



Planning Inspectorate
Arolygiaeth Gynllunio

Event Transcript

Project:	Sea Link
Event:	Compulsory Acquisition Hearing 1 (CAH1) – Part 3
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FULL TRANSCRIPT (with timecode)

00:00:05:03 - 00:00:45:00

Welcome back to this compulsory acquisition hearing. Can I just confirm with the case team that you can hear me clearly. And the live stream of this recording has commenced. Thank you. So we're going to move on to special category and crown land. So moving on to item 3.1. Can we start by having the applicant provide a brief update on the current position with respect to negotiations with National Trust? Please include. Okay. Please include the timetable for identifying key milestones towards reaching an agreement in relation to the exam timetable and the likelihood and implications of agreement not being reached before the close of examination.

00:00:45:05 - 00:00:53:08

I have noticed that Mr. Bedford's got his hand up, but maybe we could just wait until we've just had the National Trust update first. Thanks, Sarah.

00:00:53:16 - 00:01:01:15

For the applicant, I'm going to pass over to Jackie Stoddard, the senior surveyor, on behalf of the applicant to address those points.

00:01:03:16 - 00:01:35:05

Jackie stood out on behalf of the applicant. Um, I think the first thing to say is National Trust has confirmed the land in trust is inalienable. Um, we originally had feedback from trusted consultation which said they didn't object to the scheme in principle. Um, but they were likely to need further discussion on the potential impact around their land interests, which are situated in Peg welfare. Um, they did also at the time, note our preference to enter into voluntary negotiations and said they would assist on the matter. On receipt of the assurances sought.

00:01:35:22 - 00:02:11:19

Since submission, we've received an objection from the National Trust through the relevant representations Statement of Common Ground and a further written rep. Um. Discussions are ongoing with National Trust in relation to seeking a voluntary agreement. Um, and hopefully to remove that formal objection, because we're obviously aware of the impact of that. Um, we're doing our best to engage with trust that we're waiting for them to come back to us with dates, for a meeting to try and work through some of the issues. Um, and our understanding is the concerns they've raised are in relation to, um, the methodology and construction.

00:02:11:21 - 00:02:37:21

I think what we've provided so far, they've suggested is probably a little bit too technical. So the hope is we can have a session with them to talk through that in more sort of practical terms, hopefully allay any fears. Um, they haven't raised any issues with the heads of terms per se. I think just need to find comfort in the rest of the agreement so I'm confident we can get an agreement. Um, we just we just need to get some dates back from them to to progress that matter.

00:02:38:09 - 00:03:00:19

So obviously they submitted a response to the heads of terms last week. Uh, that's as, uh, one five, seven. Um, and then I think they put an extra bit in there as well about some of the concerns that listed all their sort of key issues in terms of the issues that have been raised, how confident are you that you can get these resolved during the examination.

00:03:01:06 - 00:03:05:18

Can I pass the methodology issues to my colleague Andrew, please?

00:03:10:11 - 00:03:42:09

Andrew Homewood for the applicant. Um, I think we are confident we can explain the methodologies in a simple and clear manner to the National Trust. The applicant published a document 9.13 plagal Bay Construction Method Technical Note, which tried to do that. And I think in the meeting with the the National Trust, we will walk through that document with visuals and identifying the gaps in the information and explain any uncertainty that the trust have insofar as the methodology in payload bay.

00:03:44:07 - 00:04:01:18

Thank you. I know particularly the bit they added was this concern about the easement width being, they say extended increased from 30m to 86, 86m. So is the, you know, the agreement to talk about that and explain to them why this sort of change has occurred.

00:04:02:18 - 00:04:16:25

Andrew, for the applicant, we will take them through the the rationale and basis for that increase in inland take, which is primarily around the way we access and the type of equipment we bring through there safely.

00:04:19:11 - 00:04:54:27

And the land plan submittal deadline three detailed ten plots as being National Trust land in Kent. But the statement of reasons submitted a deadline three has 16 plots, and only three of those plots have the same plot number as the land plans. Um, and then the number in the book of reference is similar to the statement of reasons, but omits plot three, slash 72 um and The Book of Reasons. Part five only lists three plots in relation to National Trust. So I'm getting a bit confused. Um, which one of these documents is accurate? And there's something need updating here.

