

00:33:01.332 --> 00:33:05.092

cetera. And I might draw into the particular

556

00:33:05.212 --> 00:33:08.372

point that the Construction Design and Management

557

00:33:08.452 --> 00:33:12.312

Regulations 2015 are quite

558

00:33:12.392 --> 00:33:16.252

crucial in this, because at least, for instance, under the

559

00:33:16.272 --> 00:33:19.642

Regulation 27, that there is

560

00:33:21.992 --> 00:33:25.782

available to local, affected parties

561

00:33:26.052 --> 00:33:29.692

and residents, neighbors, et cetera, where these activities will take

562

00:33:29.752 --> 00:33:33.612

place, where the traffic access

563

00:33:33.692 --> 00:33:37.602

to the sites can be considered and

564

00:33:37.712 --> 00:33:41.632

built into the construction management plan that should get

565

00:33:41.652 --> 00:33:44.872

submitted. And that construction management

566

00:33:44.992 --> 00:33:46.932

plan is formally

567

00:33:47.792 --> 00:33:51.652

expected to include adherence to the CDM Regs

568

00:33:51.792 --> 00:33:55.192

2015. It's extremely

569

00:33:55.252 --> 00:33:59.212

important to the local area and population

570

00:33:59.252 --> 00:34:03.172

and the public interest there that that enforcement

571

00:34:04.172 --> 00:34:07.912

activity by the local authority through their building

572

00:34:07.992 --> 00:34:09.272

control department

573

00:34:10.112 --> 00:34:13.973

is stated as a requirement under the DC0, not to

574

00:34:14.013 --> 00:34:17.453

be left to some arrangement with a private building control

575

00:34:17.632 --> 00:34:21.553

company that has only advisory role

576

00:34:21.932 --> 00:34:24.712

and not enforcement powers.

577

00:34:25.232 --> 00:34:27.362

Okay, thank you. Would the applicant like to come back on

578

00:34:27.392 --> 00:34:30.013

that?

579

00:34:33.112 --> 00:34:34.533

Uh, Claire Bodger for the applicant.

580

00:34:34.572 --> 00:34:38.533

I think there are, obviously a number of different points, being

581

00:34:38.572 --> 00:34:42.502

raised there to the extent that there's obviously a, a legal requirement to,

582

00:34:43.232 --> 00:34:44.962

comply with a particular,

583

00:34:46.473 --> 00:34:49.102

set of standards, then those will be complied with.

584

00:34:49.132 --> 00:34:52.102

The, the DCO doesn't, other than those limited,

585

00:34:52.922 --> 00:34:56.453

points which we've discussed before, where there's a specific disapplication of

586

00:34:56.493 --> 00:35:00.352

legislation in res- in exchange for a different type of approval

587

00:35:00.372 --> 00:35:04.272

process. It doesn't, disapply the requirement to comply with any other

588

00:35:04.852 --> 00:35:08.812

types of, legislation. Um, I don't

589

00:35:08.952 --> 00:35:12.212

have to hand the extent to which any type

590

00:35:12.352 --> 00:35:15.652

of building, regulations consent is required

591

00:35:15.772 --> 00:35:19.692

for the specific elements of this project. We can check.

592

00:35:19.732 --> 00:35:22.952
It's not listed, I don't think, in our other consents.

593
00:35:23.032 --> 00:35:25.232
Uh, s- we'll just check. Bear with me one

594
00:35:25.312 --> 00:35:28.052
moment.

595
00:35:37.992 --> 00:35:39.872
Uh, Claire Bodger for the applicant.

596
00:35:39.932 --> 00:35:43.412
Um, yeah, so to the extent that a building regulations consent would be required,

597
00:35:43.452 --> 00:35:46.292
then we would need to obtain one. I don't,

598
00:35:47.852 --> 00:35:49.862
have the information as to whether that's actually relevant.

599
00:35:49.892 --> 00:35:53.272
Obviously, building regs applies to various different types of

600
00:35:53.292 --> 00:35:56.712
developments. Um, I would need to-- we would need to check whether there are any

601
00:35:56.792 --> 00:36:00.672
particular elements of this scheme, that would be

602
00:36:00.712 --> 00:36:04.182
bound by those regulations as opposed to another set of,

603
00:36:04.212 --> 00:36:07.612
regulations that apply to, bigger types of

604
00:36:07.632 --> 00:36:09.152
electrical, infrastructure.

605

00:36:09.172 --> 00:36:12.896

So substations and, and the like have, uh-Have to comply with various

606

00:36:12.916 --> 00:36:16.856

different standards, but we can provide some more information on that point

607

00:36:17.556 --> 00:36:21.516

in our, in our written summary of

608

00:36:21.576 --> 00:36:25.216

this, of this report. But to the extent that, there is a

609

00:36:25.256 --> 00:36:28.446

requirement to comply with general law, then that, the DCO doesn't change that in

610

00:36:28.476 --> 00:36:30.416

any way. Thank you.

