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00:05

Thank you. Mr. Mosely. That's very helpful. We'll just Welcome back everyone and the time is now five to four. Exactly. Can casein please confirm that everyone who wishes to be here as his back is mostly? Yeah, I can confirm everyone is back on the live stream is back up and running. Thank you. Thank you. So the next item on the agenda is landscape effects, including with reference to designated character areas, and that is item eight on the agenda. So if we can begin with ATP This is the screening of prominent structures and locations with regard to documents a pp. Dash 113 and a PP dash will move including new bridges such as Toseland and little Barford. New embankments such as to the north of temps third, and new interchanges, such as LTC and the three grade separated junctions. If I could perhaps ask natural England on the applicants and historic England and the local authorities to join me that would be helpful.

01:37

Thank you. So these are a number of locations before we go on to them. Are there any any other locations particularly prominent structures or locations that may benefit from screening or further screening? If I can ask ask the parties really, if they have anything particular that they wish to to cover in this in this case? Terrell, I'll start with you.

02:20

Sir, thank you Francis Terrell on behalf of the authorities I think on the basis of the written reps that the items you've listed in the agenda do capture those principal concern but I have Emily here who is speaking on this matter on behalf of the became true authorities and I just like to ask her to confirm whether or not there's any other particular location she would like to flag as well. Thank you slowly.

02:47

Hello, Emily Lee for the for the Cambridgeshire authorities. And we we also have identified the structures crossing the US Valley as needing mitigation and potentially Additionally, additional mitigation as well as

03:07

some of the

03:10

footpath bridges which haven't been designed to any detail yet. So it for which is kind of difficult to to predict what mitigation might be needed at this stage as needing potentially needing additional mitigation measures.

03:28

Okay, thank you. So, these items are listed to 8.6 of our written representations.

03:37

Thank you. So Mr. Wrenn. Does Do you have any further particularly prominent locations that you or structures that you would like to see covered? Allister and Bedford Borough Council? No, sir. Nothing to add to this one. Thank you, sir. Anyone here from Central Bedfordshire?

04:07

Hello, thank you, Jennifer from central bank to cancel but I don't actually have any comments to make on this matter.

04:15

Okay, thank you. Okay, that's that's that's good. What what I'd like to do is perhaps go through these in turn and process to Linus. Could we could we go through them in turn, and perhaps briefly, you can explain your approach to screening such features and whether in light of any comments made by it by any other parties? you're considering revising that approach?

04:49

Scott lines for the applicant? Thank you, sir. Last Mr. Rooney To answer this question, if I may. Certainly.

04:57

Thank you. Good afternoon, John Rooney for the applicant. I'll just start by setting our opposition and then move on to talk about the new bridges. So the requirements for screening prominent structures and locations have been considered from the outset and through the iterative design process. Alongside the landscape and vision impact assessment, the one is informed the other. The landscaping visual impact assessment is set out in document ap 076. And it demonstrates that residual land visual effects of the scheme by year 15 of operation would largely relate to views in close proximity, where a larger extent of the scheme would remain in view. The VA the landscape visual impact assessment demonstrates therefore the effectiveness of the embedded mitigation with the significant effects reducing from 73 receptor groups in year one operation to 30 of the 184 visual receptor groups by year 15 of operation. Moving on to the bridges. The first principles applied to the design of the new bridges relate to the placement of the structures in the landscape. Where possible, for example, in the case of the Barford road bridge, and the wintering and footbridge locations were selected which coincide with areas of high ground where the region's in cutting. This minimises the visual impact of bridge abutments and structures and views of traffic passing beneath. In the case of bridges, which cross the route at grade, for example, the bridleway Bridget winteringham and the Towson road bridge. The footprint of the scheme has been extended beyond the total the embankments to accommodate areas for tree and tree planting. This planting extends up the embankments to the top of the structures to accelerate the effectiveness of planting in screening the structures in views and integrating them into the landscape.

06:54

Thank you, Mr. Sweeney. That's helpful in terms of the the crossing of the great versus the great use viaduct would be the carry that the new road across the roads by Mr. Lee from was right. What was your approach to that? He was summarised.

07:17

So if I might refer to the environmental master plan that's at 091. You'll see from the environmental master plan, there are substantial belts of trees and Trump's proposed on the embankments on the western side, on the approach to the river great ooze across the floodplain the the viaduct itself, as designed been designed as a structure that fits with the landscape minimises the loss of existing vegetation retains as much as the existing vegetation on on the eastern Western banks of river great ooze on the eastern side of the river, great news. There's an area of land between the river and the great Barford road where we're proposing to take more land and reshape the land and increase the amount of species which grassland individual trees and belts of trees and shrubs to integrate that structure into its landscape setting.

08:16

Thank you, sir. Now it's helpful. In terms of the footpath bridges, I know you mentioned the the bridle way. Bridge is that is a generic approach that you you've you've kind of considered for all four bridges over over the proposed road.

08:41

No, so each bridge was designed for its context to fit into the context and into the existing landscape pattern and to make best use of the opportunities for connecting habitats across the road. So in the case of the wintering and footbridge, bridleway bridge, for example, there are substantial blocks of woodland to the north and to the south and existing mature trees along the existing a four to eight. And the landscape design approach there is to work with those existing blocks and provide substantial areas of additional woodland within the constraints of over powerlines and drainage.

