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## Event Transcript

<b>Project:</b>	The Keadby Next Generation Power Station Project
<b>Event:</b>	Issue Specific Hearing 1 (ISH1) – Part 3
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# TRANSCRIPT\_KADBY-NEXT- GEN\_ISH1\_SESSION3\_2026-01-21

00:00

Good afternoon, everybody. It's now 20 to two, and this hearing is now resumed. I hope everybody's had sufficient lunch and ready to carry on with the hearing. I don't have anything to comment upon on this morning's agenda, so I would suggest we just, we just move straight on to the agenda item. So we're going to move on to to be part D on the assumptions made concerning the sources of natural gas. And part of my question, I think, has already been asked about what form the gas would arrive at the site. Will it be liquefied or gas? And I think you've confirmed already it would be gas. So if I could ask the applicant to just briefly explain the likely sources of of the gas, and particularly how natural gas was modeled in the ES and the worst case scenarios. If you could set those out for me, please. Thank you very much.

01:15

Thank you, sir, Mr. Felicity, faramesh, for the applicant, I just wanted to make two clarification comments on the previous agenda item, sorry for not piping up a bit sooner and it will be brief. The first is just on some of the references that I provided. I just wanted to make sure that all of the references were to chapter 18, not to eight, so if I misspoke and said eight, it should be 18. And the second thing, and it's only because you mentioned that you might have been alarmed if we had taken out the requirements without providing the explanation, is just to highlight two specific provisions in the 2025 regulations. So the 2025 regulations insert a new schedule into the existing environmental permitting regulations. 2016 that schedule is called a new schedule 20 5c and it's paragraph nine of that new schedule in particular, that require that allows for a condition, quote, requiring the holder of the permit to carry out a review of their decarbonisation readiness at intervals not exceeding two years. So that paragraph nine of the new schedule in the 2025 regulations, replicates what's currently in requirement 31 so that's just a point of specificity that we hadn't provided in the previous generalizing. Dr low going to address the question that you've just asked now on the on the sources of natural gas. Thank you.

03:05

Thank you. Richard Lowe representing the applicant, so the the application hasn't specified which source of natural gas would be used, I think, as per some of the discussions in this morning's hearing, we were talking about the national gas transmission system providing a gas that meets the standard specification for use, and we tap into that and use that gas, so the sourcing of that gas is outside of the operators control limits would be Outside the applicant's control for this proposed Generating Station. The calculations are then based on the UK Government emission factors that assess, and I think, as discussed earlier today, those factors are refreshed periodically to reflect the mix of gas supplies into the UK system. And for example, gas supplies from Norway have lower carbon intensity. Gas supplies through LNG may have a higher carbon intensity. So those emission factors are the standard published

ones, and those ones we've used when calculating greenhouse gas emission estimates for firing and fracture gas.

04:22

Are you able to say when they were last refreshed? Certainly.

04:29

So the data we use was 2025 factors, and they were the most recent at the time of preparing our application.

04:38

Okay, so when Dr Boswell refers to the modeling data as being out of date, which he did in the hydrogen is it your understanding that that that is applicable, what he's applying to is the same here? And your answer is that you have used 2025 data.

04:56

I think so. Yes, certainly we've used 2025 data. Which is the most recently available without wanting to speak on behalf of Dr Boswell, I wonder whether he was considering that, that maybe further information is still being gathered and coming to light as time goes on, and that maybe his point is whether those emission factors have been calculated by government appropriately. But obviously that's outside of our area of influence. That's more of a sort of policy point, I think. But definitely speak on his behalf. But yeah, so all we can do, really, is take the most robust evidence that we have available to use. I think the point about those factors is, the purpose is to agree a common scope and boundary and set of assumptions to use to allow one project to be compared with another. I think that's the way we are using those factors. We feel that they're robust and proportionate and appropriate and that they allow then some sort of benchmarking to a common principle.

05:58

Sorry, would it be fair to say, though, that the knowledge on carbon emissions from natural gas is more known to you than the hydrogen one, because, of course, you are producing gas. You've got gas power stations on the side at the moment. Is it fair to say that your knowledge of and the forecast, you can produce a much more known, much more certain with natural gas, because you're doing it at the moment, whereas hydrogen is a bit more of an unknown quantity,

06:26

I think it certainly it's possible to calculate the carbon intensity on natural gas firing because of the known levels of carbon in the gas. Yes, I think from our perspective, it is using a standard approach, using appropriate benchmarks based on the fuel mix that's coming into the UK natural gas system. Yes, so, yeah,

06:50

okay, thank you, and excuse me, and to again, address a concern I think raised by Dr Boswell and others regarding the under assessment of potential methane leak, leakage in the transportation of natural gas to the site. Dr Lowe, is anything you want to say on that?

07:15

Richard Lowe, representing the applicant, I think we've used the, again, the methodologies that are published and agreed to calculate those so I think it's built into those emissions calculations and assessments

07:35

you want to so you'll have to bear with me a Second. I've lost the pictures spare with me a second. There we go. Apologies for that. My whole screen went vanished, and all of you with it, that's not good. I've got your back so that's fine. I've managed to sort that out. Okay. Thank you very much. Okay, Dr Boswell, you've made representations in your relevant representations on this, I don't necessarily need you to replicate what you've said, and no doubt you'll, you'll expand upon the points you've raised on in regards to upstream methane leakage. But is there anything specifically, briefly that you want to say now?

08:30

Yeah, I think, really at a very high level, just to clarify everything which has been said just now and this morning, and then, of course, yeah, I will submit written representations to fully, sort of lay all this out. I think, you know, I agree that the national gas transmission system is the input to the development and essentially, the applicant doesn't have control over what gas sort of arrives at the the gate or the valve in that system. So the question would to be addressed, and this is what I've been addressing in the relevant representation to, rather than explicitly say it perhaps is, what is the carbon intensity in the upstream supply emissions of that gas. Now, what we essentially for the EIA, one has to forecast that out for the length the lifetime of the project. And I think the the first key factor which taps into that is that the likely projections of the quantity of LNG or the proportion. Of imported LNG within that natural gas transmission system is is essentially not reflected in the we go back to these emission factors, because that's the other sort of fixed, if you like, the the other fixture is that the government emission factors being used, and that proportion, the future proportion of liquid natural gas and nor region and so on, is not being factored into those emission factors. So we're not seeing emission factors projected out to, if you like, the end of the project, 2055 or whenever it is 56 so that's the the first point, the second point on the emission factors themselves. Yes, they are updated annually, and I agree it's the latest 2025 emission factors from the government, which have been used. No dispute on that. But what I am saying is that those have not been reviewed in a substantive way for the science, both first principles, from first principles academic studies, and also from satellite and remote imaging, sort of, if you like, on the ground, real analysis, those two factors together that those emission factors have not been updated against that new science, which is new science over the last three or four years. Okay, so we may have the latest emission factors, 2025 but they're not up to date with the latest science. The third point is that they don't those mission actors don't model the real climate impacts of methane. And this is well established that the half life of methane is somewhere in the episode, somewhere around about eight to 10 years. The majority of the climate impact, consequently, is within the first 20 years. But the emission factors use for historic reasons, actually, it's a sort of historic mistake. Back in the the IPCC years ago, over 20 years ago, they use something called a global warming potential of 100 which is they spread the climate impact out over 100 years, rather than the actual impact, which is happening over a 20 year period. So that's the sort of third point and the fourth point, I may have already said it virtually, but it is

that the emission factors hadn't been substantially updated for the world tank aspect, which is this scope tree aspect, talking about since 2015 and there's a paper which was used in 2015 to actually sort of established the wtt aspect of the emission factors, and they haven't been updated since then, and that that paper is very out of date, and I can provide all more evidence on that, but that's my high level points at this Stage, I think.