611

00:36:30.936 --> 00:36:33.856

Right. Thank you. Oh, have you got another point, Mr. Burrell?

612

00:36:33.936 --> 00:36:37.376

Yeah. Well, just as a rejoinder to what's just been stated by the

613

00:36:37.436 --> 00:36:41.076

applicant. Built into the Construction Design Management

614

00:36:41.116 --> 00:36:44.736

regulations, which would apply for all the construction site

615

00:36:44.796 --> 00:36:48.296

compounds and the sites themselves, it

616

00:36:48.396 --> 00:36:52.176

gives the opportunity for all the issues associated with

617

00:36:52.256 --> 00:36:56.195

traffic and site access to have a voice, public

618

00:36:56.276 --> 00:36:59.916

interest. The Building Control department of the local

619

00:36:59.936 --> 00:37:02.016

authority has enforcement

620

00:37:02.136 --> 00:37:05.776

powers. That is the key difference

621

00:37:06.036 --> 00:37:09.916

between a private building control company, which

622

00:37:09.996 --> 00:37:10.896

I would imagine

623

00:37:11.876 --> 00:37:14.916

the applicant maybe is, is actually

624

00:37:14.956 --> 00:37:18.546

considering. Um, to go on

625

00:37:18.616 --> 00:37:21.796

to a further point.

626

00:37:24.176 --> 00:37:27.236

The works plans that's been mentioned

627

00:37:27.276 --> 00:37:29.056

previously,

628

00:37:30.656 --> 00:37:34.476

I presume you might call the construction management

629

00:37:34.616 --> 00:37:38.296

plans for the, for the project, they

630

00:37:38.396 --> 00:37:42.266

themselves, apart from being submitted to building, to,

631

00:37:42.536 --> 00:37:44.076

planning at the local

632

00:37:44.176 --> 00:37:47.316

areas, the actual

633

00:37:48.496 --> 00:37:51.196

relevance of the Construction Design Management

634

00:37:51.696 --> 00:37:55.556

Regulations 2015 would need to be

635

00:37:55.596 --> 00:37:58.756

incorporated into that, and one would think that

636

00:37:58.816 --> 00:38:02.296

therefore the Building Control department of the local

637

00:38:02.336 --> 00:38:06.296

authority would be expected to review,

638

00:38:06.336 --> 00:38:10.276

assess, and respond accordingly, not just limited

639

00:38:10.716 --> 00:38:14.696

to the planning department. There are two separate

640

00:38:14.956 --> 00:38:18.256

distinct roles and should be built into the

641

00:38:18.336 --> 00:38:22.195

DCO to reflect the existence of

642

00:38:22.236 --> 00:38:26.096

the Building Control department and the enforcement of

643

00:38:26.176 --> 00:38:29.916

regulations. Should not be left to just purely

644

00:38:30.016 --> 00:38:33.346

something under the heading of planning.

645

00:38:33.956 --> 00:38:34.356

Um-

646

00:38:34.596 --> 00:38:37.496

Thank you, Mr. Burrell. Was there any other points that you had?

647

00:38:37.556 --> 00:38:40.496

Yes. There's something that's been lacking in,

648

00:38:40.936 --> 00:38:44.056

references to water courses, et cetera.

649

00:38:45.276 --> 00:38:48.456

Minor roads, not national highways,

650

00:38:49.376 --> 00:38:52.616

trunk roads, et cetera, strategic highways,

651

00:38:52.696 --> 00:38:56.286

they, especially in rural areas, they run through

652

00:38:56.316 --> 00:39:00.306

historical tracks or roads now tarmacked, but

653

00:39:00.316 --> 00:39:03.226

they have either side of the road ditches.

654

00:39:04.496 --> 00:39:05.636

Those ditches

655

00:39:06.876 --> 00:39:10.056

very rarely are maintained by the local highway

656

00:39:10.136 --> 00:39:10.976

authority.

657

00:39:13.296 --> 00:39:16.196

The implication being that should there be

658

00:39:16.216 --> 00:39:19.816

pollution, rubbish, debris, or other

659

00:39:20.176 --> 00:39:23.336

aspects associated with the construction activity of this

660

00:39:23.356 --> 00:39:27.196

project, it may well end

661

00:39:27.336 --> 00:39:31.036

up in the roadside ditches. Those roadside

662

00:39:31.136 --> 00:39:34.596

ditches are deemed to belong to the adjacent

663

00:39:34.676 --> 00:39:38.216

landowners. There is no

664

00:39:38.396 --> 00:39:41.816

references at all to meeting the

665

00:39:41.936 --> 00:39:45.856

costs and maintenance of those ditches

666

00:39:47.196 --> 00:39:51.136

where the construction activity has caused them to be blocked,

667

00:39:51.176 --> 00:39:54.336

or they're no longer sufficient to handle the

668

00:39:54.376 --> 00:39:58.196

runoff. There needs to be

669

00:39:58.236 --> 00:40:01.806

specific reference to the maintenance of

670

00:40:01.916 --> 00:40:05.456

ditches along the routes that are being proposed

671

00:40:06.796 --> 00:40:10.096

for the construction activity, so that the

672

00:40:10.176 --> 00:40:13.696

costs and workload does not fall upon the adjacent

673

00:40:13.756 --> 00:40:17.316

landowners.

