

TRANSCRIPT_BLACKCAT_ISH3_SESSION3 _24092021

00:06

Welcome back, everybody. Time is now 10 plus two Exactly. And I am resuming session three of the third issue specific hearing class just asking us to suffer, or someone in the case team to confirm that everyone who wishes to be here has joined us back. And the live stream is also working.

00:29

Yes, I believe so. We might have a few in the next few moments, but I should all be here.

00:35

Thank you. Right, I could see you now. The next agenda item is item six, which concerns one juice, including the loss of best and most versatile agricultural land. This item, be grateful with the applicant, natural England, the National Farmers Union and local authorities could join me by turning on the cameras. Obviously, if others wish to participate in this or any other items, please use the raise hand function on Microsoft Teams and we will come to you at an appropriate direction. Since still a few people arriving. Okay, we'll proceed with item six on the agenda. Now, one juice, details of the excavated materials to be taken from the Borah pits, and the materials to replace them together with their future status relative to the proposed development process come to us to Linus and ask you to explain how the excavation and restoration of borer pits will affect their agricultural land classification and also their landscape and biodiversity value. Firstly,

02:05

Scotland for the applicant, sir, the question that was on the agenda related to details excavated materials to be taken from the bureau pits, would it help for you to have some further understanding about that Mr. C's available to explain that?

02:21

Yes, that'd be helpful. Yes, thank you.

02:23

Thank you very much, I suppose receive the data that please.

02:27

Thank you Julian see for the applicant. The project has a shortfall of of class one and class two material, which are our materials that are suitable for use in the construction of the highways, embankments. These materials are on a project which will generally be excavated, moved and placed as part of the earthworks process along the length of the of the alignment. However, the some key deficit areas were identified on this scheme at the East Caxton gibbet, where there is no local cart, but

large embankments to construct for the new alignment. And at the West End, the black cat tour of the East Coast mainline section, where again, there's a deficit for the new roxton road bridge and the western embankments to the to the east coast mainline. There will be the Bora pit locations are that we've been selected close to where this material will be required. At the east and East End, Phil can be moved directly to the embankments from the borrow pits without crossing any local roads. And at the West End, sort of similar situation with Phil moved directly to the Roxon road embankments via a signalised crossing. Now, the process for the removal of the material in the borrow pits will be very similar to that that would be used on the main line. So we will strip and store the topsoil and subsoil from the area of the borrow pit will then extract the fill material from the area using standard earthworks, excavators and transport this material to the area of the site where a deficit has been identified, V. The bureaucrats were filled with with material with other material that has been extracted from the site but is not suitable for inclusion in the in the works because it doesn't have the correct engineering properties. And then we would go about a process of reinstating the subsoil and topsoil in lay is over the extent of the borrow pits, back to the back to the required levels and the borrow pits would be restored and returned to agricultural use. The The, the nature of the earthworks construction process means that material is generated across the site which will not be of sufficient quality to be incorporated into the highway embankments. This may be due to a number of factors. The first as dog material may be mixed or wet, drainage arisings and pile spoil again will often be a mixed material which isn't suitable for, for building embankments with and on during periods of poor weather some of the material become unsuitable for use in the embankments. This material would either be incorporated within landscape mitigation bonds along the along the main line, or used in the restoration of the borrow pits. And the detailed design of the landscape mitigation bonds will provide sufficient flexibility in the quantity of material to ensure that the borrow pits can be restored to the required profiles. With regard to the restoration, the subsoil and topsoil to be used in the restoration on the borrow pit areas will be material that has been stockpiled from those borer pit works. And it would be supplemented with similar material source locally from the scheme if that was required. And where the original site included any sort of land drainage, or the detail design identifies a requirement for land drainage, this would also be installed as part of the restoration plan. Thank you.

06:53

Thank you see, that's helpful. That's very useful context to the approach to it. Perhaps Mr. Nice could come back to you perhaps on specific points that I've raised, which, which were, how this how the restaurant, how the rest of how the removal of material, and then the replacement of material in the borrow pits would affect their agricultural land classifications or the impacts they may or may not have on landscape or biodiversity value.

07:28

Scott liners for the applicant, as far as bass was first taught agricultural land is concerned, I think I need to take that away and take instructions on that. But my operating assumption is that when the land is returned to agricultural use, we haven't assumed that it's going to have any particular agricultural land classification. At this stage, we wouldn't be in a position to make those to make those assumptions. That's my under That's my understanding. But I'm very happy to take that away and uncheck it. As for this other question about biodiversity value, I don't think we've got a member of the team who's able to give you the detailed answer to that. At the moment, sir, if you're wanting specific information on the

biodiversity value of the burrow pits, once they've been returned to agricultural use, I would need to take instructions on that and use that as an action point.

08:37

Yes, perhaps we could have that as a hearing action that you'll you'll consider that and, and also any any landscape effects that may be there. I do appreciate what you said about the the agricultural land classification. And I know for the purposes of the environmental statement, how you've how you've addressed that in terms of loss, and temporary or permanent and temporary loss of best and most valuable agricultural land.

09:03

It sorry. Yes, sir. Thank you very much, if it would help. I knew that on a later agenda. Item when it comes to landscape effects. JOHN Rooney is going to be dealing with that agenda item more generally. I'm not sure if he's on the call. But if he is he may be able to give a broad view as to landscape effects in relation to borrow pit specifically, I see him he's appeared. Would it help if I asked him sort of drafted to dress that aspect of your question given here anyway?

09:35

Yeah. Yeah, we'll pick it up under under landscaping item on the agenda with us.

09:41

Very well. Thank you very much, sir.

09:43

Thank you, Mr. Vice. Mr. field. I see you have your hand raised.

09:48

Yes, I can actually help on the customer. specifications.

09:53

Sorry, Mr. field. I can't I can't hear you.

09:55

I can I can help on your question on restoring broker To the same agricultural land classification, if that would help.

10:05

Yes, that'd be interesting. So could you just introduce yourself for the recordings and the transcripts, it would be helpful for all parties, when they first speak to you to state their name and the organisation that they're representing, I'd be very helpful.

10:19

The applicant. The accountable and classification is primarily concerned with the physical characteristics of the soil profile down to 1.2 metres, which is typically the topsoil the upper subsoil and

the lowest upside and intention within the within the environmental management plan. And the the annex that's in there, which is an exceed soil handling and management plan is that the physical characteristics would be recorded before any works started. And that would provide a specification for the, for the restoration of the soils, so that the same depth and texture of subsequent low sub salt, Epsom salt and topsoil can be restored. Obviously, with borrowed pits, there's a different substrate that the sides are going on to. And as Mr. C indicated, you know that that may require drainage, amelioration, but the actual soil profile itself will be identical to that that was that was stripped in the first place. So that's the that's the intention to return that answer the same condition.

11:41

Thank you, Mr. Hale. That's helpful. And from what from what what you've just described. So you're saying that whatever the status of the soil before the excavation and the removal of the topsoil and subsoil, you'd expect it to be the same that goes back effectively?