09:23

Thank you, Miss Levine. So anything that you'd like to say in response to restore a nice court

09:36

we appreciate that there's been a iterative process and and that there are, in many places very, very good measures of mitigation already in place. However, we, we still feel our view that the bridge at Toseland for example, could benefit from additional screening along Existing a four to eight and the chosen road junction to help minimise effect on residential properties and roxton Park crops and park beg your pardon. And similarly for the the viaduct over the great rivers we consider that to better but better embody the landscape character which in which vegetation is naturally in stand and blocks which would kind of filter views of the bridge that the red line extent boundary could be extended northwards to provide a more natural vegetation pattern. And also just that the proximity to the dwellings. By by increasing the proximity to the to the residential receptors, you'd get a greater mitigation of visual effects than you do when it's immediately adjacent to the viaduct.

11:14

Okay, thank you. There's no soul perhaps of a cover call to natural England and see if you have any.

11:22

Any thoughts on this at this stage? It's not all either. Okay, we'll come to natural England later. Moving on, we should perhaps serve Mr. Rooney if we could now cover the second point that was that was on the list, which is the new embankments such as the ones to the north of temps that and again, if you could,

12:01

perhaps, talk us through talk us through that. But before you do, I do note that Louis staples from National Farmers Union has hundreds so if you don't mind, we'll just take her take staples comments.

12:17

Thanks cue to be staples from the National Farmers Union. I just wanted to make the point that I don't know these features, specifically. And without looking at the maps, I'd have to see how much mitigation was around those areas. But our point of view would be that we wouldn't actually want to see any more agricultural land being taken out of production. For habitat mitigation. As we already know, there's a lot of land for this game being taken for Habitat mitigation.

12:48

habitat. Sorry, Miss staples. It's not, we're not discussing habitat mitigation. Here. We're talking about landscaping visual impact effects of that of the proposed scheme. It's definitely not the same as

13:01

well, I understand that. But you have to take it, you have to take land to create the that that defence, don't you? So I probably

13:16

I'll just just clarify that we're not talking about that. We're not talking about the habitats per se, we're talking about the impact of the screening of the proposed scheme and proposed developments. That's what we're talking about. At this stage. We're not talking about habitats.

13:35

Alright, sorry, do we samples from the net a few, I understand that. But to provide screening of a bridge or a feature, you normally means you have to take further land out of agricultural production, to provide that screening. I'm making the point that there is already a lot of land being taken for whether it's screening or habitat mitigation for this scheme, and that we wouldn't want to see any more being taken to provide that. So if something else can be done enhanced, to create a better screening, we would prefer to see that then further land being taken to provide that screening. Thank you. Thank you.

14:22

Sir, if I mean would it be useful to see the sights and try to answer on behalf of the authorities just turning particularly to the the greater viaduct location I think what the authorities requested in 8.6 or the written representation is the creation of additional vegetation along the greater ooze corridor, and areas

of land to the north and the rivers a 40 rated west of the river great booze. Now if we look at sheet, three of the for example, the environmental masterplan documentation That site currently is supposed to be laid out as grassland, I believe in the current plan. And there's a social area of land, which before we get to South rock, and then there's housing off to the left. Now I, I suffer from the same difficulty of Mr. maples of not knowing whether or not that land currently is agricultural or not. I think unless until we do, we shouldn't perhaps proceed down that rabbit hole unnecessarily. But I think what's been suggested is that that grassland area could be treated differently with vegetation that would provide a greater screening effect, and proxy grassland has no screening effect. Mr. Lee can correct me if I'm wrong on this point, but I think so that's the more specific example of what we're suggesting here. We're not suggesting vast swathes of forestry be planted on agricultural land.

15:54

Thank you, sir. All males hopeful proxifier about to back to Mr. Mr. Linus, Mr. Rooney for comments.

16:03

Scott, last applicant last semester, we need to comment on that suggestion, please.

16:08

Thank you, sir, Mr. Rooney, for the applicant, if I might, just cutting back on the point about the river gratus. landscape and visual effects are dealt with separately, although there is a relationship between them in the landscape visual impact assessment process. And vegetation as shown on the environmental master plan has a number of different functions as it is illustrated by that document. screening is not always required or appropriate. And in some cases, the the function might be more associated with landscape integration, for example, in real life in responding to landscape character, and fitting the road in with its context, and in the case of the land between the river grey twos and the Barford road, there are a small number of properties located in that, in that area where we have proposed specific mitigation for visual screening, that that piece of land that's just been referred to is not required specifically for that purpose. That piece of land, it's been identified more for landscape integration and ecological mitigation.

17:21

Thank you for explanation.

17:23

So just on San Francisco on behalf of the authorities, perhaps just in relation to that, obviously, these areas have local landscape character designations already applicable to them. In relation to this area, I understand that the assessment applicable to that has characterised it as being a semi enclosed character with clusters of woodland characteristic or the landscape. Perhaps Miss Lilly can deal with as much better than I can. But that's the reasoning for our suggestion, because that is in keeping with that existing character that there should be the screening that we have suggested.

18:03

Several minutes worth Mr. Lee Oh,

18:07

no, that's that's correct. And the the boost Valley has a has quite an intimate character that's enclosed by stands of Willow. And that's that's what we're taking in terms of mitigation. We consider that the land form that will be introduced is alien to low level or low lying landscape with which, which has a very organic pattern, and that the standard woodland that where we're talking about would help to break up that linear appearance and integrate it better into the landscape, as well as mitigate visual effects.