13:41

Thank you very much. That's very helpful. Dr Boswell. Could I ask Mr. Latifahramesh, if you'd like to come back on those points?

13:49

Please, Mr. Phil Latif aramesh, for the applicant, as we've said, we'll be responding to Dr Boswell's written representation. There are just two points. And so if you'll forgive me for referencing the same paragraph of the net zero Teesside recommendation report, just as a reminder, it's five point 3.47 and the part of that paragraph that I didn't read out, which is relevant to the submissions that you've just heard is as follows. This is the examining authority stating we acknowledge the considerable uncertainty over the future source of natural gas and that the well to tank emissions could be higher for imported fuel. However, we also recognize a concerted international effort to reduce methane emissions, including leakage, which could lead to a reduction in carbon intensities. Based on this, we do not consider it necessary or reasonable to require annual projections for the lifetime of the proposed development to meet the EIA regulations. The same principle applies. In this context, the second thing just to flag is from the Secretary of State's decision letter, from the net zero Teesside decision letter, and it's a paragraph 4.46 of that decision letter where the Secretary of State states the applicant considered the official data set is the standard to to be applied for all projects with ongoing operational emissions, and therefore do not consider it necessary or appropriate to revisit the upstream emission factor for natural gas. The Secretary of State agrees with this position, so the position that we've adopted in this application, accords with what the Secretary of State has said is the accepted practice, the standard position, of the use of the emissions factors, and that goes as far as into inter leakage. Now, what I would say is that it would be inappropriate for us to concoct or manufacture our own forecast, when the government has said that the standard position, or the standard emissions factors, is what we should be utilizing, and they've affirmed that in a number of decisions, the arguments relating to leakage LNG were considered in detail, and all all I can reiterate is that we followed that standard approach. We think we have a reasonable worst case scenario, including scenario G, which deals with the unabated natural gas scenario. So the idea that the assessment doesn't include the full extent of of what's included in that reasonable worst case scenario, I think, is something that we would strongly dispute, and we would consider to be a rerunning of arguments that have been heard and adjudicated on before.

16:50

And would you say, therefore, or is it your position, therefore that because you referenced, obviously net zero T side, and those those paragraphs a fair bit in your answers. Is it your advice to me that little to nothing has changed between in terms of this issue, between what was considered then and what I should be in the Secretary of State should be considering now, there's nothing of substance which has changed is that your position?

17:24

Just Felicity faramash, for the applicant, that that is our position, sir,

17:35

okay, okay, I am going to leave it at that point. Dr Boswell, no doubt you'll make written representations on the matter, and we can read what the applicant responds to that more formally. But if you're happy with that, I think it's been raised. I fully understand the issue at stake and the concern you have, and I think I will, you know, we'll wait to see more formal responses, if that's okay, one final question, then it's more again, I know you've been reluctant to do so, but I do want to just draw in key b3. Again, is the transportation of natural gas to for this proposed development the same or similar to key b3 and I think this leads into your answer that you just gave a moment ago anyway, and if so, has the Secretary of State already considered the transportation of natural gas and potential methane leakage, and therefore, does the Secretary of State need necessarily to do it Again, have done it for QB three, and drew the conclusion that the exam was get acceptable, if it's the same again, does it? Would you? Would you be arguing that Secretary of State's already been there,

18:55

Richard Lowe, representing the applicant? I think broadly, yes, we would consider that to be the case? Yes. So there was an assessment done for Kibbe three, which used similar approach, similar authors actually did the work. So there is a consistency there, notwithstanding. I think the point that my colleague made relating to there has been some slight updates and guidance, and obviously we've now used the 2025, data this year, but this assessment that wasn't available at the time of the could be three application, but certainly the wider effects and the consideration of sourcing of natural gas. It's the same principle for Kibbe three as for this proposal, and was therefore examined at the kibbeth re examination. Yeah.

19:41

Yeah, okay. Thank you very much for that. That's all the questions I had on natural gas. I think a lot of it's going to be borne out through the written representations that come in. Any other questions on that before I move on to the final item under this particular agenda. Ender, Nope, okay, thank you. So I'd like to just move away necessary from climate emissions and just look at the climate change in the emissions part of it, and NOx emissions from hydrogen combustion, and I just have a couple of questions on this. Then the nitrogen, the night, the nanox emissions from the hydrogen combustion is that, that is, is that controlled by by the Environmental permit? And are you aware, and I shall ask the Environment Agency to come in as well. Are you all content with the levels, level of emissions projected from from the combustion of hydrogen,

20:45

Latif aramesh, for the applicant, the answer to the first question, which I think was directed towards us, sir, is, is yes, it's controlled by the Environmental permit.

21:00

And Richard Lowe representing the applicant. So yes, we are confident that the emission levels that we presented are those that can be met from the project. So just for clarity, the applicant has worked closely with manufacturers of the turbine equipment to understand what emissions can be met. It is true that the flame temperature of hydrogen combustion is likely to be hotter than natural gas combustion, and therefore there is a higher component of therms produced that leads to potentially higher concentration of NOx, but the mass emission flow rate of the flue gas is lower under hydrogen combustion, which effectively sort of balances it out so the mass release is broadly comparable between hydrogen combustion and natural gas combustion, notwithstanding the point around the thermal NOx concentration potentially being higher, as you have seen in the application documents And the air quality impact assessment in Chapter Eight of the environmental statement, and appendix 8b of the environmental statement, we have also allowed for provision of full secondary abatement for NOx control, that's A selective catalytic reduction, which is a post combustion technique to further lower NOx emissions such that we're confident we can meet the emission limits that will be set in the permit.

22:37

Thank you very much. Could I ask perhaps the Environment Agency, if Mr. Hangman is there, sorry, yeah, Mr. Hangman, is there anything you wish to add on this aspect you may have noticed as well from the relevant representations. Again, Dr Boswell has alleged some concerns regarding emissions here. What is your view on on the NOx emissions from the proposed development?

23:10

Morgan Hangman, on behalf the Environment Agency, so to make you aware that we we can't say as of yet because the applicant has only just submitted a permit application, so it'd be too early for us to comment on that. So far, comments in regards to the environmental statement and associated documents are within a land use planning remit. In terms of permitting advice, it has to be on the applicant to approach us for pre application advice on permitting, and I can confirm that they have done that in December 2025. Is currently being looked into by our installations permitting teams. So unfortunately, we can't provide you any updates in regards to those NOx emissions, but I can ensure that we provide you updates in future deadlines.

24:08

So notwithstanding what's been set out in the environmental statement, your work and your comments purely relate to the application for the EP is that, is that correct? You won't actually comment necessarily what's on the ES. You're going to comment what's on the EP?

24:24

No, that's for our permitting team to do that. We comment on the ES, we're planning team, so we comment on the environmental statement as well as the associated documents. Yeah, the permitting team will comment on the EP, the environmental permit, which has currently been lodged with them as of December. So it's too early for us to say it's not. It won't necessarily be within my remit to say whether they get that permit or not, or to review those documents, but we can touch base with that per. Permitting team and provide you information and future updates and future deadlines.