11:57

Yes, I mean, certainly the won't be identical. Because it's been excavated, it's been it's been dug up and stored. But in terms of the the depth of, of each of the horizons and the texture, and if that the you know, the material itself from from barroca will be stored locally. So the soil itself will be the same soil that was taken off, there will be be restored back. So that's really the purpose to come on to the next question. That's really the purpose of the undertaking the soil surveys is to establish this baseline. So let's say that restoration can be to the same condition.

12:40

Thank you, Mr. field. Yes, we will come on to the surveys shortly. But thank you for that. And it's helpful. I see. Mrs. staples from the National Farmers Union has their hand raised, do you want to say something?

12:59

Thank you, Louise staples from National Farmers Union. My comment in response would be that, for the borrower pits, which will end up being filled with waste from the construction of the road, even if the topsoil and part of the subsoil is returned, it will not go back into the same agricultural use, that it is presently being being used. It's very difficult to return a burrow pit site, say back into an arable use that's growing wheat, that that's very difficult. So it might go back into agricultural use, but probably not at the same standard. That is there at the present

13:47

time. I keep

13:49

making mistakes. That's helpful. Mr. Romans, so you put your hand raised.

14:00

Thank you, Roy, Romans four, seven Borough Council. And I've been involved in minerals planning for the last 30 years, I've had a lot of experiences and restoring CINAHL sites to agriculture. And I think

that there's a bit from BOCES that asked two speakers that would just like to comment on. Whilst it is possible to restore some agricultural land to a similar level after mineral extraction and with restoration, and certainly to grade three and possibly the grade two, I think there is more of an issue in terms of trying to restore land to grade one. So I think that the, the general supposition that you can restore it Do whatever it is was before. And I'm not sure that I do agree with. But I do think that in certain certain circumstances that that is the case. I think one of the one of the issues that some borough councils had with this is that it's it's perhaps not been as clear as it could have been, in terms of the borrow pits and the sale the areas have borrowed, what the what the land classification value is, and what the proposal to what the the aim in terms of the grade should in terms of the proposal for restoration, restoration should be something that's, that's clear from the very start, you should have an aim in terms of what you're trying to achieve. And I think that's not very clear with this proposal for the era of the borrower. whether or not they're grade one, two or three, it should be clear what the aim for restoration is, and that can then be properly assessed. But without that clarity in some of the proposal. I think we've found it difficult to understand the assessment, apart from speaking in generalities now that that certainly wouldn't be the case where we had a data with a mineral application. And we would expect all of that information up front. And for that to be planned for from the very beginning and properly assessed. I think that's that's where we've been struggling with a lot of the issues around the priorities, because of a lack of clarity, in terms of precisely what proposal are for each of the areas.

16:41

Thank you, Mr. Romans. That's helpful. Mr. All has his hand raised. I'll take that and then no props comes the applicants. lines.

16:49

Sir, thank you for answering on behalf of the Cambridgeshire authorities, and I'm joined also by Mr. Matthew breeze who may also wish to speak on this point at the moment, just order the user to join in now in the sense of agreeing with what Mr. Romans was just saying on behalf of the Borough Council in terms of the need to be clear, or clearer as to what will be the restoration of these borrow pits. I think what we've heard so far demonstrates quite how vague it currently is. And from the chemistry authorities point of view, there is a clear process and policy policy 19 In fact, which is we set this out of detail in a great length really in Section 13 of our written representations. And it's been reiterated in the response that we've given to question 1.6 point two, the first written questions, but the need really to follow or to comply with that policy policy 19. And I'm sure Mr. Romans counsel would have a similar policy that's applicable as well, in terms of restoration. And that crucially captures that basically, if the site is to be restored to agricultural use, and that should effectively be the best agricultural use as possible. And that's why I'm paraphrasing. But that's that's the the gist of that. And but also that there should be and there's a whole variety of points that we make in our local impact reports about potential missed opportunities for biodiversity in terms of the borrow pits. But that's the restoration of these power pits should also effectively have regard to biodiversity requirements as well. And that it is possible to both resource the best agricultural use possible and also do so in a way that delivers the best possible outcome from biodiversity and similar other landscape points of view. And that that should be basically that policy, which would apply, as Mr. Roman said, in other applications should apply here. And for that purpose, we've unpacked This is a different point we can come on to shortly. But in terms of how we secure all this, if I look at the documentation at the moment, I'm not sure how any of us know

ultimately, what would happen to the borrower pits and how that would be secured. EMP one doesn't really address the question. And the environmental master plan doesn't really enjoy and dress the question. So we've requested a requirement, basically, which would tie things into policy 19. That's the most convenient way of doing it. We see obviously, there may be other ways, but something along those lines we suggest would be applicable. I don't think Mr. breeze would like to just add to what I said.

19:17

Can you sprays? Yes.

19:18

Matthew breeze for Cambridge county council. Only that, you know, following a meeting with the applicant early on, they provided a Orbitz technical note which I know hasn't been entered into the examination which I certainly found helpful and I was wondering if the applicant needs me I'm told to entertain the applicant submitting as it provides a single document of their that in relation to the bar pits. I know that's not for discussion today, but I think that might be helpful.

19:49

Thank you, Mr. Griese. Now that's helpful. Mr. Lyons perhaps if I can come come back to you now, with with a number of points. We can start with the technical note that Mr. breeze is just referred to, presumably is the does the applicant intend to submit? That's the examination library? Or

20:09

just bear with me one moment, sir, please Scotland without? I understand what's going to go in at deadline? Three, sir. Yes.

20:19

Thank you slides myself. Just going back to some of the points that have been made previously. And I do I do take take on board what's been said by various parties. One of the one of the bigger issues seems to me to be how this restoration of the bar pits is to be controlled in terms of optimising the opportunities for for various measures, but also in terms of how it's restored in terms of the so agricultural land classification, the timeliness of it a number of a number of issues that we've just heard about. And so perhaps, would you be able to perhaps explain in a bit more detail, how have the Atkins intense for this to be controlled.

21:17

Scotland's, for the applicant, sir may bring in Mr. field here to explain and do that possibly reference to the first iteration environmental management plan because, as you'll be aware, on xe two, that plan has a solid handling and management plan, which we say is as relevant in this instance, and regretful of Mr. Failed could explain the process that he envisages being followed here and in doing so pick up on the point if we may raise by the the NFU about concerns that the quality of restoration isn't going to be as high as we've indicated.

22:03

Thank you slangs. Spell you're muted at the moment is to feel

22:12

sorry, for the the applicant. And I'm sorry, I missed the first part of your question as well.

22:20

Because it's building on from some of the discussions that we've we've just been listening to, in terms of concerns that a number of parties have had, in terms of how the the restoration of the borrow pits is likely to be controlled. So that it's it's optimises the the potential benefits that could be done, but also minimises the potential harms. And this is in terms of matters, including agricultural land classification, as well as biodiversity impacts, that kind of thing. So it's just if you could talk us through that, please. Okay.