00:04:55:05 - 00:05:31:26

Jackie stood out on behalf of the applicant. Um, yes, we do need to do an update. Um, the premise of the different number is, uh, the statement of reasons, particularly appendix C, only deals with the National Trust plots where we're seeking a permanent. Right. So we've we've excluded temporary possession from there because that isn't covered by the special category land provisions. It's not, strictly speaking, compulsory acquisition. Um, I will do a thorough check of the other plots. I suspect where that's occurred is the update of the special category and Crown land plans from the last deadline, because there was some changes there around Bedwell Bay.

00:05:31:28 - 00:05:35:21

But we will submit an updated version and clarify those plots.

00:05:35:23 - 00:05:45:22

That'd be that'd be good if you could. And obviously that's an action point for deadline for please. And before we move on to item 3.1, Mr. Bedford, you've got your hand up.

00:05:49:04 - 00:06:21:14

Thank you, Madam Michael Bedford, Suffolk County Council, it was simply to inquire whether the examining authority thought from the remaining agenda items that it had. Had any specific points it wanted to put to Suffolk County Council? Because if the answer was no, I was going to say that our other points had now been aired through this morning's session. And if you were content, I was going to say that Mr. Farndon, one of the senior planning officers dealing with concepts, will remain in the session should anything arise.

00:06:21:16 - 00:06:26:19

But I was then going to dip out until tomorrow's ice age. Uh, two.

00:06:28:06 - 00:06:40:28

Thank you. Um, and just have a look through the agenda. I don't think I've got any more specific questions for Suffolk County Council, but if there is a representative staying on, that would be helpful just in case. Thank you very much for your time.

00:06:41:08 - 00:06:42:28

Thank you madam. Thank you for that.

00:06:46:24 - 00:07:14:29

So next we're going to move on to item 3.2. So open Spaceland. Uh, again, can the applicant provide a brief update on the position with respect to open space land, including the timetable for identifying key milestones to reach an agreement. Um, I do understand that you are seeking a certificate from the Secretary of State to confirm that special parliamentary procedures will not apply. So if you give me an update on that, that would be useful.

00:07:15:17 - 00:07:43:00

Jackie stood up on behalf of the applicant. Yes. That's correct. Um, our assertion is that all of the open space, um, once burdened with the project, will be no less advantageous. And that's primarily because there isn't any impact to the surface of that land, which is a bit that is used by the public. Um, I'm going to pass to my colleague, uh, James Parker, just to talk about the, um, uh, for the exempt from the exemption if I can get the words out.

00:07:47:03 - 00:08:23:06

And the simple point is the, uh, certificate. Sorry. James Park for the applicant. The certificate wording is written into. I think it's page four of the draft order in the usual way, just before the preliminaries. It's in the preamble, um, in the version which is, uh, rep 3006. It commences at the bottom of page four, uh, and sets out the position in respect of scale. Sorry, special category land and the way it's indicated when it's burdened with the rights that ESP doesn't need to apply.

00:08:23:08 - 00:08:26:05

So that's the drafting piece as far as that assists.

00:08:28:02 - 00:08:33:00

So it stays there. And you don't specifically ask for something during the examination. It just.

00:08:33:05 - 00:08:40:23

No that's my that's my understanding. That's right. James Park if the applicant know that indeed ma'am. That's my understanding that that's the convention for dealing with it.

00:08:42:14 - 00:08:52:28

Is there any danger that it won't get agreed by a secretary of state? I mean, how confident are you that they'll agree with your, um, your opinion?

00:08:53:13 - 00:09:23:27

James Park of the applicant and others, including Mr. May, wish to come in in terms of appendix C to the statement of reasons and the approach that's been undertaken. Um, what I can say for this, having acted for National Grid across multiple schemes, including the Brantford Twin Cities scheme, is that the tendency is to be precautionary in respect of open space. And that's why you'll have seen that, for example, in respect of Peggy Bay. Uh, the team on under the team's legal advice, you know, took that precautionary approach.

00:09:23:29 - 00:09:51:09

And ultimately, when it was when transpired that there were, in fact, signs discovered on site and a set of bylaws restricting access, making plain that people should not be there with their Frisbee, their dog, their kites. Um, as a matter of law, there was not a right to be there. It was not, as a matter of evidence, open space in the sense we've obviously since removed. So we've taken a precautionary approach. And from my experience at least, uh, we are fully confident with our analysis as set out.