674

00:40:21.956 --> 00:40:23.656

Um, did the applicant want to respond to that?

675

00:40:23.676 --> 00:40:26.656

Presumably you've got agreements with landowners.

676

00:40:26.816 --> 00:40:28.136

Uh, Claire Bojick, the applicant.

677

00:40:28.176 --> 00:40:31.955

Um, so in terms of mitigation measures to prevent,

678

00:40:33.296 --> 00:40:34.876

damage to ditches or,

679

00:40:36.476 --> 00:40:39.706

pollution events with ditches, there are a number of measures that are set out in

680

00:40:39.736 --> 00:40:43.726

the outline construction environmental management plan, relating to that.

681

00:40:43.776 --> 00:40:47.216

So the applicant will need to, comply with all of those

682

00:40:47.236 --> 00:40:49.596

provisions under the requirements.

683

00:40:49.656 --> 00:40:53.436

In terms of, compensation for landowners,

684

00:40:53.496 --> 00:40:57.216

where the applicant has, voluntary agreements in place with

685

00:40:57.296 --> 00:41:01.096

landowners, then those agreements, include provisions in

686

00:41:01.156 --> 00:41:04.996

terms of, repairing any damage, et cetera.

687

00:41:05.056 --> 00:41:08.636

Um, where agreements may not be possible to be entered

688

00:41:08.656 --> 00:41:12.576

into, and compulsory acquisition powers are, are, are

689

00:41:12.616 --> 00:41:16.076

required, there are various provisions in the

690

00:41:16.116 --> 00:41:19.776

DCO, that, that potentially would apply

691

00:41:20.496 --> 00:41:23.896

in that particular scenario. So in the event that the works were being

692

00:41:23.936 --> 00:41:27.696

undertaken using the temporary use powers, which are in

693

00:41:27.776 --> 00:41:31.256

Article thirty-one, article

694

00:41:31.376 --> 00:41:35.256

thirty-one, subparagraph six, states

695

00:41:35.316 --> 00:41:39.096

that the undertaker must pay compensation to owners and occupiers of land of which

696

00:41:39.116 --> 00:41:42.356

temporary possession is undertaken by this article for any loss or damage

697

00:41:42.816 --> 00:41:46.336

arising out of, from the exercise in relation to the

698

00:41:46.356 --> 00:41:48.776

provisions of any power conferred by this article.

699

00:41:48.796 --> 00:41:52.556

So to the extent that, agreement hasn't been reached and the applicants

700

00:41:52.676 --> 00:41:56.366

use the statutory powers to get onto the land, then there's provision for the

701

00:41:56.436 --> 00:42:00.096

payment of compensation in the draft DCO.

702

00:42:00.176 --> 00:42:02.736

Right. Thank you for that clarification.

703

00:42:02.836 --> 00:42:06.416

Um, I'm conscious that, um... Sorry, Mr. Burrell.

704

00:42:06.476 --> 00:42:10.176

I can see you've got your hand up, but, I, I need to move the, the hearing

705

00:42:10.356 --> 00:42:10.756

on.

706

00:42:10.796 --> 00:42:12.526

Can I j-just mention this?

707

00:42:12.536 --> 00:42:13.026

Okay. One point.

708

00:42:13.036 --> 00:42:16.946

Being paid compensation as an adjacent landowner, in other

709

00:42:16.996 --> 00:42:20.536

words, effectively responsible for the maintenance of a roadside

710

00:42:20.616 --> 00:42:24.212

ditch, is quite different--To the actual

711

00:42:24.312 --> 00:42:27.772

work being carried out by the applicant to

712

00:42:27.832 --> 00:42:31.032

maintain the ditch without all the legal

713

00:42:31.752 --> 00:42:33.672

cost and other time element

714

00:42:34.832 --> 00:42:38.632

that is being imposed by, say, "Oh, here's compensation after

715

00:42:38.792 --> 00:42:41.592

months of discussion," when it should be

716

00:42:41.752 --> 00:42:45.692

stated, "You've caused all this. You

717

00:42:45.812 --> 00:42:49.672

fix it, and don't use machinery where you'll, you'll damage

718

00:42:49.732 --> 00:42:53.712

roots. You'll go in by hand to dig it out." Having

719

00:42:53.732 --> 00:42:54.852

that in place

720

00:42:56.072 --> 00:42:59.772

is in the public interest as far as landowners, so they haven't got to go

721

00:42:59.832 --> 00:43:03.772

through this administrative burden just to get the

722

00:43:03.892 --> 00:43:06.332

ditch put right.

723

00:43:07.912 --> 00:43:11.092

Right. Thank, thank you for that, for that comment.