22:57

Yep, it's it is all set out in the initial proposals and set out in in annex II of the first iteration of the environmental management plan, which is DPP 234. And in brief, the proposal is to first establish the existing condition of the soils in any particular location. So, that typically comprises a analysis of the the depth of each of the horizons, the texture, the structure, the consistency, the organic matter levels, nutrient levels, and this provides, this provides a baseline against which any restoration for temporary land use would need to be needs to be assessed.

23:53

Sorry, if it just just interrupt you that sorry, apologies for that, as you've you've talked about the baseline thing, this kind of moves on to Agenda point B, where we're talking about the updates on the postponed soil surveys. Yeah. So perhaps if you could weave that into your, your response, that would be helpful.

24:09

Okay. And so those that those surveys have started, and they they are currently being undertaken, as a programme to complete those surveys by the end of November, in order that we can prepare a report for the deadline, six, I think it is. But those those surveys will principally be be handed over to the principal contractor in order to shore up so management plans for each individual parcel of land that will be disturbed. And those management plans will be available to to landowners as well. So they can see and agree that that's an accurate record. Hold up the existing condition of the soils them following following the initial baseline, the management plan sets out the means in which souls will be stripped and will be stored and will be restored. That goes in some detail, but I mean it, it basically follows the good practice guidance established by Defra and the former math. And they know that that good good practice has effectively led to the minerals planning policy that best most fertile land can be restored to best and most versatile land. And that policy is underpinned annual planning policy for two years, 25 years or so. Following falling, stripping, storing and restoration of the soils, then there will be a period of aftercare during which the restored soils can be monitored. And this comes down to one of your other questions, I think in respect of regenerative agriculture, that any particular characteristic can be monitored throughout the aftercare period. And where things are going wrong, they can be remedied. And there's this control within the within the management plan to remedy any deficiencies.

26:41

Thank you. So obviously, there's there's a bit of disagreement here between yourselves and a number of the other parties. In terms of the you're in terms of what the question was asked, in terms of how it was going to be controlled, you're saying it's through the environmental management plan. And that's, that's that is sufficient in your mind to control this and sufficiently detailed, sufficiently flexible and sufficiently it's just sufficient for you for this matter to be adequately controlled. And so that we do achieve what you what you've described, not notwithstanding the fact that the parties perhaps disagree with what would be produced at the end of this is that is that what you're saying?

27:32

Yes, I mean, the first iteration of the management plan is by nature is is relatively high level. But that will be added to in detail and so, for example, further iterations will follow with more detail things like the the individual management plans for particular land holdings will follow as well. So that that will add even more detail but they it all falls within the the overall management plan for handling soils

28:09

and the management plan itself is that is that tied into the DCR in a particular way.

28:18

That might be a question much better by somebody with their yes mind.

28:24

Scott line is for the applicant. Yes, the first iteration environmental management plan is addressed in the in the DCU are with me, sir, there is one of the requirements requirements, three requires it. The applicant shall not commence any part of the authorised development until the second iteration the NPS been submitted to and approved in writing by the Secretary of State following consultation with relevant planning authority and local Highway Authority. And the the authorised ballot must be constructed in accordance with the second iteration, EMP and ends the third iteration EMP which follows completion of construction. And the second iteration EMP is defined to involve production of that plan in accordance with the dmr containing detailed plans substance which relate to the construction phase with their authorised development substantially in accordance with the first iteration of GMP. So the decio individual process where the first iteration the GMP is before the panel No. But as matters progressed through to more detailed design, there's a process for the second iteration, EMP to be more detailed, but best nonetheless and the first iteration EMP. So similar to the points that were raised yesterday. There will be There will be further discussions and consultation on the second iteration of EMP.

30:09

Thank you. So I see this there are a number of hands raised. I'll take them. In turn. I think Mr. Romans as your hand dries First you want to speak.

30:23

Thank you, Romans on path of despereaux. counsel. Hey, what's been said, but at the end of the day, what we have before us is a methodology. And my concern is, we don't really understand at the

moment because we don't have probably have the information of how that methodology will actually play out on the ground. So for instance, with respect to the bar pits, we talked about the the soils being stripped and then stored. One of the issues I have on a regular basis when when looking at some mineral extraction sites, proposing something similar, is making sure that there is sufficient space within the red line area to actually carry out that operation. And it has certainly has been occasion when, once it's, it's understood what soils exist on a particular site, to what depth and the quite strict parameters that you have in terms of storing soils in terms of the heights. And then sometimes there is an issue about how you can adequately store all the soil whilst extracting the areas that you need to. We don't have that level of detail for this site. This development, and I would suggest that one way around that if further information is being put together at the moment. Obviously, the development affects a large area of land, and a significant area will not be returned to agriculture. The principal areas being returned to agricultural, probably the borup areas, whether or not the information is being put together could focus on those first and perhaps the provided in advance of completion of all of the area that might enable that information to come to forward faster, and unable to have a better understanding of the issue at an earlier stage.

32:35

Thank you, sir. That's awful. So there are there are a number of other hands up. Come to miss staples, please from the National Farmers Union next.

32:52

Thank you, Louie staples from the National Farmers Union. It was just to say that we have sent wording that we would like to see that is carried out in regard to soil statements before any construction works happen. And as Allister did raise that that is what we are expecting to see that soil statement

33:20

statements. Can you provide us with a reference for that place that you submitted? your submission reference?

33:28

Oh, I don't sorry. I don't know if we've given you the wording for the soils or or the NFU has just sent it to highways England, but I'll make sure that I can send it in a submission to you after this hearing,

33:43

is the point that we wrote in the present beginning of the day is that if you're going to rely on on evidence, you need to provide it for the examination. So yes, if you if you're going to submit it, then we'll wait to receive that. Thank you.

33:57

Okay, and but but I my clarification is that we have asked what has been outlined that a soil statement definitely will be carried out by soil soil surveys being carried out, first of all, so that that information then can be used for reinstatement at the end of the construction. Thank you.

34:20

Thank you, sir. Just just if I can just tell you, does that not is that not covered in what Mr. Field described in terms of the soil surveys and the baseline that they're establishing?

34:34

Yes, it does. What I haven't seen though, is whether what they are intending to include in their soil baseline is what we have actually asked for, but and we have obviously asked for that to be on every plot that is to be returned to agricultural use, and those soil segments to be given to each of those landowners. Thank you.

34:58

Thank you. Mr. Turtle apologies for the delay. I know you've had your hand up for a while. So yes, please, please feel free to contribute.