00:09:54:01 - 00:10:12:19

I'd be grateful if you could just reply that detail in your post here in submission. So I've got it just explained to me. That would be helpful. Um, in the book of reference, part five, specific plots six three and six five are listed twice. I just I assume that's an error in the book of reference.

00:10:15:10 - 00:10:25:12

Jackie stood up. On behalf of the applicant. We'll check that it might be again that the interests have been split. So one in respect of the freehold and another for mines and minerals. But we'll confirm the point.

00:10:25:14 - 00:10:42:04

Thank you. And then again, in the book of reference, part five, there are ten Kent plots that have been described as open space in the description in part one, but aren't then listed as open space in part five. Um, can you explain why.

00:10:42:12 - 00:10:52:00

Jackie stood up on behalf of the applicant? I suspect this goes back to the update of the special category land, but we'll do a thorough review and confirm for completeness what it should be.

00:10:52:02 - 00:10:56:25

Thank you. So I'll put that down as an action point again for deadline. Far.

00:11:00:13 - 00:11:06:19

Um, does anyone else have anything that they'd like to raise in relation to open space land before we move on?

00:11:11:03 - 00:11:33:25

I don't see any hands. Okay, so moving on to Crown Land. Uh, can the applicant provide a brief update on getting consent for the inclusion of the Crown land, again, including a timetable for identifying key milestones to reach an agreement in relation to the land timetable and the likelihood and implications of the agreement not being reached before the close of the examination.

00:11:35:17 - 00:12:06:01

Jackie stood up on behalf of the applicant. Um, heads of time, negotiations are ongoing and we expect to be able to provide a further update in due course. We're committed to reaching an agreement with the Crown, and we'll provide an update by the next deadline. Just for context. Um, there's Crown negotiations going on across a suite of projects, and we're trying to do that collectively rather than individually per project. Um, so those negotiations are being handled by one single team across a multitude. They will provide an update for me for the next deadline.

00:12:06:15 - 00:12:22:08

Um, request for section 135 has been sought, and we're just in the process of, um, getting Crown's legal advisors in funds so they can act on that matter. We're not envisaging any issues with gaining the section 135 consent.

00:12:23:12 - 00:12:42:13

What I was going to say was that obviously, if you haven't obtained anything by the close examination, you'll have to submit a section 135 case to explain how the scheme can go ahead without the benefit of Crown land. So what I'll do is I'll add an action here that says if that is required, it's done by deadline seven, which is the 29th of April, and we'll have an action point for that.

00:12:42:18 - 00:12:44:01

That's understood. Thank you.

00:12:46:15 - 00:12:57:08

Um, just in terms of your negotiations, You say a third party is doing it. They are they aware of our our timetable and the pressure on getting these agreements?

00:12:57:10 - 00:13:02:27

Jackie stood up on behalf of the applicant. I can absolutely assure you they are following a conversation I had with them last week.

00:13:03:22 - 00:13:34:27

Thank you. Um, in the schedule. Um, sorry. In the statement of reasons, appendix B, uh, the schedule of negotiations in relation to the Crown Camp. Plot two, slash 62 is listed twice. Um, and also plot two, slash h6 is listed. But this isn't on the land plans or in part four of the book of reference. So again, could you just do another check just to clarify, uh, to make sure that the land plans and the book of reference and the statement of reasons all match up?

00:13:35:03 - 00:13:37:24

Jackie stood up on behalf of the applicant. Yes, absolutely.

00:13:38:26 - 00:13:44:06

Um, has any Bernard vacant land, uh, including any issued land been identified?

00:13:44:26 - 00:13:57:26

Jackie stood up on behalf of the applicant. Um, we did have one plot, which we had understood had reverted to the crown. Having checked that with Crown's legal advisors, they've confirmed not so. That's since been removed from the book of reference.

00:13:59:10 - 00:14:02:21

And I assume you'll continue doing those checks throughout the examination.

00:14:03:16 - 00:14:08:21

Jackie stood up on behalf of the applicant. Yes, along with things like the data refresh and the ongoing due diligence.

00:14:09:12 - 00:14:17:09

Um, can you just just cover briefly what are the implications if Crown land consent isn't forthcoming by the close of the examination?

00:14:30:22 - 00:15:06:06

On behalf of the applicant. Um, so just to take it back to the first principles, of course, one cannot compulsorily acquire compulsorily the Crown land. And this is about third party interest in Crown land and their consent to that under section 135. I suppose the straight answer, although we don't envisage this scenario occurring. We indicated we expect to have this have our ducks in a row, but I suppose the straight answer would be that the powers in respect the sea powers in respect to the third party interest in the Crown land would not be exercisable without that Crown consent.