25:05

Rather, that'd be very helpful. Thank you. I'm just trying to clarify, if I may, because I think I'm just if you've assessed or you're commenting on the ES, why are you not able to comment on the identified NOx emissions from the ES

25:23

because it falls under our environmental plummeting regime, and therefore it it's for them to review that in pre application discussions with the project team, it wouldn't be something that we comment upon within our specific remit on land use planning is because it's to do with the operation of the development it falls under the environmental permitting regime.

25:50

Thank you. And just finally, has there any thing that you've seen or read or from early discussions with your colleagues that suggest that the environmental permit wouldn't be granted at this early stage. Is there any anything that that would suggest that it wouldn't be granted?

26:14

No, there's nothing I've seen so far that suggests it wouldn't be granted. I can't predetermine Mr.

26:24

Hanging and I'm just asking you if there's anything at this moment in time to suggest that the EP would not be granted, and that's all I'm asking for this case, I'm not asking you to prejudice or disclose any information or make a prediction that you know that the EP may not be granted, but just at this stage, that's all I'm after. Thank you very much indeed. Again, I'll come to Dr Boswell. Is there anything you want to add at this stage, given what you've heard, or are you will you make the comments in writing on this issue? Yeah.

27:04

Dr Andrew Boswell, climate emergency science law, no nothing to add at this stage, sir. Right.

27:12

Okay. Thank you very much indeed. Is there any further comments on the NOx emissions from hydrogen combustion? I can't see any hands up. Oh, yes, there is a hands up.

27:25

Sorry, yes, yes. Richard Lowe represented the applicant, so yeah, just just to add two further points that may help on this matter. Firstly, we've had a number of pre application meetings with the Environment Agency relating to the environmental benefit before making the submission and at which this issue was discussed. And as part of that, the Environment Agency have issued some combustion guidance. It was issued in 2024 on hydrogen combustion and complying with emission limit values, we have applied and used that guidance in our application. So we therefore have confidence that we can meet the required emission limits for hydrogen combustion in accordance with that guidance. And a related point, the second point, the secondary abatement that we have identified and proposed as part of this proposed development, the applicant has established operational experience of using that technology on a natural gas fire plant on the site already at give you two. So there's already good, strong



operational experience around what can be achieved through the use of that secondary payment. So I think from our perspective, while we appreciate that the permit can't yet be predetermined, and as you say, Nobody's expecting that to have been the case. We are very confident that we can meet the required emission levels for hydrogen combustion.

28:52

Thank you very much indeed. So any other points on NOx emissions?

28:59

No Okay, before we move on to the landscape visual, Mr. Latif, our message, could I ask you, perhaps, just to go through the action points on this item as you you got it, and I'll check with my list to make sure that we've we've agreed, and then we can move on. I

29:35

The apologies. So we're just, we're just collating. It should only be a few seconds. Okay? So Mr. Phility faramesh for the applicant. So we had the following actions listed down. The first was to provide you with information on the East Coast proposals as to what's available in the public domain so that you can have site, particularly of any assumptions around repurposing the use and what it says about the pipeline distances. The second was to provide you with some information about the timings for a connection agreement and the existing processes, which explains the point that we were discussing around work. Number four, A and B. The third, I think, was a, may not have been articulated as an action, but it was to provide a response to Dr Boswell's relevant, if not written representation, which will contain information on any outstanding issues that Dr Boswell considers are there, and I'm just looking around,

31:16

not sure that's an action point, because that you will do that anyway, as part of your responses to relevant reps and written representations. So no, I wasn't. I also had as well, that you were to provide me with written explanation on the control of the operating hours, yes, and a scheme on the comments and comments on the Secretary of State not requiring similar controls on other development consent orders. You were going to provide me a sort of written statement we haven't obviously discussed when you will do this by, I was probably you're going to be doing quite a substantive response for deadline two. Would that be an appropriate point for you to provide me with this information? Or do you want to get that in for that I think deadline two would be fine, but give you a bit of time to do it and allow you to provide a whole suite of responses at that point. So I'm happy for those three items to be done at deadline two.

32:15

Thank you, sir. That suits us. Okay? Thank you.

32:22

Thank you. Okay, so I'm going to move on, then to the item to see, and the landscape and visual elements of this. And this is particularly to do. I just have a number of questions to ask on this, I suppose perhaps the first one might be you alluded to this yesterday, Mr. Letty varesh, regarding the

veteran and Agent trees that were initially identified as being part of the application and that you have made written representations last week to suggest that they are to want of a better word declassify that you had agreed with North Lincolnshire council that they were no longer to be considered ancient and veteran trees. Could you just provide me, perhaps with a very brief explanation as to why that's the case. But What? What? What? What was the why were they considered ancient veteran in the first place? What? What? What's changed? Perhaps just very briefly on a sort of explanation.

33:38

Good afternoon. So it's Sean after for the applicants. So yes, you're absolutely right, sir. So as was indicated in the preliminary meeting yesterday, the applicant's position is that this, this issue is now resolved, and just to briefly explain how we've reached that position. So comments were received from North Lincolnshire Council and Natural England regarding the initial assessment of the impact on veteran and ancient trees, I think specifically for trees to veteran to ancient that were initially assessed as being lost and potentially being lost for the scheme as part of ongoing engagements, including A meeting held between the African and Natural England on the 11th of December 2025 it's now been confirmed following that initial conservative assessment of the status of those trees, and in particular during a site visit with North Lincolnshire Council tree offices that was held after submission of the DCO application that those trees are not, in fact, veteran range and trees, and accordingly, the relevant application documents been updated to reflect the position now, which is that there will be no loss or potential loss of veteran or ancient trees as a result of the project. Met. A number of updated documents have, as I say, so, been been submitted in the last few weeks. Our understanding is that the intention is for those to be published at deadline. One further update, sir, that flows from that is regarding the draft DCO and noting your comments earlier today that we don't want to alarm you with the unprompted removal of DCA requirements, we would note that requirement 32 in the draft scale relates specifically to anticipated loss of veteran and ancient trees, and therefore, as a result of the update to the application documents, the position is that that requirement is no longer needed, and so so we were proposed to remove that from the next version of the draft DCO other requirements, chiefly requirement six and requirement 16, would continue to provide appropriate controls in relation to other other categories of true

36:07

Thank you. I'm just would like to press you a bit further on what, what it was that that persuaded, or the you all that these were not because initially, you would have gone in and said, these might be veteran or ancient trees. Obviously they you were. You obsessed them, and then they've gone to saying, Actually, they're not. So I'm just sort of like an understanding of what, what, how you've gone from one to the other.

36:38

So, so it comes down to a more detailed assessment of the specific trees in this part of the site having been carried out. As I say, there was a site visit that took place after submission of the application with North Lincolnshire Council tree offices in attendance. There are, it's been pointed out that other, there are other trees in the immediate area that are still assessed as ancient or veteran, but there's no question. There's no potential for those to be to be lost to the scheme. I don't know whether Kirsty Cobb may be able to add any more detail as to the specific characteristics of the trees in question.