35:07

Thanks no apologies necessary, it's probably more useful to hear from the Farmers Union about soil than it is from me. But I'm Francis, on behalf of the counties councils just wanted to come back early on in terms of the context of annex eat first iteration EMP. Obviously, that is as been said a methodology and methodology for soil restoration. As it says it applies at 1.7 to two areas where soils are to be restored. The nothing in that tells us more particularly about the fate of the borrow pits at large, nothing in that establishes the principle of how those borrow pits are to be restored. Nothing in that, for example, encapsulates the the principle that whether land is to be restored to agricultural use, it should be restored to the same or better agricultural land quality as it was pre development. And also I find nothing in that first DMP that considers about biodiversity issues when restoring the borrow pits or similar. So that's why we say at the moment, the fate is still very unclear when it comes to borrow pits. And I think I'm all for the council's edition. Maybe the annex II is not the answer to that question. It deals with obviously, soil restoration, but it doesn't deal with the wider questions and principles to be applied to the borrower pits themselves.

36:26

Thank you, it's just friend come back to you on that. appreciate this, you're looking at the first iteration there. I'd imagine what would you expect the future iteration to pick that up the more second iteration?

36:41

Well, I think I mean, we're aware and I think that Mr. breeze can give more information on this, but the term is the applicants consideration that what happens to the bar pits is also part of detailed design, and that won't be developed as we go forward. I mean, as such, I mean opposition i think is that it needs to be dealt with by requirement in relation to the detailed design and we have we have proposed one in our written representations, which are at 148. The we don't know I mean, as there is nothing on this issue at the moment in the first iteration, EMP unconscious that the second iteration EMP is obviously builds upon the first the therefore we have no necessarily necessarily have any hope that the first DMP would have this information in it, it might do it might not but the wording in the order, which is that the second iteration has to be produced in accordance with the dmr and substantially in accordance with the first iteration EMP. As there is no hook in the first one. There's no necessarily any reason to expect it to be in the second one.

37:47

Total sprays I see you you've got your hand raised.

37:51

Thank you let the breeze for Cambridgeshire County Council. Just to add to Mr. Terrell's comments. This part of this stems from the overlooking of this policy 19. So in a framework where there's detailed design is yet to come. If it's based on environment management plan, which is incomplete. We would like to make sure there's sufficient safeguards to make sure that policies such as policy 19, which affect the outcome are adequately considered. Mr. Taro might be able to phrase that better.

38:32

Thank you This thoroughly sort of thing you want to add in that respect story content?

38:37

No, I think I think it was perfectly clear what Mr. Bry said. And I think the as we said, the solution we have proposed obviously is for the requirement that we suggested in our written reps to be included, which refers back to policy 19, obviously, I would need to be added to to to make it appropriate for the other authorities as well as like these to be done. And that would encapsulate the general principle of restoration. Obviously, I fully appreciate annex II reversed off the EMP deals with some of the details of the soils in relation to that, but the principles could be encapsulated by the application of policy 19 which would encapsulate this overall principle about restoration. And as I said, I'm repeating myself now but the other issues like biodiversity net gain and similar

39:21

Thank you. sprays, you start your hand raises it further. So I think it's a fail failing of teams at the moment. I've got someone else's hand raised at the moment. I can't see who it is.

39:41

I think that's Mesa, Lydia Hagen on behalf of the church commissioners for England. I just wanted to pick up on a point raised earlier by Mr. Terrell, who made a reference to there was a number of points in the joint local impact report submitted by the council's To the effect that BB pits could be restored, to provide well that there was a missed opportunity to restore the borrow pits to provide on site biodiversity net gain on behalf of the church commissioners, we wanted to strongly object to any suggestion that the borrow pits be restored to provide some kind of vibe diversity net gain. And the commissioners view the land is capable of being returned and should be returned to the landowners and searchable condition. And in respective plot 14 six A, which is my clients land, they are in discussions with highways England at the moment who have accepted that the land subject to the rover can be reinstated and returned to the commissioners. And we discussing with the applicant, the possibility of a grant of lease on appropriate terms and respect of that plot 1460.

41:12

That's interesting material. Perhaps it will continue.

41:16

So thank you for answering on behalf of the authorities. I just like to invite Mr. breeze to explain. I see two things really one is the local planning policy in terms of parapets and biodiversity. But more importantly, I think as to what we have said in our documentation about the ability to restore to agricultural use, but also having regard to biodiversity.

41:39

Thank you, Mr. breeze.

41:43

Thank you, Matthew Bruce Kemp shared counsel. Within our submission there are we make reference to the Western minerals local plan adopted in 2021. This includes policies in relation to vara peace and the restoration. So that's our policy civil and policy 90, these policies of local planning policies of the Berlin plan and should be relevant to consideration of development in this case. And policy 19 is a particular reference in this case, in that it sets out that the F, I'm paraphrasing here, but the effort should be made to make this beneficial after the use of the land, in respect of biodiversity net gain, that might be in the form of hedge rows might be in other forms. flood risk is also being mentioned along with green infrastructure and green infrastructure plans. So it's not the entire site that might go across, but it's what can be best made off of this use and site list until the assessment of that policy is being undertaken, which it has not been at this time. It's difficult to say what what opportunities could be realised. And we hope the outcome that worked with us to the landowners to sort of see what the best outcome for the markets could be. I believe that hopefully that answers your question.

43:21

Thank you, thank you results helpful. staples, and secret hundreds again.

43:32

Thank you do we just say from the National pharmacy, and I would just like to support church commissioners, and that we would not want to see any biodiversity net gain being Yeah, happening on a burrow pit site, if it can be fully returned to our agricultural use. That we expect all land to be returned to, is to be able to go back into production and not buy a diversity net gain. Thank you.

44:00

Thank you staples. Mr. Lyons perhaps often come back to you now sir. And just think about some of the points. So both of our counsellors suggested one perhaps one option of going forward which would be provide more detailed information, focusing first initially on the borrower inputs and then moving out to other land in terms of the restoration and notes the chemistry councils have suggested this is controlled through a requirement for de decio. If I can perhaps just put those those two points to you and see what the applicants viewers or if you need to go and think about it a bit more, I don't know.

44:42

Scotland for the applicant, I can give a an initial view night. So as far as the request for further information is concerned. I think our current position is there is sufficient information before the examination as contained in Annex A to the first iteration BMP, I know there was a comment made

about just being a pure methodological document. But I think that doesn't give a fair reflection of what would be achieved when the steps outlined in the document would be taken. So, you know, by where, by way of example, when one takes the different stages that need to be applied, when it comes to stepping up stores to have to be subject to an analytical testing regime, the depth of soil has, has to be recorded at each location, there is an indication as to how topsoil will be stripped and handled, where they're going to be, where they're going to be stored, and particularly that they must be topsoil must be returned as as close to source of origin as possible during restoration. So that's just gives a flavour there's a series of detailed steps within the within Annex A, which we say give sufficient reassurances to the not just the methodology, but the the quality and the objectives of what we're trying to achieve by applying the methodology. And that leads on to the second point, which is that there's information on xe already, we don't see the the need to introduce something either specific in relation to to borrow pits, beyond what was said on xe, or a separate requirement in the DCA to cover this issue. When annex E is the proper vehicle to do that, the DC already secures for further iterations of the EMP, the mechanism is there we say satisfactory to both provide information, unsecure, satisfactory standards or restoration. That's that's our position as Mater standard and Mr. field has anything to to add to that as far as his position is concerned. Now. Obviously, if there are further discussions taking place between ourselves on the the Council on further information, we will consider whether there's anything more that can be offered to Mr. Rubens. But I can't say at the moment that that's our position. Our position is there's enough information there and as a mechanism to achieve it.