00:15:06:09 - 00:15:32:09

I mean, the one thing I will observe from from previous experience and others may say likewise, um, the Crown and their advisers. This tends to be fairly typical in terms of the timescale within the examination point, at the point at which this occurs. I mean, yourselves may have differing experiences from other examinations. I can only speak to my experience. There's nothing here that I look at and think this is unusual in any way, so I fully expect it to be resolved. Ma'am.

00:15:33:23 - 00:15:39:16

Thank you. Um, does anyone else have anything on Crown land before we move on?

00:15:42:24 - 00:16:04:21

I don't see any hands up. In which case we'll move on to item four on the agenda, which is a protective provisions, and looking at sections one, two, seven and 138 of the Plan act 2008. So can we just start with the applicant provided an update on the negotiations with the statutory undertakers who've requested protective provisions.

00:16:05:06 - 00:16:15:22

Yes, sir. For the applicant, I think we're going to have, um, Mr. Parker, are you going to start with that or are you going to start with that? So that's going to start with, um, Jackie Stoddart.

00:16:17:18 - 00:16:48:23

Jackie Stoddart, on behalf of the applicant. Um, the statement of reasons sets out where the proposed project interferes with statutory undertaker land and how the applicant proposes to ensure the project will not cause detriment or will make that good. Um, today at 14, statutory undertakers and other stakeholders have requested bespoke protective provisions. We're working hard to understand each of those parties requirements and reach agreement before the end of examination and update on the progress of the negotiations is set out in the Land Rights Tracker and also the schedule of protective provisions.

00:16:49:04 - 00:17:22:27

We can confirm that progress is being made insofar as protective provisions have been drafted and are subject to ongoing discussions between the parties around the specific detail of those requirements, working towards the conclusion of the technical interfaces and the assessments that will inform the requirements for those parties to issue updated drafts of the protective provisions. And in the case of the affected port authorities, it's understood from recent engagement that Harwich and Haven and London Gateway Port will accept similar terms to those being negotiated by the Port of London Authority.

00:17:23:12 - 00:17:30:03

Since discussions with the Port of London Authority are well progressed, it's anticipated that these will reach agreement very soon.

00:17:31:21 - 00:17:51:11

The five parties are still to confirm if protective provisions are the most appropriate mechanism for securing the protection of their assets, and we're actively engaging with those, again, in order to clarify the requirements and try and expedient some progress and small number of parties have not responded to our request to engage, but we'll continue to try and do so.

00:17:52:18 - 00:18:22:07

I think at this point, at the moment, the book of reference doesn't include any bespoke protective provisions. Um, I'd like to get to the point where I'm seeing at least draft versions of these, because at some point, if there's no agreement, the examiner authority will have to decide, um, which side we fall on this at the moment, I understand there are discussions ongoing, but we've been sort of taken out of the loop. So it would be good to kind of, at this point, start seeing where both parties are part of that.

00:18:24:25 - 00:19:02:18

James Park of the applicant, uh, I hope what I'm about to say exists, and this is from experience, from previous examinations. What we hesitate to do is to place on the face of the order a set of PPE early on, and then the third party says, oh, hang on a moment, what have you, what have you put forward there? We haven't agreed anything yet. And then I have to sort of have it all out in front of you as the x ray, which perhaps is a less efficient use of your time. We do recognize the tension. Indeed, it was something we were talking about in the last week about the opportune time where we haven't reached agreement, and I have to say, I've had emails overnight and an update from my team on a number of times where real progress is being made.

00:19:02:25 - 00:19:34:27

And I'm very hopeful of having, you know, at least some of the bespoke pieces on the face of the order, if not the next deadline, the one thereafter recognizing that we haven't got many deadlines left. So we do take the point. And I suppose the other observation I would make is, uh, where we are in a situation where we think we are not going to reach agreement on certain parts of the piece, we would rather have that notion before you sooner rather than later, so that the third party has got the opportunity to put forward their position again.

00:19:34:29 - 00:19:50:07

I say that, um, uh, cognizant of experience of previous examinations where that hasn't happened as early as I think we would have all have liked. So we do recognize the tension, but we would much rather put agreed ones before you, so that we can say this is something we don't need to trouble you or the examination time with.