724

00:43:11.192 --> 00:43:15.092

Um, so, just sort of conscious of

725

00:43:15.102 --> 00:43:18.162

time, we would probably usually take a break around this

726

00:43:18.212 --> 00:43:21.752

period. Um, but in terms

727

00:43:21.832 --> 00:43:25.812

of, of this item, I don't think the, the

728

00:43:25.992 --> 00:43:29.552

SA's got any questions, so I wanted to thank the applicant

729

00:43:29.632 --> 00:43:32.852

for, the document Rep

730

00:43:33.032 --> 00:43:36.252

05091, which I think quite clearly,

731

00:43:37.332 --> 00:43:40.172

addressed each of the,

732

00:43:40.572 --> 00:43:44.412

proposed schedule of changes to the DDCO.

733

00:43:44.492 --> 00:43:48.292

Uh, and I think we're content with all those responses even, you know, where

734

00:43:48.352 --> 00:43:52.332

we'd sort of challenged if it's been done a different way in a different

735

00:43:52.412 --> 00:43:56.032

DCO. I think you provided a very, clear response why

736

00:43:56.072 --> 00:43:59.732

you've, taken the approach that you have.

737

00:43:59.852 --> 00:44:03.552

Um, and I think I had noticed, noted, in the Environment

738

00:44:03.672 --> 00:44:07.372

Agency's deadline five, representation

739

00:44:07.472 --> 00:44:11.352

that they'd made a, a repeated request to be a consultee under

740

00:44:11.372 --> 00:44:14.712

requirements eleven, thirteen, fourteen, and twenty-one.

741

00:44:14.732 --> 00:44:18.212

Um, but I th- I think that was sort of ships passing in the night and crossing over

742

00:44:18.372 --> 00:44:22.292

because I noted they've, been added to all of those,

743

00:44:22.632 --> 00:44:25.532

in the latest revision D of the, the

744

00:44:25.572 --> 00:44:29.432

DCO. Um, so I'm, I'm just trying to

745

00:44:29.472 --> 00:44:33.292

make a, a, a sort of informed guess as to

746

00:44:33.352 --> 00:44:37.152

how long we might take over item three point two on

747

00:44:37.692 --> 00:44:41.102

protective provisions of whether it's taking a break or whether we could,

748

00:44:41.892 --> 00:44:45.772

perhaps, power on with, with kind of an, an update

749

00:44:45.812 --> 00:44:48.872

from the, from the applicant.

750

00:44:48.892 --> 00:44:50.072

Uh, Claire Pottyett, the applicant.

751

00:44:50.152 --> 00:44:53.892

Um, we have a fairly brief update in, in relation to

752

00:44:53.912 --> 00:44:57.552

protective provisions. Um, the only one that might merit

753

00:44:57.892 --> 00:45:00.992

slightly longer discussion is in relation to the protective provisions with the

754

00:45:01.032 --> 00:45:04.692

local lead flood authorities in case they had any further comments.

755

00:45:04.712 --> 00:45:08.552

But I wondered whether we might just give our very quick update on the other

756

00:45:08.592 --> 00:45:12.462

protective provisions. Um, and then depending on whether the local authorities

757

00:45:12.532 --> 00:45:16.252

wanted to make comments in this hearing on the other provisions.

758

00:45:16.272 --> 00:45:19.072

We're obviously negotiating them outside of the hearing.

759

00:45:19.152 --> 00:45:20.672

Um, I wasn't-- If they're not--

760

00:45:20.682 --> 00:45:20.682

Uh--

761

00:45:20.692 --> 00:45:23.772

If they don't want to discuss them in the hearing, then we can just carry on those

762

00:45:23.792 --> 00:45:26.832
discussions outside of it, and then it's a fairly brief update.

763

00:45:26.892 --> 00:45:30.672
I think that, that sounds like a good, a good approach if people are happy just

764

00:45:30.692 --> 00:45:34.672
to continue. Yep. Great.

765

00:45:34.792 --> 00:45:38.692
So, yes, if, if the applicant would like to, give an update

766

00:45:39.472 --> 00:45:42.752
on the various negotiations regarding the protective provisions, please.

767

00:45:43.952 --> 00:45:47.752
Alison Devlin for the applicant. Uh, firstly, in

768

00:45:47.872 --> 00:45:51.492
respect of National Grid Electricity Transmission, the

769

00:45:51.532 --> 00:45:55.452
applicant has a meeting with National Grid, tomorrow

770

00:45:55.512 --> 00:45:59.112
in order to understand their future projects in the area and the

771

00:45:59.132 --> 00:46:01.572
potential interactions with the scheme.

772

00:46:01.632 --> 00:46:05.552
Uh, the protection for these future projects is, we understand

773

00:46:05.592 --> 00:46:09.132
the only area that remains under discussion.

774

00:46:09.212 --> 00:46:12.652
Um, a-and insofar as the protective provisions relate to

775

00:46:12.712 --> 00:46:16.612
existing, NGET apparatus, the form of

776

00:46:16.652 --> 00:46:19.512
protective provisions is essentially agreed.