18:52

Thank you slowly was hopeful through any prospect come back to you then. I appreciate what you said before. But but in light of this, can I just ask how you did consider the local landscape character of this particular area, in particular, how it's been described by Mr. Cyril,

19:11

of course, the job training for the applicant, landscape character can be described at many levels. It's not a designation per se. It's a process and the end result is a definition of a number of different landscape character types or areas. So natural England have defined a number of national characters which are very broad, which we've reviewed, and to inform our assessment and the design and then that filters down through county and district level assessments, and and sometimes down to the neighbourhood level. And for the, for the landscaping visual assessment of the scheme. We have defined local landscape correctors in in line with the guidelines for landscape and visual impact assessment to provide a Find a level of detail which is more related to the scale of the development and the landscape which would be affected. So though those local landscape characters then relate back up through the hierarchy of district and national character areas, so we've looked in fine detail that the landscape character, and if I might just refer back to the example that's just been given this this point of transition between river gratus. And the the fail landscape, which lies to the east, up to the east coast mainline that is a really distinctive change. They're really great news does I agree, I have a wooded character. And our lands, environmental master plan reflects that very well. It's not, it's very densely wooded there, there's pasture there, particularly extending North up towards little Barford. And that's how we've taken forward on design in that area.

20:57

Thank you. That's helpful aspects is going to be one where the there's going to be some disagreement over interpretation of the local landscape character. See, this golf has got a hand raised, you would like to join us?

21:18

Thank you, Jenny, go for the Environment Agency. It was really just to raise a point on on all of this that the viaduct is there for a very important reason, which is to allow the floodplain and the flood flows to throat flow through, so we don't have an increase in flood risk. So any planting, in particular forest or wood planting, we would need to see any of that which is going to be upstream or downstream within that flood flow route. And we are obviously looking to enhance by diversity. But we also need to make sure that the balances with the floodplain and flow flow routes. There's just a point to make. Thank you.

21:59

For that, Mr. Terrell.

22:04

Thank you for answering on behalf of your capture authorities. I just thought if I made that it may be useful in saying where we've just had a discussion about the area around the EU if we just passed Well, the little more on Toseland. And this is set out in 8.6 point two of the authorities combined written representations. Just also bearing in mind the previous comments we've heard, I think the specific proposal there is that there are several locations where additional stretches of woodland and tree planting within already proposed native hedgerows could help to better integrate the new features into the landscape. And to help in the aims of the hunting share landscape character assessing assessment. So again, it's not I think what we're asking is not particularly dramatic, in its in its effects or in on the local landscape, or I'm sorry, on effects on a local farm agricultural usages. And it is kind of within the existing remits of various things. So I just wanted to flag that as well.

23:02

Thank you. Are you intending that I've in your statements of common ground, you're going to be perhaps picking up some of these these matters further and discussing them hoping to reach some sort of consensus. This line is fast enough for that to first

23:23

Scott line is for the applicant. And obviously we'll always be open to continuing discussions with the consoles. But I think our position at the moment is for the reasons that Mr. Rooney has given we don't see the the need to make any changes to the proposals. And the model has been suggested that we will obviously, you know, pick this up and further and further discussions.

23:47

Thank you are probably helpful.

23:49

If I might just briefly add giambrone for the applicant. We've been working on this design for a number of years, and that's involved significant ongoing consultation with the local planning authorities. We've presented to them several times on the landscape design approach and landscape strategy. And as a as including back last autumn shortly before the application was made, and I responded to where possible the comments that were made at that time.

24:20

Thank you, sir. You know, that's, that's good to know. Right? Yes. Before we had that discussion that we were going to talk about the new embankments, I think such as the North attempts that and Miss Rooney's process you could go through go through your approach to that

24:42

course, thank you, John Rooney, for the applicant. The scheme incorporates embankments where the route rises up above the surrounding landscape, such as where it crosses East Coast mainline. Planting is proposed on embankments where space allows to assist in integrating the scheme into the

landscape. Screening infrastructure and traffic in views of sensitive visual receptors. An example of this are the embankments located approximately 1.4 kilometres north of station road temps, but the south facing banknotes will be planted with linear belts of trees and shrubs, woodland blocks as shown on sheet three of the environmental masterplan, that's ap 091. by year 15 of operation these blocks of planting will have established such the effects on views of residence, temps furred would not be significant. As shown on sheet four the visual effects drawings that's at 114. Significant adverse residual effects would remain for residence of a small number of properties in close proximity, for example, are 37. That's right tree farm.

25:47

I can throw any dessert to any of the parties present. I wish to make any comments in response to what Mr. Rooney is described. No. Okay.

26:05

Sir, can I just say, I think he would like to make a comment on that.

26:10

Yeah, sorry. I see. I see your hand down slowly. Please.

26:15

Thank you, Emily Leigh for Huntington, chia, and Cambridge, Cambridge UK councils. With regards to some of the embankments we've, we've noted that in several locations, there are embankments which have no planting proposed at all, the pros proposal is to leave the ground, bare for it to be populated by self seeding vegetation. And we have some concerns about that, in regard to the quality of the vegetation that might populate that area. It is likely to be opportunistic species rather than any any specialised local species, which which would be much more desirable in terms of biodiversity benefits as well as landscape character. We just wondered if there would be we're hoping for a bit of movement on that to provide a more sympathetic planting scheme in those locations.

27:24

Have you any any particular locations in mind when you say that?

27:30

Oh, thank you. Pardon? Yes. Let me just get them. Correct. So I believe she have 16 on the environmental Master Plan, which, sorry, I don't have the app number here just now.

28:08

9191? Thank you. There's a embankment outside to the east of St. neots, which has an existing footpath that's to be retained. And that's one location where there's bare ground proposed on management.

28:34

Okay. That's helpful. Thank you for providing the the example that was useful. Mr. Rooney, perhaps you could perhaps explain what the applicants thinking is with reference to this this particular position, but also, if it's used elsewhere, as an approach?