47:34

Thank you. That's helpful. In terms of your you mentioned, the negotiations and discussions with the council. Further to this, is that something that we could use the hearing action just to sort of cover off and perhaps not just with Romans, but with all the local authorities and see if there's more, you know, if there's, is there a joint position statement here? Or are you and perhaps involve the National Farmers Union as well.

48:05

I need to take instructions. And that's just bear with me for a moment.

48:08

Thank you.

48:15

Sir, just while Mr. ninus takes instructions, if I might, as well just turn on behalf of the council's it'd be sort of understand what we'd like a joint position statement to cover or do it strikes me at the moment that the position might not be joined? Then he may have we may have, we can set up two positions. But effectively, that'd be a statement of common ground, I think effectively

48:40

Scotland for the applicant. So yes, we think the best procedure to deal with this was through the statement of common grind, we appreciate their already position statements being prepared, but to try and keep the process as neat as possible, then the step of the common ground process is the is the

best way to do that. We'll obviously listen to what the councils have to say, but I have to indicate what our current position is on the adequacy of the information and the route to achieve standards.

49:10

Yep, No, thank you. That's helping slides. Thank you.

49:13

Scotland's for the outcome. Sorry to interrupt. I knew biodiversity was a question that you raise before. We are able to address you on that night, if you would, if you would prefer. We have Mac's weird back in the room. And he's able to give you some broad view on biodiversity matters to go back to your original question, sir, if that will assist?

49:41

Yes, Yeah, that'd be great. Well, we'll do that now. And then we'll see where we go from the

49:46

Microsoft Graph cluster. We're going to add on biodiversity on the bureau pets please.

49:52

Max Wade for the for the applicant. And really just to try to sort of introduce a bit of balance into the The topic of biodiversity in relation to sort of the restoration. From a biodiversity looking biodiversity point of view, looking at the field in the way that we've heard from Farmers Union, the church Commission, the biodiversity value of the the field would be less post post restoration. For example, this is illustrated in calculations of biodiversity net gain, where there is a drop in biodiversity value, although this is quite quickly recovered. Biodiversity value rolling cover in a relatively short space of time compared to something for example, such as woodland. Nevertheless, the biodiversity value is relatively low, regardless of the restoration process, I think the other point that's worth just pulling out of the discussion previously is that while it's the restoration of the field can can go ahead and agricultural practice can return. I think Mr. breeze was referring to by diversity of benefits sort of outside of, of the field, not outside of the field within the field. But along the margins, for example, the hedge row and other aspects which would not interfere with the agricultural husbandry in relation to the field that would achieve a degree of biodiversity gain. And obviously, as an ecologist, I would see that as a benefit, but not interfering with the with the agriculture. So overall, relatively low value in terms of the agriculture, the field itself, but there are other features that could be could be dealt with where you would get a benefit in terms of biodiversity. Thank you.

52:00

Thank you slide. That's helpful. Thank you. Miss, I see your camera's switched on. So hello to you.

52:09

It's it's it has actually slightly been covered. But and at the cost of repeating what other parties have said, but statement of Common Ground seems to me Mr. Parkin, if you agree with me, seems to be the right way forward to record especially because the parties are not exactly agreed between themselves and certain matters. But in the statement of Common Ground itself, I think what you know, how the soil

soil profile is recorded, how it has reinstated, and the aftercare plan, I think these are three broad areas where I think position of parties should be clear. I think I agree that it is included, it is secured in the decio through the requirement. And, and, and the soil handling plan is listed in the decio as well. But the point that Mr. Taro made, whether there is enough of a hook in the first iteration environmental management plan for it to kick off the further design detail in the second iteration environment plan is a particular item that I think would be helpful for the examining authority to have further detail on from all parties. So if that as well as something that's included so that from these four points, if we could have position from parties on on statement of common ground so there's the methodology bit, which is the first bit but I don't think that's massively a disagreement point. But how this one profile is recorded, how it is reinstated aftercare and how it is secured in the dcl and what kind of assurances we have in the first titration environmental management plan. are the things that we definitely need to know positions on. Okay. That's it

54:15

both just natural England. There's no salt I know you're here. Just naturally in another position with respect to this.

54:28

Gentleman, it's all natural England. Well, obviously we we have a soils remit, the statutory remit. I'm not a sales specialist, but we have technical specialists within the organisation who will once we have the findings of the agricultural land classification, the soil resource survey, the updated chapter, the relevant chapter in the environmental assessment and the subsequent plans that come through that we will provide input to with our technical specialists.

55:01

Okay, thank you. That's nice. That's good. Is there anything anyone else wishes to add at this stage? on that item? These items can be really? No, no, Mr. Hudson did make a point yesterday regarding the borrow pits. Sonny, are you with us? Stone? Yes.

55:30

Yes. Yes. It's just a short.

55:34

Yeah, no, no, it's fine. If you if you if you want to to let your your point about the borrow pits, at this stage, that would be helpful.

55:41

Thank you. We have yet to receive any information from the applicant that would give us confidence that activity in the borrow pits would not cause a significant amount immunity for closest residents. We are concerned that a assumption of best practicable means as a defence for that level of noise would result in if noise levels are too significant. The applicant doing performing activities which are what would would be agreed upon as being best practical means but there still being a level of noise beyond that, that would harm amenity for those residents. So we need to be confident that it is possible to operate those borrow pits at that level without causing immunity, hunted immunity, or we are not there

yet. We haven't received that we've, we have repeatedly asked. And there was at some point, the applicants applied a bar or pit technical data or piece of information, which they stated was the information that was supplied in the impromptu statement. I agree. I was thankful for them supplied. The information was the information that was in the bumper statement. And as at this time is still insufficient for me to be confident that the pocket was not gonna cause noise issue.

57:01

Thank you, Mr. Mr. Linus, are one of your colleagues, perhaps? Would you be able to respond to do that? If there's if there's been discussions in the past between between the council and yourselves, but they're still waiting stuff out? Are these discussions ongoing, or

57:24

Scotland's for the applicant? So I'll just need to take instructions on that. Just bear with me, please. Sorry, thank you, Scotland's for the applicant. Get out. This is in the weeds issue not able to take instructions at the moment from the member of the team who was appearing on noise yesterday. Perhaps we can just take this away. And we can we can pick this up and wider discussions with the council.