37:18

Hi, and it's Kirsty Cobb, the applicant. So the species of trees that are in question, a goat Willow. And essentially, the meeting that took place on site discussed why the diameter of the trunks of the trees were as large as they are. The precautionary assessment had been to say that given the diameter of the trunks of those trees, they could be ancient or better in trees. The discussion that was had on site was No, it's just to do with where exactly, the position of their how they're growing, and they're right on the canal bank. They've just grown large for other reasons. And that was essentially what drew the conclusion.

37:55

That's very helpful. Thank you very much indeed. So it was just, it was that that then made you believe they're not, they weren't as old as they were. They haven't grown at the time. They've just grown because the conditions of where they are understood. Okay, that's very helpful. Thank you. Thank you very much indeed. Yes, right now I would like to look at the Indicative landscape and biodiversity plan, if you have that to hand, and particularly page 65 which is sheet one of four, and I'm going to need download that up as well. So how about you? I've got it already, so you don't necessarily need it, if you if, if it's a bit difficult to come to hand. But what I was, what I would like is a, if I could just a sort of a brief explanation as to the need for the the two areas, the grassland enhancement, and which is c7 on the plan and c3 and also the woodland planting in c2 and the grass creation woodland planting in c4 because, again, drawing on key b3, this wasn't there. What's the rationale for providing that? Again, I should probably say in these questions, I'm not saying it shouldn't be provided. I'm not objecting to it. I'm just simply are trying to establish what was the rationale for project, for providing this, this woodland planting and in that location.

39:35

And so Richard Lowe, representing the applicant, as part of the landscape and biodiversity plan, the ecology team looked at where we could develop some planting and landscaping measures within the operational constraints and requirements of the of the of the power station. So these areas were allocated as areas where there may be a. Underground infrastructure being installed, but we could then allow some landscaping and planting over the top or in the environment. Of it, the distinction then, between the grassland versus the woodland, operationally, if we, for example, had an underground pipeline, we would not want to put a woodland over the top, because the roots could potentially damage the pipeline, of course, so that restricts where woodland planting may be possible. There are also some archeological potential concerns or risks about doing some woodland planting over the top of the area allocated as c7 on the plan you referenced. So we wanted to try and achieve some biodiversity net gain as part of the proposed development. Excuse me, within the site boundary. So this was an area that we identified that we could do some planting to achieve some biodiversity enhancement measures within the operational constraints of the generating city.

40:57

I think you've, you've got to the point of where I was coming from, is, is, was there, is there a necessity for you to do this? Is this because of the effects of the proposed development, or a desire to do so? And I think your answer is, it's in order to achieve biodiversity net gains that that that would be a

41:15

fair Correct, that's a fair assessment. So we don't feel that it is necessary to screen or mitigate the environmental effects of the proposed development. And as you'll fully appreciate, sir, the requirement to achieve net gain is not yet enshrined as a requirement that we have to fulfill for this project, given its status and the timing of it, but nevertheless, that was an aspiration we're looking to achieve. So it's an enhancement rather than a mitigation or compensation measure.

41:44

And do you anticipate? Sorry,

41:50

so just one of the minor point that we have done some replacement planting of the trees lost. I think that is the one thing that we have to and that's the area around c5 that replacement one thing next to where some of the aforementioned non veteran, non literal trees will be felled.

42:12

Yeah, actually, that was one of my questions, and I was going to use a different plan for that, because it wasn't clear to me from some of the tree constraint plans as to which trees were being removed. I know you've, you've done a list of them at the back, and I you can go down and look at each individual tree in which was being removed. But I didn't feel it was, it was that clear on a plan as to where they are. So my question to you is the c5 this might answer it actually the c5 area is that where the all, or the majority of trees are being removed from this proposed development for this state project development is that area c5

42:55

Richard Lowe represent the applicant, so the area of felling is just to the south of that area where The infrastructure is going to be installed for the obstruction intakes, that's where we need to remove the trees, because otherwise we can't build the infrastructure. So hence the area as close to that that we've identified where we can accommodate new tree planting. Is the is the c5 Yeah,

43:19

understood, yeah. So it's the black area. Would that be the or whatever color that is? Yeah, there's sort of an L shaped outline just below the c5

43:31

That's correct. Yeah,

43:34

okay, and that doesn't preclude that there are others on the site. There's one, I think, one here, one there, but primarily the the that would be coming out in that area.

43:49

Yeah, I think we were just trying to find the specific reference to it. But we do believe that there is a, there is a three impact plan that we have prepared as one of the application documents, which should then show which trees are proposed to be removed. We have a

44:06

schedule at the end of the landscape and biodiversity Enhancement Plan. There's a schedule at the back of that, where I've been through that several times and looked at the trees, but it's quite it's sometimes easy to see it on a plan where they're going, and I didn't feel that there was the plan that I could easily see it.

44:28

I apologize for that, sir. So it's the tree protection plan, which is in Appendix annex four. Annex four, the tree protection annex four of appendix E of the landscape of university enhancement plan. But we can, I think, if we're struggling to find it, then we're very happy to provide that after this hearing, submitted into the examination for clarity as a new document so that it can be identified. If that would help, I think

44:59

that would be helpful. Helpful for Yes, I think that would be helpful. Thank you. Thank you very much that I made that as an action point for this, this particular item. Thank you. Okay, so can I then move on to the next plan, which is sheet two of four. And this is, and I want to look at the area where you have shaded, I suppose it's pink lines where it says consideration of options for species enhancement with ash tip, particularly Willow bar now and bats at that area there. Can you see that? Yes, sir. On the next plan, my first question is, what? Is, what is this? And secondly, and how it relates to the first question asked about the need for it. But secondly, this, this area is caused outside the order land, or order limits. So I was wondering how that, how you were going to provide that when it's outside the order limits, and therefore we outside of the control of this proposed development. Yes.

46:05

Thank you, Sir Richard Lowe, representing the applicant, so you're absolutely right. It is outside of the border limits. It is land within the operational ownership of the applicant. This is an area of a former ash tip from the old former coal fired power station that was on this site many years ago, and it's already quite an ecologically high value habitat, which is largely why we've left it outside of our operational control boundaries where we were seeking to develop infrastructure. So hence it was being used where we may be able to do some further enhancement, for, for example, the barn owl, the bats or other bird species to further provide value, but recognizing that it is an area that we want to disturb because of its value already. So that was, that was the intention. Yeah. So I think it's a good point that you're raising there, sir, as to how we secure it if it's outside of the order limits. And maybe that's one we just need to go away and think about how we secure that, recognizing it is in our ownership or the applicant's ownership, nevertheless it is. It's a fair point that we need to be able to demonstrate how it could be secured. I don't think actually we're relying on it. I think it's just an additional area that we could use. But I think we do need to clarify on that, if we are intending to use it, how we're going to secure it, and if we don't intend to use it, need it or not, I think of the two questions.

47:37

So if I may muster for less for the anthem, it's worth saying that, because that area is shown in these indicative plans, it's open for us to use, and because it's within our operational control, that's, that's, that's how we could deliver it in practice. And so it would be, I think, stretching to say that we should extend the order limits to cover our own land in order to deliver it. But what I would say is that the plan itself explains why it could be used, and we can, as Dr Lowes just said, we can provide some details about whether it's necessary to use or not, but it's just to give comfort the plan is secured, and the delivery on that land would be within our control to then actually implement in practice.