28:53

Yes, sir John Moran is an applicant. I think this might be a misinterpretation of the first iteration environmental management plan as ap 234 is not our intention to leave large bare areas. There is a stipulation within the first iteration environmental master plan, that we would be looking to leave small patches of bare ground to allow natural colonisation. And that's been shown to help the river by diversity of the area by encouraging locally characteristic species to colonise areas of grassland. But the in what the environmental masterplan shows are substantial areas of species rich grasslands through that area. There are some tracks shown on the environmental master plan which is shown in white, but that's not because we don't intend to plant them that tracks for for access. I think that's what that's referring to.

29:47

Thanks for really No, that's helpful what in terms of scales of if you could perhaps, give us a little bit more detail as to what you mean by patches. You know, what, what exactly do you mean is, it is If there's going to be within within an area, you're going to have two or three patches of a few metres across and you can leave those bare or how perhaps you could just explain a little bit more.

30:12

Yes. Generally for the applicant off that sort of order and will respond in more detail in response to the local impact reports. Deadline three. Okay. Yes, yes.

30:22

Okay. Thank you. So how is it Mr. Wrightwood from CPRE? Perhaps you'd like to join us?

30:34

It's just a clarification in terms of the tree planting? Is the applicant going to manage that in the long term to make sure it's successful? Because I know, on the recent a 14 upgrade, there was a good proportion of the trees that actually didn't survive. And so I wonder what, what is the long term ownership and maintenance of any planting by the applicant? The clarification on that Thank you.

31:05

Thank you, Mr. Driver. Is Mr. Landis. Is this one view or Is this Mr. Rooney,

31:11

Scotland, the applicant, it may be for Mr. Rooney, but can I just indicate that in the first iteration, the EMP within the annex dealing with landscape mitigation. There is a discrete section on establishment and maintenance which satisfied the principles that will be applied. That sets within a pound excel in the first iteration EMP. I don't know if Mr. Green has anything to add to that.

31:39

Thank you, Johnny for that, because it provided a little bit more detail. So the requirement would be for a five year establishment aftercare period and the end of each growing season. So on in late summer, there'd be a count up of plants which had failed a very species. And then in the subsequent planting season from which is generally held to be from the beginning of November to the end of March. Any plants which have failed to establish or were dead at that point would be replaced in each of the subsequent years, up to the fifth year. And then after the fifth year, the maintenance will be handed over to the area contractor.

32:20

Scott line is for the applicant just for your notes within appendix L of the first iteration the MP set from pages one three yet 32147. We stayed with establishment maintenance, as well as monitoring and evaluation as Mr. rennies indicated.

32:40

Thank you sighs Mr. Cyril, I see your hand raised.

32:49

Thanks, Francis, and on behalf of the authorities and just following on from Miss Lily's point about the planting, planting on embankments and hopefully been referred to the first draft EMP, just as a query, really, perhaps Mr. Rooney could help us with in the sense of the planting that will be carried out on embankments. Obviously, our comments were and the city was mentioning planting, which will ultimately lead to local species and perhaps trees as well being established on these embankment structures. When I review the annex to the MP on this point, in each instance of references to embankments, the planting mix seems to be aiming at grassland. I just wanted to propose that could be explained whether it is intended that all embankments will be planted only to grassland or whether other mixes may be used. And they say well,

33:42

thank you, sir. Yes. Was there any process? We could take this? And there's a subsequent question, which obviously can pick up which is one that I was going to cover under biodiversity, but there's also a landscape issue. Let's go from visual impacts issue, and that's in terms of hedgerows. So in addition to the point the question that Mr. Charles just just mentioned there, it's the issue of the loss of hedgerows with trees in them. I know that there is going to be some loss of hedgerows with trees as a result of the scheme and you're not intending to replace any of these at all.

34:23

So if I may try to be helpful and get the references I was looking at so it's paragraph 110. Three on page one to six of the EMP refers to immunity grassland on embankments, and then 1/10 seven refers to open grassland on embankments, and the seed mixes for those that's what I was referring to.

34:50

Thank you so

34:52

okay, John Rennie for the applicant for might respond to those points separately. So in relation to the the embankments is normal to see goes first and establish a grass sward and then plant into that grass sward so that the seeding would be carried out first and then planting pits would be made into that that grassland, those areas would be sprayed off around the individual plants generally speaking, there are other methods that might be employed through the second iteration environmental management plan. But that I think that the document to look at is the environmental master plan that shows very significant areas of planting on embankments including the the maintenance are referred to previously for Toland. So there are some embankments which are proposed as just grassland. And some which are proposed for planting. The second point about Hydros. The environmental master plan also indicates Hydros where appropriate along had to reinforce and reconnect boundaries. Clearly, the scheme is going to intersect a number of existing Hydros, which will be removed as part of the air during construction. But where the Hydros a strong characteristic of the landscape, and it's appropriate to use them as a boundary. They are proposed in the scheme. We haven't generally proposed them where we're proposing woodland, for example.

36:29

Thank you starting. This does go back to the complete site inspection that we held earlier this week. And I did notice following comments made by or raised by both parties, the ASI that were you know, reasonable number of head drawings with with sporadic trees along them. And that seemed to be in places a feature of the landscape. I'm just appreciate, obviously you put together your your planting schedules and environmental master plan. pricing. You just explain why you've decided not to go down the approach of including any trees in your replacement hedgerows.

37:16

Thank you, sir. Yeah, I did draw money for the applicant. There are there are trees with Hydros in in the environmental master plan for might take you to sheet. So it's taking a long time to refresh sheet 12, for example. So this is the landscape north of Croxton Park, as we heard before, that that area between between Croxton and Toseland forms part of that, that that more historic landscape in the setting of the historic landscape. So our response there is to include more Hydros in the trees, in other areas where trees are less characteristic, for example, that the area se of some nets were proposed less trees and nitros. There are also some technical constraints that we're working with. So north of the existing a four to eight winteringham. There are high voltage power lines in close proximity to the to the root, which means that we can't plant trees in those Hydros. And the same with water courses, proximity to water courses.