00:19:51:08 - 00:20:30:17

Yeah. No, that that's that's helpful. And it is it is difficult because although we're, you know, three months in now, it's going to go very quick and there's not many deadlines to get information. And we need to make sure that we can hear from both parties if there's any disagreement. Um, if as you're hearing a submission, if you could just summarize all that information, maybe list all the parties, um, which parties you think there's going to be agreement with, which parties you think might be more difficult? Um, because we can also use our, uh, pressure and just put in action points and ask a ask to for the parties to cooperate a bit more if that would help.

00:20:30:26 - 00:20:46:08

James Park, if the applicant are very grateful for the steer and anything, any pressure they can bring to bear, that's appreciated and we will take an action. I know those behind me are taking notes of actions, but I likewise that we will pick that off in our summary of submissions. Thank you.

00:20:54:06 - 00:20:59:24

Kirsty. Um, there's a hand up, uh, from ScottishPower renewables, Mr. Evans.

00:21:00:24 - 00:21:31:19

Yes. Um. Good afternoon. Commerce, on behalf of the SPR entities. I just wanted to, um, just give some context to, um, the issues that are relevant to my clients in the various interests. And that is, earlier today, we discussed under item two the potential transfer of the benefit of the East Anglia two, in order to the applicant to enable them to get the necessary rights and powers to construct the National Grid substation.

00:21:31:25 - 00:22:06:28

Um, and the answer that I got back was that even if that were done, that the applicant would keep the compulsory purchase powers available and that they would give up some sort of undertaking about exercising powers. Um, I just wanted to like in our view, if there's a proper transfer of the benefits, the order, it will no longer meet the tests of being required and reasonably required and necessary, and therefore there will be certain compulsory powers that would fall over and should fall out of the DCO.

00:22:07:17 - 00:22:44:27

Um, and the reason for that is that effectively, after we have constructed East Anglia to build the substations and the cables, we then have to, by law, uh, transfer the rights, uh, in the substation of the cables to another particle, the offshore transmission owner. Um, through again the transfer of benefit of part of the order. And in effect, it would be wholly inappropriate to expect that type of transaction to proceed in circumstances for a third party, a compulsory purchase rights over the assets in question.

00:22:45:23 - 00:23:26:03

And that is a fairly fundamental point that we have raised since our relevant representation. And the only real solution to it is the transfer of the benefits to the order, or indeed fairly extreme protective provisions, where we get real protection from that particular issue. Um, so I flagged that as the sort of general context for if there's further discussion on the transfer benefit and also any protective provisions regarding that particular aspect, that's the context for it. And as I identified, there are some aspects of the transfer of the benefit of the order which won't be resolved through the transfer and will probably need bespoke protective provisions.

00:23:26:05 - 00:23:47:01

And that's the crossing. I just draw that distinction, but I wanted to make it clear upfront where we're coming from in this issue and why it's one of particular importance and, um, in particular, residual powers of compulsory purchase over assets, which effectively are going to have to be transferred through a third party, would be wholly inappropriate.

00:23:49:23 - 00:23:55:00

Thank you for that. Would the applicant like to comment on what Mr. Enza said?

00:24:08:15 - 00:24:20:06

James Parker for the applicant? I suspect given the fruitful ongoing discussion with Mr. Innes and his clients, rather than take examination time, I don't think there's anything we particularly wish to raise in front of you now.

00:24:21:13 - 00:24:23:16

Okay, that's that's fine.

00:24:25:09 - 00:24:35:18

Um, are there any other, um, parties that would like to raise anything in terms of protective provisions that we have any other parties online?

00:24:39:11 - 00:25:18:00

I'm not seeing any homes. Okay. In that case, I will move on. Um, obviously, just another reminder that if there are any outstanding objections to two provisions at the end of the examination section 127 and 138, the act would be engaged and the applicant would need to submit a section 127/138 case, setting out how the proposed development could proceed without impeding the ability of the undertaker, who's objected to carrying out their undertakings. Um, I'll add an action that, um, if this is required, it's done and provided by deadline seven again, which is the 29th of April.

00:25:18:02 - 00:25:26:27

We just need to make sure we have all these things in before the end of the examination. Okay. If there's nothing else on that, I will move on to item five which is funding.