48:27

Yes, it would. But I think certainly if you would like me to report on it as a benefit of the scheme, which it would be, I think unarguably, I would need to persuade the secretary of state that it is deliverable and it would be deliverable. So I wasn't suggesting, and I don't, I don't think the extending the order limits would be the right thing to do. I think it would potentially open up a whole can of worms. I was perhaps my early thinking was along some sort of unilateral undertaking or something like that. I'll leave it with you to, obviously, to decide how and if you want to secure it that way, and also whether other parties, such as the council or Natural England want to be, want to be involved in that, I don't know. I shall leave that with you to ponder, and I'll have that as an action point as well, please. And thank you very much for that. That's very helpful. So if I could just pause for a second, I just go through my questions, because some of them were over the veteran and ancient trees, which I found that one Yes, could the applicant just confirm that there are no protected trees on the site and certainly none that are being removed?

49:53

That is Richard Lowe representing the applicant. That's confirmed.

49:58

Sir TPOs, okay. Thank.

50:00

You very much, grouping or individual, yeah, thank you. Thank you. Okay, so just returning, if we could, to the area of tree removal around the water abstraction point. Could I, could you just provide, again, a brief explanation as to why trees need to be removed at that point, and what you did to try and minimize the number of trees to come out at that area.

50:43

Richard, representing the applicant, so the as you appreciate, the power station needs source of water for the cooling cycle on the combined cycle gas turbine. We looked at the locations on the canal where we could facilitate that obstruction, as was assessed and presented in the kidby three application. When it was made, we'd identified a different location away from those trees in the keeper three application. However, during examination, it was identified by the Environment Agency that there is an operational siphon that runs underneath the canal, very close to that point, and there was concern that our works could impact or impede the operation of that siphon. Do you

51:34

mind just explaining what you mean? What's an operational siphon? What does what's that

51:41

I will do my best? So, so it, I believe it's to balance water levels in the canal. And there is a, there is a drain that runs to the immediate north of the canal, yes, called the North soak drain. So it's a water balancing measure that's in so there's, if the water level builds up, is the drain to a higher levels, it naturally siphons a bit like a U vent, pushes that excess water out. So I think that's how it seems, but, but obviously it's not our infrastructure. No. Now that's helpful. Thank you. So as a result of that, and that was because that was only identified quite late in the examination of QP three, when we came to this application, we felt it was appropriate to relocate the proposed cooling water infrastructure further east, which therefore put it into closer proximity to the trees, and we can't physically install IT infrastructure on them on the canal bank without removing those tree specimens that we've previously discussed because they are growing right alongside the tree bank. So we're trying to balance effectively, all of the constraints and environmental issues in the area of this abstract report in simple terms. And clearly, sorry, we don't want to leave those trees in situ where the roots could then potentially affect any pipeline of clean water pipeline that we're installing in that area.

53:13

Thank you. Now I think in the canal river Trust's relevant representations they have. I don't know if it's a concern, and maybe the canal river trust want to come in at that point, particularly on the trees issue, is concerned over the replanting on the canal edge to maintain, if you like the because it's I have been to the site. I've looked at it from the canal, and I noted it was, it is very heavily treed along there. Perhaps I will bring in the canal river trust at this point to is there anything you wanted to add on the Remove of the trees at the at the abstraction point, and particularly what you're looking for in terms of it, in terms of replacement.

54:05

Thank you. Inspector Simon Tucker, on behalf of the climb river trust, in terms of our I think we're just keen to understand what the potential is, because obviously we understand this is, yes, installation of quite substantial infrastructure at the canal edge. So there is going to be an element of tree removal needed. I think it's just gets an understanding about the options for any new planting that could help mitigate the impact of that infrastructure. I think our primary comment and concern is, obviously the site is directly opposite. Taupe prep is a very visible site from users, and obviously the trees do provide a semi, sort of semi natural landscape, which does mitigate the impact of quite large infrastructure behind it. So it's just to understand the scope for for mitigation in this location, and that's primary, primarily, what our what our current. Answer, sort of getting at really.

55:03

Thank you very much. Could I, could I perhaps ask the applicant, Mr. Or Dr low, is that something you can provide, if not immediately, but certainly within the examination? Perhaps a bit more information, I realize that that a planting scheme is all, is all contained within the landscape and biodiversity Enhancement Plan, which is secured by requirement the DCO. But is there, is, is there anything you can do at this stage to provide some, some perhaps better clarity on what can, if anything be done to



maintain, if you like, the strong green edge of planting, or whether you can or not, you know, but are you able to provide just perhaps a bit more information?

55:54

Thank you, sir, Mr. Phility tharamesh, for the applicant, I think we'll go away and try to put in our written summary of this hearing the measures that we are undertaking. And the reason I say the measures we are undertaking is because, as I mentioned earlier, the scheme has not been designed in detail, and there are several parts of the construction methodology and program that need to be considered following the grant of the DCO, if the Secretary of State makes the order and what the controls that we have, not just in the outline landscape and Biodiversity Management Plan, but also the outline construction and Environmental Management Plan contain is a series of subsequent steps That would be undertaken to mitigate the impacts during the construction and detailed design phase. And I'm just just as an example, I'm looking at the construction outline, construction environmental management plan, and there are measures there which relate to minimizing impacts when tree removal takes place, and also requirements to look at reducing the impact that we have assessed. We have necessarily assessed a worst case scenario, given we're at the stage of development that we're currently at, but we've also embedded a number of measures so some of the detail we wouldn't be able to provide, but instead, what we're providing as an applicant team is to say we are we are including commitments to mitigate the impact during construction and in the operational periods. And because those plans are subject to consultation and approval, there will be another process that can be engaged to ensure that we're doing as much as reasonably practicable at that stage, which we would say is more relevant to control those particular impacts.

57:51

Okay, I'm happy to leave it at that point I will consider, over the course of the examination and the response from canal river trust on that, as to whether I think that's enough, and I will consider whether, perhaps, if not, an additional requirement in the DCO, but perhaps additions to the requirement on the outscale landscaping and ecological management plan, mitigation plan, that there is something in there that requires a specific plan of restoration along the on that towpath area. Because I do feel, you know, not wishing. I do think that that tree line is quite strong and along there. And I think has replaced, you know, trying to replace it as much as you possibly can, without obviously damaging the infrastructure, I think, is quite important. So I will give some thoughts to to that over the over the and it may well be that when I come to write my draft changes the DCO, if there are any, at that point, I may put in a suggestion that that is for you to consider. And then if you don't like it, obviously I may report that to the Secretary of State, and we'll see what they go with. But I'm happy to leave it there at that point. Anything else from the Canary trust on that point and what I've just said, or are you quite content?

59:20

Thank you. Simon Tucker, on behalf can river trust no if we've got no further comments to add, but comments are noted. Thank you.

59:28



Thank you very much indeed. That's all the questions I had on on trees and planting. Is anybody else want to say anything on that aspect? Yes? Mr.

59:43

Hangman, Morgan harrington, on behalf of the Environment Agency, just to point out that if there are any felling of trees within proximity to a main river, noting that the North soap drain is a main river, it would fall under our flood risk at. Activity permit regime and to ensure that the stability of the bank of the river bank isn't isn't compromised, and note that the applicant will be seeking further selectivity permits. So it's bit of a moot point me raising this, but I just thought I'd flag it in this situation.

1:00:19

That's very No, it's very helpful. Thank you very much. Does the app can want to respond to that? Or do you want to say anything in response to the EA

1:00:30

facility faramesh, the applicant, in short now is that the point about further permits being required in connection with flood risk activities is acknowledged and noted, okay.