777

00:46:19.592 --> 00:46:23.112
So the applicant is going to progress these discussions

778

00:46:23.232 --> 00:46:27.092
following the call on Friday and, still com- fully intends to

779

00:46:27.132 --> 00:46:29.402
reach agreement before the end of examination.

780

00:46:31.032 --> 00:46:33.852
Uh, in relation to National Grid Electricity

781

00:46:34.072 --> 00:46:37.882
Distribution, the applicant's provided further

782

00:46:37.972 --> 00:46:41.952
comments to, NGED on the form of a side agreement and

783

00:46:42.012 --> 00:46:45.532
has, requested a meeting to discuss.

784

00:46:45.632 --> 00:46:49.052
I believe from my, pop-ups that we might have

785

00:46:49.152 --> 00:46:52.892
had, a response from them. Uh, but, again, we

786

00:46:53.092 --> 00:46:56.962
remain confident that, the matters can be resolved prior to the

787

00:46:56.992 --> 00:47:00.612
end of examination. Uh, for Anglian

788

00:47:00.692 --> 00:47:04.112
Water, the protective provisions were agreed.

789

00:47:04.192 --> 00:47:07.892

Uh, I believe there might have been a lit-little bit of confusion with that in that

790

00:47:07.932 --> 00:47:11.472

the updated version was provided in revision

791

00:47:11.712 --> 00:47:15.492

A of the draft DC0, which is, Rep

792

00:47:15.632 --> 00:47:19.552

one zero zero nine. However, the confirmation that that

793

00:47:19.632 --> 00:47:22.832

was the agreed form was, provided subsequent to

794

00:47:22.912 --> 00:47:26.132

that. Um, so there's been no changes

795

00:47:27.192 --> 00:47:30.432

subsequent to, deadline one for that

796

00:47:30.452 --> 00:47:34.392

reason. Um, in relation to National Highways, as

797

00:47:34.432 --> 00:47:38.012

has already been confirmed, the form of protective provisions has been

798

00:47:38.052 --> 00:47:41.372

agreed. Um, these will be, updated and

799

00:47:41.512 --> 00:47:45.352

included in, the draft DC0 that will be provided at deadline

800

00:47:45.452 --> 00:47:49.152

six. Uh, the Environment

801

00:47:49.272 --> 00:47:52.762

Agency has confirmed that it is,

802

00:47:52.812 --> 00:47:56.532

content to disapply the requirement to obtain separate flood risk

803

00:47:56.612 --> 00:48:00.592

activity permits, provided its, protective provisions

804

00:48:00.632 --> 00:48:04.132

are included in the draft DCO. Th-the applicant

805

00:48:04.252 --> 00:48:07.652

has requested a number of amendments to the protective

806

00:48:07.712 --> 00:48:11.532

provisions, which are primarily around, clarity, and

807

00:48:11.632 --> 00:48:14.292

we are just awaiting the response from the Environment

808

00:48:14.372 --> 00:48:18.212

Agency. Uh, in respect of Cadent,

809

00:48:18.632 --> 00:48:21.832

the protective provisions, have been agreed, and

810

00:48:21.932 --> 00:48:25.072

engrossments of a side agreement are being prepared.

811

00:48:25.112 --> 00:48:28.772

There are some minor refinements to the protective provisions, and again, these

812

00:48:28.812 --> 00:48:31.662

will be included in the draft DCO that is provided at

813

00:48:31.692 --> 00:48:35.432

deadline, six. Um, and then finally, in

814

00:48:35.472 --> 00:48:38.832

respect of the lead local flood authorities,

815

00:48:38.952 --> 00:48:42.501

uh-Our understanding is that the form of protective

816

00:48:42.572 --> 00:48:45.912

provisions has been agreed with North

817

00:48:46.012 --> 00:48:49.092

Northamptonshire Council and West Northamptonshire

818

00:48:49.132 --> 00:48:52.932

Council. Um, we understand that for Milton

819

00:48:53.032 --> 00:48:56.472

Keynes City Council, the principle of

820

00:48:56.512 --> 00:48:59.692

disapplying Section 23 of the Land Drainage Act is

821

00:48:59.732 --> 00:49:03.302

agreed, but there were some minor comments made in,

822

00:49:03.972 --> 00:49:07.092

Milton Keynes's responses to, the

823

00:49:07.132 --> 00:49:10.972

examining authority's proposed changes to the draft ECO, and that

824

00:49:11.032 --> 00:49:13.312

is in document, Rep

825

00:49:13.832 --> 00:49:15.972

5-110.

826

00:49:17.512 --> 00:49:21.392

Um, and those comments relate to the protective

827

00:49:21.432 --> 00:49:25.392

provisions providing for deemed consent, as well as some concerns around the

828

00:49:25.432 --> 00:49:28.852
timescale and fees involved. We can either provide some more
information

829
00:49:29.232 --> 00:49:32.292
now or, leave that to,

830
00:49:33.192 --> 00:49:37.032
further discussions with Milton Keynes directly.