00:25:29:23 - 00:26:27:15

So under regulation five two of the Infrastructure Planning Regulations 2009, if a proposed order would authorize the compulsory acquisition of land or an interest, or write overland a statement of reasons and a statement to indicate how the order that contains the authorization of compulsory acquisitions proposed to be funded are required. The applicant has provided an updated statement of reasons. So that's 3012. And the funding statement which is met 3010 at deadline three under the Department for Communities and Local Government Guidance, the applicant has to demonstrate that there is a reasonable prospect of the requisite funds for acquisition being available and the funding statement should provide as much information as possible about implications of both acquiring land and implementing the project to which the land is available, and a note from the revised funding statement that was submitted at line three, where it previously stated that the project assessment for the proposed development had been submitted in quarter three of 2025.

00:26:27:19 - 00:26:50:26

This has been amended to is expected to be submitted in quarter one of 2026, with the decision expected to be received from Ofgem in quarter three of 2026 following any confirmation of the development consent. Can the applicant explain the reason for the change, and in particular, why the funding statement that was submitted with the change in November was changed from due to be submitted to was submitted if this wasn't the case.

00:26:51:23 - 00:27:04:27

Sarah Bishop for the applicant. Um. Yes, ma'am. I'm going to ask the project director for sealing, which is Mr. Adrian Pearson, who's sitting, um, two away from my left to deal with both those points.

00:27:06:18 - 00:27:33:21

Adrian Pearson for the applicant. Um, with regard to the funding statement, the update was made in error at the end of last year. Um, with the assumption, um, I say in error that as December had passed, the project assessment had been submitted, which was not the case. But I can confirm that earlier this month the project assessment has now been submitted to January. This was after the 9th of January deadline, but before the start of these hearings.

00:27:35:02 - 00:27:36:24

Thank you for that clarification.

00:27:39:24 - 00:28:10:16

In question one Gen 73, we asked the applicant to explain the consequences on the funding for the scheme with respect to the outcome of officers decision. The applicant responded that the outcome of options decision does not directly impact funding a ceiling. So I understand from the funding statement that the Accelerated Strategic Transmission Investment Framework was implemented by Ofgem to facilitate the expedient delivery of projects which are required to meet the government's 2030 net zero ambitions. And this proposed development was one such project.

00:28:10:20 - 00:28:32:15

I also understand from the funding statement that often a decision on the project assessment sets the allowances that determine efficient spend to deliver the proposed development, which can be recovered over 45 years. So considering this, can you just explain to me in layman's terms, as I'm sure you appreciate, this is a complicated subject. Why you consider that the outcome of the decision doesn't directly impact the funding of Sealink.

00:28:34:09 - 00:29:05:19

Adrian Pearson for the applicant. Um. The funding of the project is funded by National Grid through a mixture of debt, equity and revenue. Um, the project, um, uh, has funds available. Indeed. We have already signed a contract with our main contractors and committed to spend considerable amounts on early procurement of key equipment, so funding is available for the project. The um project assessment directly impacts the amount of revenue that the company can recover over the long term.

00:29:05:25 - 00:29:41:10

Um, when those constructed assets are built into our regulated asset value. Um, so that's the reason for the statement that the project assessment doesn't directly impact the funding of the project. The funding for the project is available and is already being committed. Um, the project assessment affects the amount of revenues we recover over the long term, and so long as we are economic and efficient in how we deliver the project, which we believe we are, we can have confidence that those allowances will give us the necessary revenues, to mean that the project over the long run can be a sustainable project to deliver.

00:29:43:03 - 00:30:01:15

Thank you very much. Could you also add that to your post here and submissions? I've just got that bit of extra detail that would be really helpful. Um, so there's an estimated cost of 22.2 million to acquire all the necessary land and rights. Um, is that on the 2018 2019 base price base?

00:30:04:18 - 00:30:07:29

Adrian Pearson for the applicant. I believe that is the case, yes.

00:30:10:05 - 00:30:25:11

And I also understand there's a 34.02 million pre-construction funding allowance through the Ofgem regulatory framework. Um, does that provide for the estimated cost of the 22.2 million to acquire all the necessary land and rights?

00:30:26:11 - 00:31:00:28

Adrian Pearson for the applicant? Uh, no. So the funding which you reference is the funding to develop and secure planning consent for the Central project. The funding of securing the rights will be

built into the construction phase, so is in the scope of the project assessment. I would further add that we have an early construction funding, um, approval from Jen, which in principle sets out their support for us proceeding as early as possible to secure, um, to both place the contracts are referred to earlier, but also to secure any rights we can.