1:00:41

Thank you very much for that. Okay, so I'm going to move on to the next item, which is item 2d and this is more of an update part of the agenda, really where I'm seeking from, from you, Mr. Latif paramesh, really our progress towards resolving the some of the issues and concerns raised by the statutory parties. And I'm going to start with the Environment Agency. I'm going to do the Environment Agency, Natural England, canal river trust and national highways, yeah. And specifically, now, from my reading of it in the Environment Agency raised a number of concerns on inadequacy of information contained within the ES and the outline construction, Environmental Management Plan and the outline landscape, biodiversity, Environment Management Plan, schedule of commitments in respect to a number of issues on water supply, groundwater, fisheries and biodiversity, your response to the relevant reps deadline one said that you were updating, you were progressing the matters, and you were you were looking to resolve those issues. Really, just to kind of get an oral response from you, is to whether you're confident, and I'll ask Mr. Hangman to come back as well, whether you're confident that this level of information can be is a quick fix, or whether it's it's it's something that you need to understand more, or even whether you disagree with the EA on these matters. But if you could again, provide me an oral response, please, on where we are with with their concerns?

1:02:46

Yes, Sir John Arthur, for the applicant, so in relation to concerns and points raised by the Environment Agency. So it's very much in the category you've just outlined. Of these being relatively straightforward points to address and points that will indeed be addressed in updated documents that are submitted at deadline. One just dealing, would you like us to deal briefly with each each document in turn?

1:03:11

I would Yes, that would be helpful, please. Thank you.

1:03:15

Certainly so say. With regards to the outline construction environmental management plan, Kemp, the Environment Agency has requested what we would characterize as some minor amendments to the wording of some of the proposed mitigation measures in that document. We will provide, of course, a full response to that at deadline one, but we'll be submitting in any event and outline Kemp and updated outline Kemp deadline one, which addresses those points,

1:03:48

Okay in relation to ES chapter 11.

1:04:02

So there were some comments raised on es chapter 11 regarding clarification on the assessment of water courses that's been undertaken, and also consideration of mink control as a mitigation measure in relation to water bottles against provides requested clarifications of deadline one, but rather than updating es chapter 11. So the the intention at the moment is to address those points to the extent they need to be addressed in the updated and outlined. Ken in relation to ES chapter 12, which is a year for environments, the agency has requested some clarification around the need for screens on the abstraction intake structure, and also a request that a watching brief eels is included in the outline Chem. Data and a commitment to water quality monitoring in the river Trent and the agency noticed some concerns regarding the availability of water for construction phase use against detailed response to those will be provided in writing at deadline. One, as has already been stated today, the environmental permit application has been submitted as of December last year, following engagement with the agency's permitting team and the wording of requirement five, which is detailed design of the draft DCO, together with the permit obligations, is intended to appropriately control the design of the water abstraction to ensure compliance with the eels regulations with regards to monitoring of water quality within the Trent. So the applicant's position is that it doesn't consider there is a need for that, given that with the exception of the use of the existing berth at railway Wharf, no works are proposed within the river. It's also noted so that the environmental permit obligations and the discharge monitoring requirements are intended to appropriately control the discharge of water to the river Trent and so during a meeting held by the agency in September 2025, it was confirmed that while water needs for the construction phase have not yet been finalized, this will be clarified as part of the detailed design process. However, we would note that water has been successfully sourced for the construction of the key be two power station recently. So in relation to ES chapter 13, which is geology, hydro, geology and land contamination, the agency has requested an updated reference to 2025, guidance on piling and penetrative ground improvement methods on land vetted by contamination and that that's used and has requested additional wording on managing unexpected contamination in the outline, Kemp and again. So this is something that the applicant intends to address through the updated outline, Kemp to be submitted at deadline one and again. So that's as opposed to updates to the chapters of the ES itself, which we don't consider are also needed. And lastly, so in relation to ES chapter 19, which is major accidents and disasters, I think the agency noted at points around firewater runoff. And so there is a typo for us to report there, there is a reference to a potential harm being caused to ground and groundwater that should say surface and groundwater rather than ground and groundwater, however, sir, the key point there really is that appropriate mitigation measures with regard to firewater runoff are in place, and those are specified in that same table, 19.8 that the agency has

referred to in its representation. And further so, we would note that in the draft eco schedule one, work number 1c Roman numeral 11, is a firewater retention basin.

1:08:31

Thank you very much. Can I ask Mr. Hangman, is there anything you want to add to the applicant's response there, particularly the issue that what seems to me to be, or possibly where you might disagree, is more water monitoring in the river Trent. Is there anything you want to say or add, or do you just want to see what comes in at deadline?

1:08:57

One Morgan Hangman, on behalf of the Environment Agency, I think it'd be best that we see what comes in at deadline one and we go from there.

1:09:12

Okay, okay, that's fine. Thank you very much indeed. Okay, can I then return to the applicant and on Natural England, again, number of concerns about the information needed to turn to determine whether adverse effects on integrity could be excluded. On the Humber estuary SAC, air quality. Information concerning the crown Barrow pits, triple si and other matters concerning letters of no impediment, biodiversity, net gain, timescales and profiling of the natural national character areas. I've sort of bundled it up quite quickly. I have noted that Natural England have made a number of responses since then, which will be published at deadline. One in which they say, I think that they're confident, or they've had discussions with the applicant and are confident that these matters will be resolved. But again, if I could perhaps ask the applicant, just as they've done with Natural England, perhaps to just provide the response in respect of Natural England,

1:10:20

yes, thank you. Says John Arthur, for the applicant, I think our summary position would be, would be the same as for Natural England at this stage. So brief, briefly dealing with each point in turn. So starting with the the Special Air conservation, the special protection area in the Ramsar site and the Humber estuary. So briefly, the applicant has been having ongoing engagement with Natural England regarding those sites. Met with Natural England on the 11th of December 2025 to discuss the matters raised by Natural England and its relevant representation. And the applicant is currently preparing a detailed response, as well as an updated habitats regulations, HRA report to be submitted again at deadline. One said the relevant representation is not in our assessment, identifying fundamental concerns with that document, but advises that some further information is required to justify the finding there'll be no adverse effect on the integrity of those sites, which continues to be at the conclusion. In summary, those are comments around some further information on critical loads that have been applied to the habitat where the amines will be emitted as part of the process the sources that have been included in the in combination assessment and the justification for those that have been admitted, whether the results presented in environmental statement Appendix A B, which is the operational air quality assessment, cover the project alone or in combination, some further information has been requested on the impact of water quality In the estuary. And certainly, Atkin anticipates that once the updated version of the HRA report is submitted, all of those matters will be resolved, and we're therefore confident those matters will be resolved early in the examination period.

1:12:20

Thank you. Well, that will include all the information on that. I also talked about that sort of national character areas, and I think they raised a bng time scan. It should be 30 years instead of 25 or something like that. You'll be addressing all of those as well. Will you, or at least providing response to those?

1:12:36

So we will, I mean, we can go on to briefly address so that, I think that the next agenda item Concerning Natural England was the borrowed pits triple Si,

1:12:49

okay, I thought that was the sum total of your response. Fine, if you carry on with all of those matters, and I can make a note of those. Thank you.