38:26

Thank you. Yeah, I appreciate that the there are places where it's going to be impractical for you to do it. But looking at the table 89 habitat losses and gains when the order limits. There's no there's no reprovision at all of any edges with with trees in them. Although there is there are report there is reprovision of hedges. So okay, again, it's just, it just seems. Yeah, I just wonder if you perhaps explain a little bit more as to why that's the case.

39:07

Generally, for the applicant, I may need to refer to a colleague here. But the as I've just mentioned, there are a number of locations where we are repurposing trees with within Hydros. And there are also areas where it's just not possible to plant Hydros or trees within Hydros within the scheme.

39:28

No, appreciate that. Appreciate that. appreciate what you said, obviously, I'm just I'm looking at what this table says. And it says there's there isn't going to be any recursion at all. So obviously there's a mistake in that in that, in that sense, perhaps you could take that away and perhaps come back with a with a with an explanation as to as to what's happened and Where, where, where where you are intending to provide trees with energy. So that'll be very helpful by deadline three, I think Slowly there's anything further you wanted to say in relation to the environment issue we're talking about.

40:20

So, thank you. I think, as he referenced earlier, these are probably items that can be used to be discussed and honed down in the same in the common ground between the parties, I think to deal with these specific location points and hopefully a conclusion will be reached or if it isn't, we can record why not

40:37

sure. Okay. Excellent. Thank you very much. And now, finally, the new interchanges such as the ultimately interchange, the three grade separated institutions, blackcats, Cambridge road and cactus Angeles. Certainly, if you could just take us through again, your approach to approach to that and the thinking behind it.

41:02

Thank you. So generally for the applicant. There are three grade separated junctions that are largest features of the scheme in terms of their extent. blackcat Junction was originally conceived as a three tier junction with the a one remaining grade decision was taken early in the design process to lower the Awan into a cutting such that only the a four to one, a four to eight overbridge would be above the existing ground level to minimise its visual impacts. Substantial tree and shrub planting is proposed around the junction to assist in screening and structures in views particularly from roxton to the south, and Charleston and why Boston to the north. sheets one and two, the visual effects drawings, and that's at 114 indicate that by year 15 of operation, this screening would be effective in reducing most effects to not significant significant effects would remain whether more extensive views across the larger extent of the scheme, or were more distant views currently enjoyed would be reduced. The main line beneath the new interchange at Cambridge road would be in a cutting which which screen traffic. Substantial planting is proposed around the junction, particularly to the south where the landscape is more open, and there are more public rights of way. sheets 10 seven to 10 of the visual effects drawing that's at 114 again, indicate that by year 15 of operation this planting would be effective in reducing most visual effects to not significant receptors, which would continue to experience significant effects would be residents living in close proximity, particularly at winteringham. Where the scheme would extend behind properties across which is currently open countryside. Out elderslie sheet 11 of the environmental master plan at 1091 shows extensive planting proposed to integrate and screen the structures. There's already substantial vegetation on the northern edge of elderslie which would be

retained, which would screen the scheming the majority of views from the south. The main line of the scheme would cross the Caxton gibbet junction on a flyover and would therefore be more elevated above the surrounding landscape. The junction would also extend further north than the existing roundabout towards the settlement of Papworth over odd. Substantial belts of trees and shrubs and woodland are proposed to assist in integrating the junction into the landscape. And screening as in views of sensitive visual receptors as shown on sheet 14 of the environmental master plan. App 091. sheets 13 and 14 visual effects drawings illustrate that there'll be no significant effects for receptors around the Caxton gibbet junction by your 15 of operation.

43:46

Thank you, certainly that's very helpful. It's terrible, obviously, if you have any comments or you wish to make in respect to them.

43:58

So thank you for answering on behalf of the authorities. I don't think we have any comments in relation to these specific locations.

44:07

Mr. Rain, the black cuts roundabout, I think it's in Bedford or Central Bank of Nigeria.

44:12

It's in Bedford sir Alister run better Borough Council? No, we have no further comments to make on this. Thank you very much. We have

44:35

think we've covered sufficient there was a point that Cambridge you were making in terms of the species that were being proposed. I know there was an absence of a particular type of elm tree that was resilient to dudjom disease and also the proposed provision of silver birches, which were was questioned in terms of suitability in terms of climate change. So it's really perhaps if you could just respond to those particular matters.

45:08

Generally for the applicants, up to three for the first iteration environmental management plan includes annex L, which is the outline landscape and ecology management plan. That document includes indicative species lists, they've been developed in consultation with the local authorities. And we've taken account of comments that were received last autumn on those. I've looked at the responses to the written reps on the first round of questions. And the they seem to be referring to a previous version of the species list, not the ones that are in app 234. We'd already addressed the issue of birch and reduce the proportion of virgin species mix. And Excel also includes a note about Elm. Elm is not a species which is commercially available, not not in species that we would want to plan, widescale in the environment. But it does include a provision for looking at options for hybrids, which are resistant to touch on disease, to include those in the planting mix and that could be considered in the next iteration of the MP.

46:24

Miscellaneous sort of thing you want to say in response?

46:29

Yeah, we have we've noted that sorry, Mr. Liddy, for Huntingdonshire and Cambridge cancels we've noted several proposed changes to species in second sorry, section eight of our written representations and these are include grasses and tree mixes and wetlands one one of the the key issues that we have is that would prefer to see a lot less immunity grass and much more species rich grass grassland. Both for biodiversity and landscape reasons. And we consider that means the grass and should be restricted only to hard to move places and otherwise it should be a species rich grass. And and yeah, that's

47:35

fine. Sunnis are actually in response.