831
00:49:38.832 --> 00:49:42.122
Great, thank you for that. Um, I th- I, I,

832
00:49:43.072 --> 00:49:46.172
I th- I think the, the only slight query I had, I th- I think

833
00:49:46.212 --> 00:49:49.872
you answered it, but I was going to, in respect of part seven, the

834
00:49:49.912 --> 00:49:53.692
Environment Agency, and the basis of their deadline

835
00:49:53.812 --> 00:49:57.712
five, rep, I was gonna query when they refer to their standard

836
00:49:57.792 --> 00:50:01.542
protective provisions, whether that was the wording that

837
00:50:01.592 --> 00:50:05.442
features in revision D, but I think from what you've said, it, it's,

838
00:50:05.512 --> 00:50:08.112
it doesn't.

839
00:50:08.832 --> 00:50:11.172
Uh, Alison Dablin for the applicant.

840
00:50:11.232 --> 00:50:13.832
Uh, no, that's correct. It doesn't.

841
00:50:13.912 --> 00:50:17.762

Um, the standard form of protective provisions does include a number

842

00:50:17.812 --> 00:50:21.732

of provisions relating to, tidal, activity

843

00:50:21.752 --> 00:50:25.412

and, and sea flood defenses. So, a-along with a

844

00:50:25.632 --> 00:50:29.532

couple of minor sort of clarifying drafting points, we have asked whether or

845

00:50:29.612 --> 00:50:33.192

not, they are agreed to the removal of those provisions.

846

00:50:33.212 --> 00:50:36.212

But as I say, we are waiting to hear back.

847

00:50:37.152 --> 00:50:40.872

Great, thank you. Um, and just turning to, Milton

848

00:50:40.952 --> 00:50:44.852

Keynes City Council. Obviously we, we'd noted, what you've

849

00:50:44.912 --> 00:50:48.792

said in, Rep 5, 110,

850

00:50:49.952 --> 00:50:51.862

around, as the applicant says, deemed

851

00:50:51.912 --> 00:50:55.652

consent, timescales and, covering costs

852

00:50:55.752 --> 00:50:59.132

of, sort of outsourcing work to the internal, drainage

853

00:50:59.292 --> 00:51:02.192

board. Um, w-was there anything that you wished to,

854

00:51:02.912 --> 00:51:06.892

raise or, as Ms. Dablin suggests, is it something that, you

855

00:51:06.952 --> 00:51:09.992

will just continue, discussions on?

856

00:51:10.072 --> 00:51:12.352

Uh, Elizabeth Ferdinham from Milton Keynes City Council.

857

00:51:12.432 --> 00:51:15.712

Um, yeah, I think they, we can d- continue discussions outside.

858

00:51:15.772 --> 00:51:19.172

The, LFAs I know got together from all three

859

00:51:19.252 --> 00:51:21.292

authorities, with the applicant.

860

00:51:21.312 --> 00:51:24.432

I'm not sure if that really progressed much further since their first

861

00:51:24.552 --> 00:51:28.512

meeting, because all of the LFAs outsource their drainage

862

00:51:28.572 --> 00:51:32.492

consents, so it's a bit of a awkward position for all three to be in

863

00:51:32.552 --> 00:51:35.572

really. Um, so I think it does need to be basically discussed outside this

864

00:51:35.592 --> 00:51:38.552

meeting.

865

00:51:41.032 --> 00:51:43.212

Thank you.

866

00:51:43.512 --> 00:51:50.842

Okay,

867

00:51:50.912 --> 00:51:54.082

and, I would, just to check that National Highways didn't have

868
00:51:54.112 --> 00:51:56.852
anything, further. I, I think,

869
00:51:58.132 --> 00:52:02.072
you confirmed, pretty, pretty much exactly what the applicant's just
said

870
00:52:02.112 --> 00:52:03.052
in their update.

871
00:52:04.272 --> 00:52:07.142
Vicky Fowler on behalf of National Highways. Yes, that's correct,
sir.

872
00:52:07.192 --> 00:52:09.712
Um, we've, we've, we've got an agreed position now. Thank you.

873
00:52:10.972 --> 00:52:12.372
That's great, thank you.

874
00:52:13.592 --> 00:52:17.372
Um, and, did anybody have any other comments related to protective

875
00:52:17.432 --> 00:52:20.632
provisions? Oh, Mr-

876
00:52:20.712 --> 00:52:23.172
Uh, Gary Grant, North Northants Council.

877
00:52:23.512 --> 00:52:25.982
N-Not, not from North Northants, sir.

878
00:52:26.792 --> 00:52:27.572
Great, thank you for

879
00:52:27.612 --> 00:52:31.032
clarifying.