1:12:57

Thank you, sir. Yeah. So John Arthur, for the applicant. So in relation to the borrow pits, triple si again, similarly to the comments around HRA reports, our view is that natural England's relevant representation, again, does not identify any fundamental concerns, but it is more along the lines of a request for some further information and justification some of the content of the assessments, and specifically so here that there is a critical level that has been used for ammonia for three micrograms per cubic meter. And there was a query over that in the context of some some wet wood stroke Fen habitat. So the applicant's response, in summary, to that point, has been that that is a level that was applied and agreed with Natural England for the key be three DCO, and we have agreed to provide evidence that that was agreed previously to Natural England, that that is in the process of happening at the moment. So again, confident that will be resolved shortly. So on bng. So just to summarize the position in the DCO and the application documents, so the applicant has submitted an outline a bng assessment. That's Appendix D to the outline landscape and Biodiversity Management and enhancement plan. And so in essence, the conclusion of that bng assessment is that there will be net gains to biodiversity. And briefly, those are currently assessed in that document, being 10.08% for Habitat units, 30.16% for hedgerow units, and 10.04% for watercourse units. And that

1:14:52

has been those figures again. I do apologize if you could just run through those figures again, please,

1:14:58

of course. So I'll give you the power. Graph reference. So it's Appendix D of the outline landscape Biodiversity Management Enhancement Plan, which is document reference, A, P, p1, 61, yeah. Paragraph number is D point six, point 12, yeah. And that confirms anticipated gains of 10.08% for Habitat units, 30.16% for hedgerow units, and 10.04% for watercourse units. Thank you. And requirement six of the draft eco which is landscape and Biodiversity Management and enhancement plan, includes, amongst other things, a requirement for a biodiversity net gain strategy to be submitted to the relevant planning authority for approval prior to commissioning of the authorized development, and that is under the terms of that requirement to be based on the bng assessment that appears as

Appendix D to the outline management plan, and in terms of the duration that the maintenance period that's proposed for the BMG measures. So the outline landscape and Biodiversity Management enhancement plan states that those habitats will move will be maintained for a minimum, we would stress minimum period of 25 years. And the reason for that, sir, is that that is the currently anticipated design life of the proposed development. Now we've noted references elsewhere to 30 year periods for maintenance of bng, however, as that is not a legal requirement for nationally significant infrastructure projects at present, and given that the design life of the project is minimum 25 years, we say so it's appropriate to link the maintenance of the habitat areas to the currently anticipated design life of the projects. And that is the approach that we have taken in the application documents. So moving on. So just very briefly to address some of the other management plans and comments from Natural England on those again, the outline Kemp, Natural England has requested some mitigation measures are included in that to address the impact of infilling drains on downstream water courses. We will respond in full to that of deadline one and I think so just just looking through the other comments that that may be it For the for Natural England, comments on the management plans. Okay?

1:18:25

Thank you very much. And then can I just move on to the canal and river trust, who again, have raised a number of concerns with the outline Kemp in respect to transportation of abnormal indivisible loads, cofferdam and construction works, tree replacement works, etc, again, as you've done for natural in the EA, do you wish to just again, provide a very brief response as to your understanding of the and your how you're resolving those.

1:19:02

Arthur, for the applicant, yes. Thank you, sir. We will provide a brief, a brief response on those so starting with the outline, Kemp, so the canal and river Trust has raised some comments on that. In relation to the proposed process for warning mariners of closures and mitigation measures for silt mobilization scour during the proposed cofferdam works within the canal, and the trust has also requested to be a consultee on the final version of the camp that is submitted pursuant to DCA requirement 16. So the concern is raised in relation to proposed closures of key B lock and unscheduled deliveries. Have noted, the applicant is committed to the development of a wharf management plan to develop appropriate measures to manage out of hours deliveries, and that will be done in consultation with the canal river trust, and that is already written into require. And 22, 3c, of the draft DCO, the applicant knows that a shipping movement schedule will be maintained by the applicant rather than the contractor, to build upon lessons learned from the key to project and certainly, applicant will be updating the wording of requirement 16 of the draft DCO to include the canal and river trust as a consultee on the final Kemp in relation to the points that the Trust has raised. And further meetings are scheduled between the applicants and the canal and river trust to discuss and address any outstanding matters. And

1:20:49

then, in addition, Sir Richard Lowe, representing the applicant, a meeting has been held between the applicant and canal and rivers trust on Monday of this week, the 19th, to go through these points and agree action plan. It's part of our framing of the agreeing a statement of common ground with the party. So those conversations are definitely ongoing.

1:21:11

Thank you very much indeed. Can I ask a canal river trust if they want to respond to what they've just heard?

1:21:19

Thank you, sir. Simon Tucker on behalf of the colambre Trust, yeah. I mean, yeah. I mean, there's mainly two elements with regards to documentation in terms of the effects on the trust. The first one is the cofferdam location of those works. And there's two elements to it. I think currently, the documentation discusses the need for cofferdam extending 20 meters into the canal, such as paragraph five, point 4.35, in the in the outline camp, and obviously, to maintain safe navigation without resulting in closure canal for indefinite point areas of time, the trust would require a distance of 20 meters free To the south, which wouldn't be provided by that. So we understand from the applicant, having spoken to them on Monday, that they're looking into that, and we'll see what the you know, we'll be able to provide comments when we get further information on that. It's probably also worth noting, as well as the documentation there, there are powers in the DCO So, and I don't know whether you want to discuss them in agenda item me or or whether it's worth me covering them now, but under Part Four, paragraph 19, there are powers being sought to close parts, to give the applicant promoter powers to restrict navigation on parts that can the order limits, and that would include up to 20 meters width of the canal restriction, which obviously will cause issues for the safe navigation. That's probably another issue that probably just needs to be addressed there concerning ki B lock. The issue with that one, obviously, is that large vessels utilizing railway wharf will kind of you know, large vessels can often result in the blockage of the access to key B lock itself. We note the construction Environmental Management Plan does refer to mitigation, and that includes no system mariners. Our concern was that that process didn't work during the key p2 process, and we get vessels arriving at very short notice. The main issue for us is actually more of a health so more, a health and safety issue, because unplanned obstruction of the lot presents a safety issue for boaters trapped in the river Trent, which is Tidal, as well as as well as the disruption. I think our primary concerns safety risks and appear to be considered by the applicant, as it's not assessed in the navigational risk assessment documentation. It will be useful if that could be assessed and addressed by the applicant as part of the scheme. I think our primary I think we understand the applicant's position with the outline wharf management plan. I think our primary objective at this stage is trying to see, is trying to avoid a situation whereby the issue is reserved, and then we find out that an acceptable solution can't be identified further down the line. So whether it's possible for an outlying wharf management plans to occur in certain principles could be established at this stage that that might be a useful way to address that concern. They're the main comments we have on on those matters.

1:24:23

Yeah, thank you, Mr. Tonko, it does sound to me like there is still a little bit of a way to go between, between the applicant and yourselves can ever have trust. So it's if I could just urge please the applicant to to try and accelerate matters to you say you're talking to CRT shortly, I think you said to try and get these measures resolved as quickly as possible. These, these can drag on through the examination. And I would, I think it just requires most. Seems to me an agreement, hopefully, is there,

and I would urge you to try and resolve this is these issues as particularly around the cofferdam and the and the key V lock issues, as quickly as you possibly can.

1:25:19

We have a hand up. I can't quite see it. Mr. Herringman, yes.