47:38

Yes, Germany for the applicant? Yes, we have taken account of those comments previously. We've maximised the areas of species rich grassland, or areas where operational constraints make it difficult for establishing species rich grass them because in order to sustain it as species rich, you need to be able to take the cuttings off. So there are there are operational restrictions on where those areas can be established. Okay, thank you,

48:15

sir. Sorry. So yes, if I made the roster and on behalf of the authorities, so I've noted down that I think Mr. Rooney said that. Our particular relation to trees are the references the comments, we've made mobilisation to an earlier version. I note that they're in reps reference explicit the app 234 I think there was a document he referred to I just wanted to clarify just so I can secret instructions in due course, if necessary. So obviously, the written reps do refer to App 234, which I think you said as the correct document. Mr. Rainey. Is it your view that the comments we've made though, in relation to that must be referring to a different document?

48:55

JOHN Rooney for that weekend, that was my interpretation. I will just have a quick look.

49:09

Yeah, there we go. So, Johnny theacrine. We've responded to this in our response to the written reputation representations of the local authorities. There's quite a number of individual points here. And without going back to the documents to remind myself exactly how they fall, I think it might be better to refer you refer us after deadline three to our response. Okay, I

49:33

was about safety. We haven't seen that yet. So Well, okay, fine. And that will either say whether or not you think we're referring to a different document. That's why I think we need to leave that there until we see that document.

49:48

So yes, okay. There's that there was a further point B, which considers the effects on one scape character, particularly your views of historic settlements across agricultural landscape, which we did cover some extent today earlier. And I'm not intending to to reopen this at this stage. Obviously we can keep that as a written question for the next round of written questions. And we can see responses in relation to that. Just being mindful of the of the time here. As if there's no further comments that that anyone has with regard to agenda item eight, landscape effects

50:35

or misalignment Scotland, the applicant. Just wanted to remind you, sir, that there was an item that had been left over from agenda item three, I, I just wanted to check that you were content insofar as that agenda item referred to planting compositions, at least that that have been covered, but I noticed that it related to veteran trees and linear biodiversity as well. And he indicated you might feed that into this agenda item. wasn't sure if you wanted to cover that, or you're going to leave that to any further written questions.

51:14

Yes, thank you. Thank you, Mr. Lyons. We did we did cover this to some extent, I think, when we're talking about the trees and hedgerows, and one of the biodiversity matters, but you're right, it is it is a wider issue. And if, as I say, if people do have comments in relation to item three, II, which there was an issue about the provision of dead wood, and in terms of species propagation for the invertebrate species, and there was issues about veteran trees, that kind of kind of issue. So if if people feel that they haven't been covered sufficiently please by all means, raise your hand and we can cover it again. Now we'll just finish off coverage now.

52:06

Scotland as for the applicant, is asked Mr. Rooney if he has anything to say on this. Otherwise, I can ask Mr. Weird McQuaid. If he has anything to add

52:18

John Rooney for the applicant. I have nothing further to add on that.

52:23

Last Mr. Weird, anything to add on this item?

52:29

Thank you, Max, wait for the applicants, I think I could just briefly provide an update on the veteran tree there is just one veteran tree within the schema, an owl. And we have followed, and there was a written representation from the woodland trust. And in connection with the the buffer zone around the tree, we have a check that we've also checked, and found that we made a typographical error in relation to the cherry trees that were registered as, as veteran trees. They are they're not, in fact, veteran trees. We've responded to the woodland trust to that effect. And the woodland trust after seeing the applicants deadline once submission, which is rep one, zero to one noted that its concerns had been addressed on on both counts. So hopefully that gives reassurance in relation to the veteran tree.

53:36

Thank you wait

53:40

till you got your hand raised.

53:43

So thank you, Francis, on behalf of the chemical authorities, I just want to note, obviously, in the written reps, in addition to the planting commentary at section eight in terms of landscape, there's also commentary on on suitable planting at Section seven of that in relation to biodiversity. And that's also where we raised the issues about Elam and climate change. I was just going to suggest that if we could perhaps Park those issues at the moment pending the response that we have or getting in the written in the response to written representations from the applicant, then I think we can then most easily take those issues forward once we've seen that.

54:14

I think it'll be sensible. Yes, yes. Thank you. Very good. In that case, I think we've we've, if anyone has nothing further to say on landscape matters. We'll then we'll close that item. We'll move on to the next item, which is item nine sustainability effects and in particularly economic effects. And perhaps if I could ask the applicant to obviously remain in the room. CPRE local authorities and I believe that erupts into strong transaction network here presents today as well. So if you could all join By switching the cameras on that would be very helpful.

55:14

Thank you. There are three parts to this particular issue. We'll start with with the first first one, item nine a and this is the consideration of the lifetime greenhouse gas emissions of proposed developments. And what are the implications of the proposed? What are the implications of the proposed development for net zero carbon emissions by 2050, Mr. Lynas or one of your colleagues. In your evidence, you have explained that greenhouse gas emissions for the proposed development as a proportion of UK carbon budgets are very small and so not in your view significant. I also note the approach that you've adopted for how you considered future vehicle, how future vehicles may be powered, beyond 2030. Nevertheless, the application documents including AP p dash zero, a three indicate that the proposed development will cause the emission of significant quantities of greenhouse gases during the construction and operational periods. Furthermore, with reference to national and national carbon budget, and this is almost supported effects by what the NPS national network says it's whether any individual scheme would have a significant effect on a national carbon budget. Yet we have will be in a position of the sum of individual projects and activities do contribute and creates the overall atmospheric buildup of greenhouse gases that we we have seen and a forecast to continue to see. So in this context, and the 60 year lifespan of the proposed development, which would take it well past 2050, and the net zero carbon emissions for the United Kingdom. And that there is, I would say at the moments of considerable uncertainty as to exactly how the UK will reach the net zero figure. Can I quit kind of conclusion of no significant effects to the climate be sustained in the environmental statement,

including cumulative and in combination effects? So this is a question which I've put initially to to use lines and seek your your responses.