57:54

Yeah, I'll maybe have a hearing action. And we'll have some further discussions between the council and and yourselves regarding the impacts of carpets. Thank you. Thank you, Mr. Romans,

58:11

For Romans, on half deaf Borough Council. And I think that this is really linked to some of the other points of the council's have been making with respect to the lack of clarity around the precise proposals for the bar effects. Mr. Hudson has a problem. Understanding what the noise impacts will be. Because there isn't a any clarity about the proposals. And therefore, the applicant is unable to be clear about the impact, because there are no clear proposals. So one of the often in terms of burpees, you often use the soils to provide noise attenuation, and around the edge of the site in order to reduce noise impact. And that may well be something that can be done on the borrow pits proposed for this site. Unfortunately, we don't know where those might go. And the creation of noise been in themselves have a noise impact. But again, we can't assess the impact of that if we don't know where where things like the noise bands will be going. How close to any impact of properties will extraction actually take place. We just don't we just don't know that information. So there can be further discussions, and I can't see how we can move forward in terms of providing the level of information or noise without an understanding of what the proposal is

59:57

my understanding of if you're having discussion Discussing the scope of what's what what information you're seeking. Would that not be the case? Mr. Romans?

1:00:10

Well, I think my understanding, obviously, Mr. Cohen will correct me if I'm wrong is that? Yes, those discussions have taken place. But I just I'm not sure that I think there is going to be a difference of

opinion. At the end of the day, I don't think we're going to get to a point where there is agreement in terms of the level information that's available.

1:00:31

That may well be the case. However, I think it's worth pursuing whether, you know, as much agreement as possible, and that would be sort of the path through continued discussions between the applicants and and you souls. So I see Mr. Hudson has his hand raised. Mr. Hudson, would you like to?

1:00:55

Thank you. I'm just going to confirm with what Mr. Robinson said, Absolutely, we are in our ongoing conversations with the applicant, we have made it very clear that we need to know the sort of equipment, the sort of activity they're going to take to take places so we can see whether or not it's possible to build on those sites. We're not asking them for detailed design specifications at this time, we understand that is far, far further down the road. But we need to know that it's possible for them to build without without causing that level of harm. And that's what we've been asking them for. And at this stage, I believe that's what they're still looking into.

1:01:32

Sir. Scott, last for the applicant, have asked for instructions and this and that, as I understand that we are looking at an update to a borrower technical note which we will provide a deadline three. So if we can advance matters that were in relation to the noise issue.

1:01:51

That will be fantastic. And I look forward to it.

1:01:53

Thank you. Thank you, Stein. It's not helpful. Mr. Zuckerberg, they're off your your your issues, particularly?

1:02:05

I don't think I think so too. I think so. I'm not sure if I can find any any more, really, that some identifies what the issues are.

1:02:16

Just on that, I mean, is it possible for us to explain to the applicant now in broad terms, exactly what what it is you're seeking.

1:02:26

But I suppose we've been really seeking a similar level of detail as we would normally expect with any mineral application, which is definitely what a borrow pit is, and therefore we would expect a have set this out in the borough Council's response to two written questions. I think this was a particular question identified in that just trying to find there was question 1.6 point two on borrow pits construction compound waste management, where it was asking what further details should be provided. And the response includes a list of information to include identifying the area, height and location of stockpiles,

method of extraction numbers, plant and machinery on site, methods of delivery to the RO scheme, maximum daily numbers, agvs and Tirol moving vehicles using haul routes, and E processing materials material on site and the phasing of the site. A waste materials will be backfield operating times what happens is the amount of material extracted does not equal the amount of material backfield, appropriate plans and cross section sport the above each section, the SPF data to assess to assess the impact of proposals and the noise levels of equipment, news with environments and details of dust emissions from the site. So hopefully that will give a flavour of the type of information that we've asked for.

1:04:02

It does slight slowness, if that's come back to you, obviously, if it was a response that has the applicant responded to this.

1:04:13

I don't think we've responded in specific terms to that, sir. Scotland's, for the for the applicant. I think part of the issue is here that we've taken on board information relation to traffic, for example, across the scheme as a whole because that's the nature of the scheme that has been submitted for approval. And this isn't purely an application for the use of borrower pet. So the present presentation of the information has been on a on a wider basis. And I think we maintain the position that generally the approach we've taken is appropriate. We accept that there are some further information that could be given as far as the technical note particularly on noise is concerned to address points have been raised by the Council and argue that that approach is proportionate given the given the nature of this case.

1:05:16

Okay. Thank you. So does I think we've probably covered this, perhaps as much as we can at this stage. Does anyone else have anything further they wish to contribute at this stage? No. Okay. Well, thank you all for your contributions. I will just ask Mr. Linus, or perhaps Mr. field. One one matter, Mr. Field did mention it, it's it's update on any progress regarding the regenerative agricultural soil reprovion. That's been raised by a number of parties. And which I note that there are ongoing discussions between the applicants and these, these parties. Just Just a brief update on on how that's progressing. This field,

1:06:15

I'm asked to fail per the applicant. I haven't been involved in the detailed discussion with these parties. So I can't, I can't provide any update on that from the soils perspective. I think it's important to realise that regenerative agriculture is is a means of actually managing the land rather than the status given to particular soil type, for example. So the soils that would be affected the soils that are currently subject to regenerative agriculture will be treated no differently to any other soils, that it served on the scheme. So those would also be subject to the provisions in in the soil handling and management plan. I mean, critically from the from the point of view of regenerative agriculture is a concentration on building soil health, typically through increasing organic matter. And that's where the surveys come in. In that, you know, the surveys would establish organic matter levels and the nutrient levels in those particular areas that are subject to regenerative agriculture. And that would be a target for the restoration and during the aftercare, the intention would be to to increase the organic matter levels, using regenerative agriculture,

which is principally means minimum tillage, no bare crops, so key cover crops key catch crops on the land, try and diversify the vegetation and the plant species as much as possible. On the land. It's the sort of ongoing management techniques that are used in regenerative agriculture. So those would be those would be employed during the aftercare period, in order to, in order to build soil organic matter and soil health back to to the previous status. The important thing is that they're recorded in the first place.

1:08:16

Thank you. So that's, that's helpful. And in general terms. I mean, there isn't it is an item on the agenda that we were seeking an update on on this matter, specifically, perhaps be grateful if you could perhaps action this and provide an update in writing by deadline three, on this on this matter, but it's useful, what you've described in terms of the you know, the general approach to how you would treat such soils. So we have that as a hearing action that the applicant will provide this by deadline three, that would be helpful.

1:08:58

Just mindful of the time we've been we've been at this around an hour now. I think we'll deal with 60 the economic value of lost estimates, this time agricultural one, through written questions. So with that, and if and if no one has anything further to say, with regard to to land use and soil in particular. We'll move on to the next the next item on the agenda. I don't see any arms race. Okay, thank you. Thank you all for the next agenda item, which is item seven. Perhaps gratefully, the applicant, the environmental agency and the lead local flood authorities could join me by turning on their cameras.

1:09:51

Thank you. Right flood risk, including the full evidence for the exception test. The first question I've got under this this item is, is to do with the wider sustainability benefits to the community that will outweigh the risk of flooding, which is part of the ascension test. The slides have perhaps, come to you on this. I appreciate that you've made reference on many occasions to the to the general benefits of the scheme and how it will benefit the community. just interested in this in this context, context of the exception test how you how you've considered what you've considered the community to be in this in this case.