1:25:24

Thank you, sir. Morgan Harrington, on behalf the Environment Agency, just I have a question I'd like to raise more to the item that related to us. So if you want to finish off discussion regarding the cofferdam that you've just been speaking about, I can hang on a little bit.

1:25:45

I think let me there's the applicant. Anything more they want to say in respect to the canal river trust.

1:25:53

So John Arthur, the applicant, I think there are just a few, a few points who would like to, very briefly come back on. Yeah. Firstly, that there was a reference there to article 19 of the draft DCO, which has headed temporary interference with canal and river Trent and public rights of navigation. So I think it is quite important to note that that article is expressed as being subject to part three of schedule nine to the draft DCO, which is the protective provisions in favor of the canal and river trust, and so we would say that those protective provisions do provide adequate safeguards to the trust in respect of its interests. So that that, that we would say, is important to note.

1:26:40

So Mr. Philitly faramesh, for the applicant, just just one other point to make. In this context, the protective provisions that Mr. Art has just referred to, they are being progressed at pace, and we acknowledge what you've said, and thank you for the comments urging us to ensure that we try to expedite agreement. I think we are confident that we will reach agreement on those protected provisions. There is just one further reference that you might find helpful in the meantime, just as an assurance that the applicant has taken the required steps. And it relates to a P, P 075, which is a navigational risk assessment that was prepared as part of the application that document assesses the activities that we've just been discussing. So that's the cofferdam as well as the abnormal indivisible load movements. And the point that we wanted to highlight here is we carried out an assessment of those activities to identify navigational risk. Navigational risks, the cofferdam as well as the AI I movements, were assessed as a low risk post mitigation. And you'll you'll see in that document that there is a methodology for determining the probability of the event occurring, and post mitigation no risk identified goes above 0.2 and so whilst we're having these discussions, progressing the protective provisions and trying to give as much assurance as we can, we did just want to give that perspective of the level of risk involved here, and it might explain why. You know, at this stage, we might not be able to go as far as providing various final forms of management plans, but we are again providing controls and appropriate safeguards commensurate with the risks that are reported in our assessments.

1:28:41



Thank you. I think where I would like some reassurance or certainly some further comments is or discussions, particularly is around the cofferdam, clearly, the Canara trust are concerned about the 20 meter rule. So again, that's something I think I will leave with you, and we'll see how we get on any nation. And hope that is a matter that is that you are able to resolve quickly. Yes, I'm coming back to you, Mr. Harrington, now that if that's the matter, if that's us done with the canal river trust, I'll return briefly, back to the EA, and then I just want to briefly touch on the national highways, and then have a quick break before we come on to the DCO. So yes, Mr.

1:29:32

Harrington, Morgan harrington from the Environment Agency. Thank you, sir. I have a question. So regarding the river Trent and water quality. I note that you mentioned that water quality would be part of the environmental permitting regulations for the operation. You mentioned that there would be no construction works in the vicinity of the Trent, but you mentioned there was one exception. That there was something you said, except, could I just clarify what that was? Please?

1:30:09

Yeah, come on to just respond on that I would want to respond for you.

1:30:14

So it's John Arthur from the applicant. So the exception that I referred to is the use of the existing birth at a railway wharf. So other than that, no works are proposed within the river Trent.

1:30:34

Okay, excellent. Thank you very much for clarifying that is all for me.

1:30:42

Thank you so. And just to pick up, if I could with the applicant with national highways who've made a few concern or few comments on the construction Travel Management Plan and the of the outline, sorry, Travel Management Plan and the the outline, construction traveling man and the outline, construction workers Plan A P, p1 67 and a p, p1 68 in respect to parking or staff numbers and multimodal trips. Again, is this something that the applicant is working to resolving with national highways?

1:31:16

Arthur, for the applicant, yes, sir, it certainly is so. The the applicant's position is that it's had quite extensive and positive engagement national highways, and has really narrowed down any outstanding issues now to quite minor points, and we're confident that those are going to be dealt with in updated documents that are going to be submitted again At deadline one. So briefly, the applicant has updated the outline construction traffic management plan, ctmp, to include details of staffing numbers and construction work traffic generation as requested, and has updated the construction workers travel plan, The CW TP to allow for appropriate sustainable transport targets, and as part of those ongoing discussions with national highways, national highways has confirmed that its comments regarding financial commitments have been addressed as a result of the assurances which the applicant has provided and which will be reflected in those updated documents of deadline, one the applicants agree



with national highways that other information national highways has requested relating to parking spaces and the Division of operational and administrative staff can be provided as part of the final ctmf that is to be submitted for approval pursuant to requirement 22 of the draft DCO and so we consider that the imminent updates to the above documents address the concerns raised and provide confidence that the final versions will contain the necessary mitigation measures for The local road network.

1:32:59

Thank you very much indeed. And can I just establish very quickly that you, when you provide your written, relevant representation responses at deadline one, they will address the comments of the maritime and Coast Guard agency Dr Boswell and the Lincoln Wildlife Trust.

1:33:19

Don Arthur, for the applicant, yes. David also.

1:33:21

Thank you very much indeed. Then I've got no further questions on those control documents, just to say that obviously encouraged on all except slightly the canal river trust, that all seems to be progressing very well, which is good. So, you know, long, I look forward to seeing in subsequent deadlines, hopefully some some very positive responses from the statutory bodies and others. Can I again charges from the applicant? Again? Mr. Latifa Ramesh, can you we just go through perhaps some of the action points from that item, please, and then we'll pause for a break.

1:34:26

Apologies, sir, I was doing the collation again. Mr. Phility, very much for the applicant. So the first was to clarify the tree loss. So that was the point about ensuring that there is a plan identifying what is to be retained and what is to potentially be lost. The second was to provide or progress discussions on the cofferdam and the third was the Yes, how we are going to deliver any enhancement or bad boxes out Alban boxes and. Outside of the order limits to ensure that you're assured that the works themselves are deliverable.

1:35:09

Yes, that's that's what I have as well. Thank you very much for that. And what deadlines are we looking for that? Then do you want to make that deadline too?

1:35:17

Again? Thank you say that, I think deadline two is is appropriate for for all those

1:35:25

Thank you. Did we have a an action point regarding consideration of or what measures might be considered for replanting along the along the canal bank, or is that something that you're saying you would rather leave to the detailed design stage? I can't, sorry, I can't record if we that was a matter you were going to take away and have a think about providing some further information at this stage as much as you can to ensure that there will be a planting plan, I think I talked about, obviously, potentially

amending the DCO to that effect. But i What did we have that as an action plan? I'm not sure that we did. I think was,

1:36:11

I think, I think must have a little tea, fire mesh for the applicant, what we would propose to do in response to that particular issue. I we also didn't have it down as a kind of fully fledged action. But in our written summary of this hearing, I think what we'll do is we'll outline why we think the position is, is appropriate, and why there are sufficient controls to secure subsequent mitigation if the scheme is implemented. And I think you were going to take away whether you thought that was appropriate, or whether you'd like us to go fair.

1:36:41

Yeah, that's fine. Okay. So, okay, so we've just got the final item on the agenda to E but I think we should have a short break at this point. So again, can we return it sort of 1535, 20 minute break. Is that okay? I don't have that many questions on the DC I've got a one or two, but they they hopefully quite short fire questions and something we can wrap up reasonably quickly. But yeah, so if we just take a 20 minute break at this point and and we'll resume at 1515, 37 Thank you.