57:45

Scott line if the applicant Thank you, sir, I can ask Mr. landsborough to explain why that conclusion reached on the Yes, please.

57:56

Chris, last minute behalf of the applicant, they in response to the question leading to the lifting of greenhouse gas emissions developments implications on the government's net zero targets, I'd like to highlight the environmental statement chapter 14 on climate reference part 83, which presents the lifetime greenhouse gas emissions for the construction operation and use of the scheme a the calculations there in the in complete alignment with the requirements of dmrbl e one for claimant and the method set of environmental statement, as well as calculated in accordance with past 2018 carbon management infrastructure planning best practices for calculating life cycle emissions for infrastructure schemes. Within chapter 14, you'll see an assessment of the scheme against the UK government's carbon budgets requirement of a paragraph 517 of the NPS. And this requires us to provide evidence of the carbon impact product and assessments against governance projects.

58:58

If I could interrupt you briefly, I have seen charts for seen I've seen the submissions have been made. It's particularly in response to the question that I posed that I'd be seeking your response here to do this hearing. We have the written submissions is are you moving on to come into that? Just to check that you're not repeating stuff that we already have sight off?

59:22

Can you just repeat the question one more time? Cut off the call, unfortunately?

59:27

Well, the question was within the context that I gave you, which includes the fact that for individual projects, our individual points of activities are increasing greenhouse gas emissions. We are therefore greenhouse gas emissions for the country are increasing. Given this and the 60 year lifespan of the proposed developments, which would take it well past 2050 and net zero carbon emissions for the United Kingdom and that there is still considerable uncertainty at present as to how do you Africa will reach this zero carbon by 2050, zero carbon figure by 2050. Can a conclusion of no significant effects, which is what's in the environmental statement in respect of climate be sustained? I'm asking the question in light of that context that I provided you.

1:00:19

Yes, can be sustained. I suppose it relates to the cumulative effects of the scheme with other existing and approved projects, as compared with the methodology for the environmental statement to the conclusion of the scheme and other technical developments. And that's presented within the traffic model on transport second supply. A. Phillips doesn't support it, it was determined that the recent case of a transport Action Network versus the Secretary of State's for transport I wasn't going to company

limited in relation to the judgement reached regarding the entirety of the carbon emissions for all schemes within the risk to framework as they concluded that they see no reason to question the judgement, each for the DfT that the various measures of carbon emissions from risk to the whole were legally insignificant, or when we took a look at competitors for assessing the effects of climate change objectives. Therefore, the High Court has concluded that, like carbon emissions from the schemes listed, including this one is legally insignificant in the context of appropriate competitors for the assessment of a base point change objectives. Accordingly, National Academies do not consider the GHG emissions on account of this scheme alone, including on cumulative basis over the 16 year period, to have any significant effect on the claiming party feasibility to comply with its carbon budgets. In addition, cumulative emissions are taken as a consideration both during the calculation construction emissions and for the traffic model used as the basis for calculating user emissions.

1:02:03

Is that the High Court judgement in the examination library?

1:02:09

Scotland? I don't think it is. Sir, we can deal with that as part of the deadline three submissions.

1:02:20

Thank you slightest thing that would be that would be helpful. And also, if you could, perhaps, at the same time as providing that provide a narrative as to as to building on what Mr. Lyons was just just said there as your your content, your views as to how the scheme therefore, is consistent in regard. Thank you. Thank you. I'd like to just open it up a little bit to to others, if anyone has any particular comments they would like to raise with specific regard to that matter. Seeing as to Todd from transportation network has summarised the salt come to you.

1:03:02

Thank you, Crystal from transportation network. I just like to correct what's just been said about the High Court judgement, which did not rule on the sort of this technical detail, the judge did very clear from taking any position on the assessment of the of the roads programme and the carbon emissions involved with that he was focusing on their point of law. And I think when you see this submission, and we can make some further ones around that, he will see the evidence on that. I'd like to address this this whole issue of no significant effects, I don't think it's it's sustainable at all. You know, we're talking hundreds of 1000s of tonnes of carbon emissions in the various carbon budgets. And that's not insignificant that's, you know, that equates to, you know, the output of a small town in terms of energy requirement. And just to put it into perspective, I draw your attention to APA Oh 085, which is the chapter 16 of the environmental statement talking about the summary of significant environmental effects. And just to put it into context as to how other areas have been assessed. You've got four listed buildings, from what I perceived from that table. Table 16, slash one pages and pages two and three, two milestones a milepost and demolition of a listed building that's for listed buildings. There are approximately 400,000 listed buildings in England. The impact is described as between medium to large adverse percentage of all of England's listed buildings is naught point naught naught 1%. That's not even the whole of the UK, the emissions from this road in terms of carbon there if between about naught point naught one 2% to naught point two 4% of the various different carbon budgets, that's an

order of magnitude, you know, greater and least then, you know, what's been affected on unlisted buildings. So if those, the impact on listed buildings is considered to be large, adverse, then how can the carbon impacts considered the non no significance at all. And similarly, given the importance of the road, as we've described in, in our responses previously, the economic value works out as a smaller proportion of UK GDP, then again, the carbon emissions compared to the carbon budgets. So whether you think that's a reason not to go ahead or not with the road, you cannot, I think, describe it as having no significance. It clearly has significance, and it's clearly of greater significance in terms of orders of magnitude than other effects that have been considered and considered important.