880
00:52:32.792 --> 00:52:36.292
Right, so I, I think that, that takes us on to

881

00:52:36.932 --> 00:52:40.572

any other business. Um, so was there

882

00:52:40.832 --> 00:52:44.812

anything, that anybody wishes to raise, relevant

883

00:52:44.952 --> 00:52:45.392

to the

884

00:52:46.312 --> 00:52:49.952

D s- D-DCO and this hearing, that they,

885

00:52:50.412 --> 00:52:52.732

think should be discussed that hasn't?

886

00:52:54.372 --> 00:52:58.332

Great, thank you. Oh, Mr. Burrell, you've got a hand

887

00:52:58.392 --> 00:52:58.992

up.

888

00:53:02.332 --> 00:53:05.782

Yes, this is Keith Burrell. Uh,

889

00:53:06.772 --> 00:53:10.292

it's a clarification but also a question.

890

00:53:10.362 --> 00:53:14.252

The DCO is based upon the

891

00:53:14.292 --> 00:53:17.852

project, which is a solar farm, multiple

892

00:53:17.992 --> 00:53:21.092

sites, hundreds of thousands of solar

893

00:53:21.132 --> 00:53:23.752

panels, and

894

00:53:23.832 --> 00:53:27.782
yet the original technical

895
00:53:27.972 --> 00:53:30.812
basis for the submission

896
00:53:32.012 --> 00:53:34.032
for the solar panel

897
00:53:34.112 --> 00:53:37.832
specification, and therefore the glint and

898
00:53:37.872 --> 00:53:38.232
glare

899
00:53:39.212 --> 00:53:41.852
aspects, has not been

900
00:53:43.092 --> 00:53:46.872
properly addressed. I raise this particular point

901
00:53:46.992 --> 00:53:49.192
because I submitted,

902
00:53:50.092 --> 00:53:53.592
on the, 12th of December last

903
00:53:53.612 --> 00:53:57.342
year, a briefing note, 12th of December, Green Hill

904
00:53:57.412 --> 00:53:59.532
Planning Inspectorate Hearings.

905
00:53:59.572 --> 00:54:03.432
Now, the technical points I put in there I thought were

906
00:54:03.512 --> 00:54:07.232
quite valid because what stems from the answers

907
00:54:07.772 --> 00:54:11.732
and the performance specification of these solar panels

908

00:54:11.752 --> 00:54:13.552

and how they're constructed, et cetera,

909

00:54:14.752 --> 00:54:18.172

impact on so many other considerations that have

910

00:54:18.232 --> 00:54:21.412

been, part of the planning, sorry, the

911

00:54:21.492 --> 00:54:25.072

inspectorate, consultation process.

912

00:54:25.112 --> 00:54:28.812

And yet they appear to be glossed over

913

00:54:28.892 --> 00:54:32.802

with a salesman's statement. I apologize if it sounds

914

00:54:32.852 --> 00:54:33.042

too,

915

00:54:34.232 --> 00:54:37.052

curt. But this is a wonderful solar

916

00:54:37.152 --> 00:54:40.932

panel with lots of anti-reflection properties,

917

00:54:41.612 --> 00:54:45.248

although we don't know what it will actually beAnd

918

00:54:45.308 --> 00:54:49.228

yet the information that I provided where the sun

919

00:54:49.268 --> 00:54:53.097

is not permanently vertically above the horizontal

920

00:54:53.188 --> 00:54:56.858

plane of the panel, and therefore the glint and

921

00:54:57.048 --> 00:54:57.508
glare-

922
00:54:57.628 --> 00:54:58.068
S-sorry to-

923
00:54:58.078 --> 00:54:58.468
-will be there.

924
00:54:58.488 --> 00:54:59.078
-cut you off, Mr. Borrel.

925
00:54:59.108 --> 00:54:59.668
I just ask-

926
00:54:59.708 --> 00:55:02.278
I think we're straying beyond, well-

927
00:55:02.278 --> 00:55:02.698
Well, it's-

928
00:55:02.698 --> 00:55:04.388
-you know, the, the, the, the DCO-

929
00:55:04.488 --> 00:55:04.578
The DCO is actually-

930
00:55:04.578 --> 00:55:06.388
-we're hearing here, so-

931
00:55:06.398 --> 00:55:08.958
-based on this, this technical aspect.

932
00:55:08.958 --> 00:55:11.068
It's the whole basis for the project.

933
00:55:12.328 --> 00:55:15.908
Okay. Th-thank you for, for that comment. And I think Mr.

934
00:55:15.928 --> 00:55:18.488
Anthony, did I see that you were raising a hand,

935

00:55:19.968 --> 00:55:22.308
so for Stop Greenhill Solar?