1:10:53

Scott Linus for the applicant. So thanks for that. Question. One must look back to the policy test, which asked for the widest tenable benefits to the community did I waive flood recipe address in paragraph 5.10, where that's the starting point for this consideration. The policy doesn't define community in any restrictive sense by reference to a geographical area or community group. So there's new definition one country to the benefits in their broadest and their broadest sense. So to the extent that the policy also refers and footnote 95 to benefits, including the need for the infrastructure, that tends to demonstrate that the need for the infrastructure related to community benefit can be construed in a broad and a broad manner, I was not necessary to define a particular geographical or any other community in a restrictive way to answer the policy tests, it can be reached as a broad matter of judgement, having regard to the need for the infrastructure has wider sense. And in that context, we would say that the sustainability benefits can be appropriately defined by reference to cut and congestion increasing capacity and journey time, reliability, improving the network without necessarily descending into any

detail as to the geographical location of the organic communities that might be served, because it's clear that the republic benefits overall health and prospect by the scheme defined in that way. Similarly, with economic growth, we said that there will be an improvement and communication in people in jobs and supporting new development projects, there may be a more of a geographical element to that in the sense that we'd be linking people within council areas closer to the closer to the scheme. But again, it's not restrictive, or prescriptive. And any in any sense. There are wider economic benefits that are taken into account in the comma reports has been identified already, as well as biodiversity, net gain on some improvements and public rights of way. access that we've identified. So in our our submission, it's, it's it's sufficient to take those in the broad sense as matters which benefit the rich benefit the public, it's not necessary to define any sort of particular community in the in the restricted sense that you might have been suggesting, sir.

1:13:50

I wasn't suggesting in any sense. I was just curious as how you how you approached it, whether you had looked at it in detail, or whether you had lots of different broad terms, which is what what you've described. So thank you. Thank you for that response. Perhaps I can just open that up a bit. Just just to get all those thoughts on it. Perhaps Mr. Benn or Miss Miss golf from environmental agents first? would you would you generally agree with what Mr. Linus has said in terms of how you would look at community benefits

1:14:25

from the Environment Agency, we wouldn't look at these aspects of the exception test with regard to the local authorities to consider these things. But if you want any specific detailed advice by no partiality, Jenny Goff scarf

1:14:45

will be the fra that we're dealing with. So Jenny, go for the Environment Agency, is looking specifically at the Part B, so I wouldn't want to comment further on parte on Mr. nyansa stead. Thank you.

1:15:02

Mr. Carroll, is there anything that the Cambridge Counsel's Office in general,

1:15:11

Thanks for answering on behalf of the council? I think my instructions on this point are that we are interested to hear what the applicant has to say on these issues at this hearing. And we'll take those into account and respond accordingly in due course, and the next deadline. We haven't I haven't got a flood expert with me today. But I don't think we have particular points to raise on these aspects. Thank you.

1:15:39

I think we can can move on from that. Now. There's another another question, which I think we can deal with perhaps as No, I think we'll deal with it now. It's in the in the application documents, and has been raised previously as written question. It seemed to me that the, the applicant was saying that because the proposed development was a nationally significant infrastructure project that it met the

wider sustainability and safety needs. Now there was a response to this, which didn't really answer the question that was posed. So perhaps, if I can come to you, Mr. Linus, and just or your colleagues and and just sort of just just ask your view as to whether the project status is a nationally, nationally significant infrastructure projects means it would meet why sustainability and safety needs

1:16:39

Scotland for the applicant? I don't think it's our position to say that just because it is a nationally significant infrastructure project, that of itself means that the exception test as part of the wider policy test, we've just been looking at EZ Pass,

1:16:54

that's what I was. That's what I was. That's what I thought that one of your documents actually said. But

1:16:59

we understand we accept that we've got to go through that test and demonstrate what those benefits are, rather than simply saying, because we're an answer. That's the end of the matter. Yeah. Thank you.

1:17:11

Thank you slice. So for us, let's clear that one up. Thank you. Thank you for going to the final final point that I've got, which is point C. And again, this is perhaps one for all of them. But I'll pass on to Mr. Lynas first. And ask about the different climate change allowances that have been used for different connective water courses, both main rivers and the ordinary water courses. And this is in a PP dash 220 it's I know there's been some correspondence regarding this but perhaps if, if the applicant could explain in in simple terms why why different climate change allowances have been used for for connected rivers.

1:18:01

Scott liners for the applicant allows Mr. Paxton to converse with me.

1:18:08

On paxillin be off applicant. applicant notes the climate change is indicated in the assessment documents, a pp. To online to Jo 221, triple two and two to three may indicate some differences in climate change applied for main rules in only water courses. However, it is stated in Section 1.30, the respective main rivers and only water Chrisette assessments ap 221 and two T two that the same client trend principles will be applied to both of these watercourses, namely, use of a 1% apa, nr exceedance probability A p design event, which includes the government's 2016 higher central Lancer 35% with Angular router water, completing sensitivity or worst case modelling using the river base, upper 65% climate change allowance and assessing floodplain compensation based on the principle on comparing the baseline maximum levels or the 1% a p plus 35% climate change. Now in accordance with the government's guidance on flood risk assessments climate change allowance the higher land higher central allowances should be used for essential infrastructure in flood plains zones two, three a and three B. And it's and assessments, assessing the offside impacts and calculating the floodplain storage compensation is based on the highest central allowances assessing the scheme for either the higher or

the more conservative at the central allowances therefore considered in the in compliance with the government guidance requirements. It is also noted that the EIA Environment Agency topology As essentially consults uses the management catching plan for climate change allowance from peak river flow map as a benchmark, the government people big river flow map published on 27th of July 2021 indicates the watercourses crossing the scheme for within particularly on the western slide section in the upper and Bedford us management catchment and the highest intro clowns allowance for that is 30%. If any of the water courses for the knees and section four with neurochem catchment, that central higher Lance is 19%. Currently the federal assessments for the scheme are therefore considered a robust conservative approach given the reduction in climate change now applicable to the scheme that's in terms of those those reports for clarity on which is not fully explained in the question because that question was linked to the watercourses clarity with regard to ditches and overland scheme catchment CUT CUT OFF ditches. discharge of these ditches were based on a table one of the government orders rainfall intensity for small catchments less than five kilometres and the open central allowances of 40% and 20%. For the total percentage and anticipated change for the 2018. The 2018 is based on the minimum scheme last design of 60 years should be further noted that higher drains such systems tenure systems such as ponds are considered part of the highway scheme. These have been buying based on the highway drainage system, climate change allowance of 20 and 40% in accordance with dmrb Cg 501. I hope that makes it a little bit clearer as to the this, that we are applying one blanket plan change across all. Assessment doesn't always work. I know, it's easier to understand that each sort of system sometimes has different climate change allowances. So I know there's some relevant reps recommended single sort of application of climate change across all different system water courses, or ditches or ponds. That's why I've referenced it in this in this clarification,