00:31:01:00 - 00:31:07:08

Um, through voluntary agreement. And that includes the scope to cover the vast majority of those costs as well.

00:31:09:06 - 00:31:22:02

Okay. Thank you. Um, I clearly didn't pick all that up from the funding statement, so I don't know whether you could add some more to that just to make it a bit a bit clearer. That would be helpful. I'll have that action point for our deadline for please.

00:31:23:26 - 00:31:29:20

Um, and obviously if there's any other, um, updates in terms of funding, if you can keep us updated throughout the examination.

00:31:31:12 - 00:31:36:03

Does anybody else have anything on funding Before we move on to the next item on the agenda.

00:31:39:13 - 00:31:41:09

Don't see any hands online.

00:31:44:01 - 00:31:48:10

Okay. In that case, we'll move on to item six, the Equality Act.

00:31:51:13 - 00:32:28:06

So in response to ask one question one Jen 72, the applicant states that the equalities impact assessment. So that's app 362 concludes that there are no landowners with protected characteristics, and that the applicant has continued to consider the nature of persons with an interest in land with whom it's engaging and are sought to implement appropriate measures, including the characteristics that have been disclosed. So the question I was asking was if there actually had been any affected persons identified as having protected characteristics since the, um, a crisis impact assessment was undertaken.

00:32:28:13 - 00:32:41:29

So can you just clarify if there are affected persons that have been identified as having protected particular characteristics, and if so, what regard have you had to them? Obviously, without stating anything that would allow any identification of a particular person.

00:32:42:18 - 00:32:56:23

Thank you, ma'am Sarah, for the applicant. And I'm going to hand over to Jacqui Stoddart just to explain the process that the applicant has gone through and see whether there are any follow up questions from you.

00:32:58:28 - 00:33:00:10

On behalf of the applicant.

00:33:02:04 - 00:33:35:09

I think it's fair to say that the way that we generally deal with landowning interests almost assumes that people have some of those characteristics anyway, so we don't necessarily look to identify them particularly. We know we've got elderly landowners, we know we've got people who aren't particularly, um, you know, able to communicate and correspond. So we almost have a set of standard measures in place that attempt to deal with that without kind of looking at it particularly. Um, so we've got continual engagement going on all the time.

00:33:35:17 - 00:34:09:21

Um, we, um, we ensure as best we can that everybody who is affected by the project is well aware and encouraged to appoint a professional representative to deal with their interest on their behalf. So almost taking that kind of characteristic out of the equation, if you like. Um, we offer meetings at home where it's appropriate or in their agent's office, wherever they feel more comfortable. And we use a variation of communication techniques. Some of it's written, some of it's telephone, some of its teams, and we take our steer from the individuals and the agents to determine which method is best.

00:34:09:27 - 00:34:20:08

So it's an ongoing piece of work that we sort of do anywhere without necessarily considering it as an equalities assessment matter.

00:34:21:14 - 00:34:44:13

Okay. I wonder whether you can obviously, without identifying anyone, whether you can provide a bit more detail because saying we do this, is there any sort of, you know, how often have you done it? Where have you done it? Is it happening more in Kent or is it having one Suffolk? You know, just to sort of give rather just a kind of a general. This is what we do. It'd be good to have a bit more detail to show how you'd, how you've done it.

00:34:44:23 - 00:34:57:05

So for the applicant, I think we can do that. We can report at least prepare a report setting out what's happened over a period of time and the decisions that we've made in the light of those characteristics. Okay.

00:34:57:12 - 00:35:15:07

And I know this hearing is focusing on affected persons, but just in light of all the relevant representations that were submitted, were any particular groups identified that did merit any specific analysis, and if so, what measures have been undertaken or what processes have been employed to address possible engagement?

00:35:15:12 - 00:35:25:21

So for the applicant, we will go back and review the documentation that we have and the evidence that we've collected over that period of time, and collate it in a form that can set that out for you.

00:35:25:26 - 00:35:45:26

Okay. Thank you. That would be helpful. I didn't I don't know whether in doing that, whether you should be looking at updating the equalities impact assessment or whether that's allowing the stand at the start of the application, whether it's something you could put in a statement of reasons or whether it's a separate standalone document, um, and it's up to you how you, how you produce that information.

00:35:45:28 - 00:36:02:00

Sara Qureshi for the applicant. We'll give that some thought. I suspect it might be an addendum of some sort, um, or a standalone document. Probably not the statement of reasons, but we'll we'll reflect on that and, um, hopefully present it in a way that's most helpful.