936

00:55:22.388 --> 00:55:26.328
Uh, two small points. Um, I understand that DCOs

937

00:55:26.348 --> 00:55:29.428
are quite iterative, and they change over the years, and you get
different policy

938

00:55:29.488 --> 00:55:33.248
guidelines. Um, and it was brought up before

939

00:55:33.348 --> 00:55:36.948
about the community benefit fund not being a, requirement of the

940

00:55:36.988 --> 00:55:40.748
DCO. Um, I think on such a major project

941

00:55:40.828 --> 00:55:44.768
that's gonna have such an impact on our small villages and

942

00:55:44.788 --> 00:55:48.068
our beautiful countryside, I would urge the examiners

943

00:55:48.188 --> 00:55:52.168
to consider making it a requirement in this DCO

944

00:55:52.208 --> 00:55:56.028
in particular. Uh, whether that's special circumstances, whether
it's part

945

00:55:56.068 --> 00:56:00.048
of your process or not, I think it would be really important,
especially in the

946

00:56:00.088 --> 00:56:03.888
fact that we know evidence of certain projects being

947

00:56:03.948 --> 00:56:07.928

sold on and downstream. We've got clear evidence of, you know, the

948

00:56:07.948 --> 00:56:11.688

Wollaston site where that just gets lost in those downstream

949

00:56:12.388 --> 00:56:15.328

exchanges of, ownership. So that's just one

950

00:56:15.368 --> 00:56:16.588

request.

951

00:56:16.608 --> 00:56:16.618

Okay.

952

00:56:16.618 --> 00:56:17.228

And the other-

953

00:56:17.288 --> 00:56:19.808

Thank you for that point. And, and we did hear that as well-

954

00:56:19.928 --> 00:56:20.278

Okay. Okay.

955

00:56:20.388 --> 00:56:20.398

-in the-

956

00:56:20.408 --> 00:56:20.928

Sorry. Okay.

957

00:56:20.938 --> 00:56:20.938

-open floor hearing.

958

00:56:20.948 --> 00:56:23.148

And then the second really, really small point-

959

00:56:24.408 --> 00:56:24.458

Thank you

960

00:56:24.458 --> 00:56:28.358

... the up-update that Allison gave on, at the, at the

961

00:56:28.408 --> 00:56:31.947

very outset of today about the human remains and the two crash sites,

962

00:56:33.128 --> 00:56:35.388

and I know one of our members gave a very

963

00:56:35.448 --> 00:56:39.168

detailed, submission about that, and you

964

00:56:39.208 --> 00:56:42.028

referred to field, a specific field.

965

00:56:42.088 --> 00:56:45.788

Um, those two crash sites were very big World War II

966

00:56:45.868 --> 00:56:49.768

crashes. And the, the debris

967

00:56:49.808 --> 00:56:50.868

and the shrapnel went

968

00:56:51.788 --> 00:56:55.447

very far and wide, and there's been lots and lots of recovery of

969

00:56:55.548 --> 00:56:59.338

items. And I'm, I'm just trying to check with, with somebody, and I

970

00:56:59.368 --> 00:57:02.928

haven't been able to check, and I might not have this a hundred percent right, but

971

00:57:03.008 --> 00:57:06.868

I, I think I have, and apologies if I haven't, but I'm

972

00:57:06.948 --> 00:57:10.328

sure there are hand grenades that have been found much wider than that

973

00:57:10.388 --> 00:57:14.248

field. Um, so just from a safety point of view of your workers,

974

00:57:14.308 --> 00:57:18.048

you do need to bear that in mind that it went across quite a lot of different

975

00:57:18.148 --> 00:57:21.348

fields. And that hand grenade, I think, was found,

976

00:57:22.428 --> 00:57:24.728

when you did your site visit in Mears Ashby.

977

00:57:24.737 --> 00:57:26.428

As you go down the Duchess End path,

978

00:57:27.348 --> 00:57:30.508

when you walk past the barn, if you can remember that, it was found down there

979

00:57:31.188 --> 00:57:34.017

near, near that, near that area. So it's quite...

980

00:57:34.048 --> 00:57:36.308

It, it just demonstrates how far and wide it went.

981

00:57:36.348 --> 00:57:38.568

So I just wanted to raise that point.

982

00:57:38.608 --> 00:57:41.868

But thank you for the clarity of the, the section that you've

983

00:57:41.928 --> 00:57:43.928

updated. That's all.

984

00:57:45.548 --> 00:57:49.108

Great. Thank you very much for that.

985

00:57:49.168 --> 00:57:51.848

So, that takes us to item

986

00:57:52.028 --> 00:57:53.648

five. Um,

987

00:57:54.668 --> 00:57:58.508

again, as, as with the, previous, hearings that we've had

988

00:57:58.568 --> 00:58:02.248

this week, I don't think that's generated any, specific

989

00:58:02.258 --> 00:58:05.338

items for a, written action

990

00:58:05.428 --> 00:58:08.948

list. Um, so I think all that,

991

00:58:09.568 --> 00:58:12.748

leaves is for me to thank everyone

992

00:58:12.848 --> 00:58:16.128

for your constructive participation during this afternoon's

993

00:58:16.208 --> 00:58:19.418

hearing, but indeed also,

994

00:58:19.708 --> 00:58:23.508

throughout all of the various hearings that, that have been held.

995

00:58:24.628 --> 00:58:28.108

Um, and so the time is now,

996

00:58:29.228 --> 00:58:32.788

three fifty-five, and this hearing is closed. Thank you.