1:22:24

thank you, Mr. Paxton. No, that's, that's helpful. I understand that. I suppose I'm coming back to it. Trying to understand that within a given catchment, you are looking at different climate change allowances in different parts of that, that same catchment. So you've got a main river, followed by a number of ordinary water courses, and you've got a different climate change allowance for the main river. And as to the ordinary water courses. I'm just I'm just trying to understand a little bit more as to why why that approach is is robust. I appreciate that this is a technical matter. And I'm happy for the Environment Agency to also chip in as well if they if they would find that helpful. But I'll leave it to you to respond to compaction first,

1:23:16

I can go and pass on behalf of the applicant earn I agree it's it's in the documents presented there were two different methods of overall climate change that perhaps were were given out as results. So the 65% the upper end was given out as a result for sale for the water quality ordinary water courses. Where is the emphasis has been on the 35%, the EPA client central allowance, which is what the minimum requirement, whether or not that is the core requirement for flood risk assessments. And that is because the emphasis on things like the main river, the flood compensation, for example, was a bigger element that we need to say. So we put more emphasis on that and we focused on that as a climate change allowance for that particular main water course and that's possibly why there was a difference in timber results. But as I said in Section 1.3 of both watercourse reports those outline principles of what each one was going to be based on in terms of defining the scheme and the order

limits or prints in principle the same so we consider it robust still and because climates have gone down and we chose a conservative value for for those assessments to find

1:24:38

cures to pacsun. So I'm still not entirely clear on it, perhaps I could come to the Miss ban or miss golf. And perhaps just get your thoughts from an environmental agency. As to as to why it's, it's it's considered robust to use different climate change allowances. For numerous courses and then for the main river and within the same catchment

1:25:06

Yes, Jenny golf for the Environment Agency. So I think to sort of give some clarification, the river grade twos, which is the fourth largest catchment the UK, we have got an awful lot of data on that. There's been lots of models run on it. And we understand the flood mechanisms behind that. For the Audi watercourses where the a4 type dissects them, a lot of them haven't had much hydrological assessment done on them because they are with all due respect in the middle of nowhere. They're not in sort of property development areas. So in terms of flood risk, they're potentially flooding agricultural land and open land. So there hasn't been an awful lot of assessment done on those as much as there hasn't ever grey twos and other only water causes within a developed area. So for that reason, my understanding I think, is that for the Adi watercourses, a precautionary approach was taken to do the 65%. Climate change just to see what the sensitivity was like so that we get a really good understanding of what the extreme flood risk could be for that epoch for that, you know, another 100 years, up to the 2080s. Whereas the real grade twos, we had a very good understanding of its flood risk, we've seen and documented several flood events over the last 2030 years. And we've done a lot of work on models and sort of seeing what will happen over the next 100 years with climate change. So it's felt it was agreed is mild, standard 35% for the grade twos was acceptable, and to have that 65% and those both to be put in. But as Mr. Paxton said, we've now found that with the latest figures, we now have 30%. So for both of those systems, 35% on the river grade twos and 65% for all the ordinary watercourses, the 30% now, with those assessments already done the fra, they will seem a very robust system, because they've actually all higher than what is actually required from the 27th of July. I hope that helps answer the question.

1:27:09

Yeah, no, no does he from from both sides, it's been helpful. So thank you both for for that those contributions. I understand that, I think in my mind, why, why the differences have been taking place now. So thank you. Was there anything? Mr. Oh, you have your hand raised. So Mr. All Yes,

1:27:33

sir. Thank you, Francis. Cheryl, on behalf of the chemistry authorities, I think the authorities on this particular point, understand that the differences in the fluvial modelling that's been carried out and the different percentages that have been applicable as the verb agency has just explained, they have a slightly different very related point which is just in relation to the modelling has been carried out on the drainage systems specifically, and as set out in the written reps, paragraph 14 point 6.1 they believe that similar methodology taking into account a 65% worst case allowance should be applied to the test the drainage systems that have been proposed. So this would be for the mitigation measures for

drainage, overland catchments, ponds, culverts, drains, etc, should also be assessed in the same way on the one on 100 year return period storm and a 65% allowance just to note that

1:28:35

Thank you. So obviously, you know that that's there's been further climate change allowances that have been produced by the government subsequent to that. I don't know. Miscavige, if, if you what what are your thoughts as the Environment Agency on that? Do you have a view as to that and or whether or the, the newer climate change allowances should be used instead?

1:29:03

And jelly go for the environmental agency? I haven't seen that report. Mr. Terrell. Sorry. Because it's obviously an LFA drainage report. So my thoughts are that if the relevant representation was put in before the 27th of July change, they may want to just review that. However, as I said before, because we don't know an awful lot about the small ditches and ponds and the systems around the area, it's always good to have a robust and to sort of look at the the sensitivity of a system. And so if there has been any work done on that, and that can be submitted, I think that'd be really useful. But I think that really is for the LFA and the applicant to have a discussion about what would be an appropriate amount of climate change that was to be put on for the drainage systems, as is the the their their remit, but I think wherever we can look At robust and sensitivity because we don't know in terms of blockchains, etc, and we don't know an awful lot about the systems around or where they haven't been studied before, it's always worthwhile doing that. I hope that helps answer. Thank you.

1:30:16

Okay. That's all for me, Mr. Lynas or Mr. Paxton. It's more of a general point here. In terms of that the highway drainage issue that Mr. Tirol raised? And is that something that you would be able to perhaps, discuss, discuss with the Cambridgeshire councils and see if there's, there's merit in running the further climate change test in that regard?

1:30:48

Scott liners for the applicant. Let me take instructions for Please, sir,

1:30:55

sir. Cyril, do you want to speak now? Or do you want to wait until

1:30:59

after? I'll speak now, if I may. So just to answer on behalf of the authorities just to correct myself I was reading from the representations. But obviously, the in terms of the figures, that the principal is longer after, which is that the upper end finger should be used. And honestly, I recognise that and I have, I do have a more updated briefing note. And it's my fault, not the not the authorities, that that should be the current upper end figure, which I think is 40% should be applicable for the for the drainage. And that is the principal point that's being made that those should be tested at the upper end finger.

1:31:33

On the applicant, as stated earlier, we have applied the 40% as the sensitivity test on any ditches that are even highway or overland ditches. Let's that standard dmr practice. It's all set as a defined in table one of the government guidance sites in compliance with that with the upper upper value is 40%. So that has been applied to date.

1:32:03

Oh, right. Okay. Thank you. Oh, yeah, I think what we'll do now is, is take a short break, it's slightly ahead of schedule, but we've been going an hour and a half. So time is now 3:42. If I suggest we come back here at four, five to four ways, and we will continue then, if you decide to leave a meeting during the break, then you can rejoin using the same link provided in the invitation email. And if you're watching the live stream, then please refresh your browser to resume each subsequent session. Thank you both very much.