00:36:02:02 - 00:36:16:24

Okay. Um, I mean, basically what I need is for you to be able to confirm that everything has been done to ensure that anyone with a protected characteristic being captured and assessed just so we can show compliance with the Equality Act 2010. Um, okay.

00:36:20:01 - 00:36:24:16

I've put an action point in, um, for something to be supplied.

00:36:24:18 - 00:36:26:08

Yes, indeed.

00:36:26:10 - 00:36:33:25

Thank you. Uh, does anyone have anything else to add with respect to the Equality Act? Before we move on.

00:36:36:14 - 00:37:06:00

I don't see any hands. Okay, so item seven. That's gone quick. Uh, the item on the agenda is any other business. Um, I've not been notified that anyone wishes to raise any other business that's relevant to this hearing. Um, but before I close, can I ask if there's any other matters that any party wishes to raise? Uh, I see a hand, um, with the, um. I be so in brown.

00:37:08:25 - 00:37:42:08

Yes. Thank you. Um, my point is, is, uh, one of fiscal property. I'm Ian Brown, a resident in Suffolk Coastal, and, uh, I share a concern, as many do here, for the strategy employed, uh, in route selection and the land acquisition, particularly under compulsory acquisition, and that's been somewhat enhanced by recent press reports of um NES or employees supposedly being afforded a preferential shareholding in National Grid.

00:37:42:10 - 00:38:18:05

And, uh, we there's been worries that this may in itself have an impact on decision making in the future and about future land acquisition and strategic decision making. With respect to, uh, Suffolk Coastal and I'm sure in Kent as well. Uh, so I think there's, there's, there's kind of demands that when we talk for further clarification with regard to the situation regarding the fiscal property of this decision making and assurances that there's conflict, that no conflict of interest will exist in this situation in further acquisition of land in this area.

00:38:20:21 - 00:38:21:06

Thank you.

00:38:21:28 - 00:38:26:15

Thank you very much. Um, I don't know whether the applicant wants to respond to that point.

00:38:30:22 - 00:38:32:26

Sara Sheikh for the applicant? I don't think so.

00:38:34:08 - 00:38:36:28

Okay. Thank you very much, Mr. Brown.

00:38:37:09 - 00:38:41:11

Well, thanks. Obviously, the King still has reservations as well, but the looks of it.

00:38:42:04 - 00:38:42:24

Okay.

00:38:43:02 - 00:38:44:05

Thank you, thank you.

00:38:45:00 - 00:38:51:09

Have we got anyone else online? Don't see any hands. Okay, I'll just take a minute.

00:39:25:00 - 00:39:55:21

Okay. If there isn't any other business, there's just one matter I wanted to raise. Um, there has been an issue with sending out the invites for people on teams this morning. Everyone did get the invite through before we started at ten, but that has cost a few issues for people. Um, if anyone didn't get to the hearing here, the start had things they wanted to raise. Um, we have obviously issue specific hearing to tomorrow and you can join then. And this is a predominantly written process you can send things into as in writing.

00:39:55:27 - 00:40:07:21

But we do apologise if there was any problems with joining the teams this morning. Okay. All right. If there's nothing else then I will move on to close the hearing.

00:40:09:10 - 00:40:42:13

Um, so may I remind you that the timetable for this examination requires that parties provide any post hearing documents on a before deadline for which is Tuesday, the 10th of February. Um, I'll also remind you that the recording of this hearing will be placed on the inspector's website as soon as practicable after this hearing. The next event for this application will be issue specific. Hearing two scheduled for 10 a.m. tomorrow. Like today's hearing, this will be a blended event. So for those of you proposing to attend virtually, the joining conference is for 930.

00:40:42:17 - 00:41:13:16

For those who are proposing to attend in person, this room will be accessible from 930 tomorrow. And if you're attending any of the satellite venues in Suffolk and Kent, those rooms will also be accessible from 930. The agenda for this event is available on the project page of the National Infrastructure website. So before we close, I'd like to thank all today's participants for their time and assistance during the course of this hearing. We shall consider all your sponsors carefully, and they will inform the examining authority's decision whether further written questions and or further amount of hearings will be necessary.

00:41:13:25 - 00:41:20:17

So the time is now at 246, and this compulsory acquisition hearing for the proposed Sealink project is now closed.