1:06:18

Thank you. So I'll, I'll come back to Mr. Linus and ask, give me the opportunity to respond to that.

1:06:27

Thank you, sir. attempt to shore points. As far as the judgement is concerned, I think is perhaps best if we just did without in, in writing, as we've indicated as part of the narrative. We don't accept the point that's been put in the way it's been put by, by Mr. Todd. As for the second point, we don't think it's helpful at all to conduct a comparison in the way that's been suggested. Each area of environmental assessment will involve discrete topics, with the room context on the room methodologies. And we don't consider that a comparison between the approach taken to the historic environment, and climate is necessarily as much assistance when you're deciding upon this issue. You'll be aware that the environmental statement looks at the climate change results of this scheme, and the context of national carbon budgets. And that indicates, on its own, why particular topics such as climate change needs to be considered in its own terms. It's unhelpful to try and draw comparisons or correlate the approach to this topic with the approach to others.

1:07:45

Told us Is there anything you'd like to say in response? Please do.

1:07:51

I think I would agree with Mr. Linus that I think it's probably best on the legal front that we deal with that through written matters. I would like to flag up though, that Mr. environmental regulations around green greenhouse gas emissions do require an assessment of sort of local, regional, and national impact and against local, regional and national targets. That is not included in this assessment. And if you look at the carbon emissions and compare it to local carbon emissions, it's far more significant, and has a significant impact and potentially could undermine those local areas meeting their carbon targets.

1:08:35

Thank you. Again, Mr. Miscellaneous, if there's anything you'd like to say in response,

1:08:44

Scotland for the applicant? Just to say, Clark, we're not entirely sure. What specifically, Mr. Todd is referring to in terms of this distinction between local, regional and national, we're gonna have a specific reference to that we can either pick it up now or possibly as part of the the narrative that we've discussed.

1:09:06

That's part of environmental impact regulation guidance in paragraph 1.3. Point two, I don't know if it's a inquiry document examination document, but we can certainly reference that and it says the assessment should take relevant greenhouse gas reduction targets at the national, regional and local levels into account where available.

1:09:28

Thank you, Todd. So can we take this as a as an action that you're going to be making a submission? Yeah, by design three.

1:09:40

Yeah, we will address that.

1:09:43

Let's call on fabric and I think is the best way of dealing with the source. Thank you.

1:09:47

Thank you. Does anyone Does anyone else have any comments in relation to this, this agenda item Mr. I want

1:10:06

to seek clarification as to how this proposal is going to form part of the digital roads initiative by how is England? I'm not sure there's enough information to understand indications for that in terms of electric charging and other digital facilitating aspects as part of the climate situation.

1:10:33

Is this a document in the examination library? Or is this

1:10:38

general comment? Yes,

1:10:40

well, did say at the beginning of today that we know if you want us to have regards to documents that you get, you need to provide them into the library, submit them into the library. So perhaps again, this is something that can be covered through through written submissions, if you want to submit it, and with you know, with questions or comments that you wish to make to the applicants in that regard, then that might be an effective way of addressing it. Okay, thank you slyness. Do you have any any comments on that? Is that an acceptable approach to use feel?

1:11:22

Scott, last applicant? Yes, sir. Thank you.

1:11:38

So are there any any other comments on this item? anyone wishes to make?

1:11:50

No. Okay, thank you. We're sure we'll move on for that. What I'm intending to do there, there are a couple of items, B and C, which perhaps we can deal with through written questions. I'm just mindful of the time it's, it's approaching 10 plus five, and we still have a couple of agenda items still to deal with. So what I'm intending is unless there's any one of us here particularly to talk about nine bt or nine see that we deal with these through through written questions. For the next next round of questions.

1:12:27

Scott laughs applicant? We're quite content with that, sir. Thank you.

1:12:33

I don't see any error. Sir.

1:12:36

Sorry, Gareth rider from cpra. Just for clarification, because I'm new to this process and understanding it as a planning volunteer, is the is the is the process to be followed for clarifications on these if we're not covering these points to actually submit further questions relating to them. What I

1:12:57

would suggest you do is ride with and appreciate that you're, you're not perhaps an expert in the way that many of the participants are asked today. If you have a look at the national infrastructure planning website, there are a wide range of documents, all the documents for this particular project can be found there. But also there are a lot of legislative guidance and advice notes, which cover the issues as well as the process that we undertake. We are undertaking today. It's It's It's far too long to get into at this stage. But I would, I would, I would commend looking at the national infrastructure planning website and the wealth of material that you can find there about the process and hopefully that will enable you to to participate fully as we go forward.

1:13:55

Thank you, sir. Yeah, I will do that. Yep. Just to look at how the how this relates to the cancellation of the expressway and to ask further questions on that. So I'll submit those. Thank you. Okay.

1:14:08

Thank you very much. I'll now hand over to Mr. High, who is going to lead on the remaining agenda items.

1:14:21

Just to say that the case teams available to answer questions as well about the process. And the most useful document possibly will be the on the project webpage on the project page of the planning Inspectorate website is the examination timetable. So written questions are due out on the 15th of October, and it might be one where you'd want to respond to written questions to get your responses in.

But yeah, the examination reps, timetable and the case team should be able to is will be good way forward.

1:15:02

Thank you very much.

1:15:03

Okay, thank you. Okay, I am going to move on to agenda item 10, which was about the high pressure pipeline diversion. applicant. Could you provide a brief summary of Mr. Lynas on the update on the archaeological excavation,

1:15:22

Scott liners for the applicant I have Mr. C here, but see if I can deal with this sufficiently on my own man. The work started on site in July. Their programmes run for 25 weeks on the works being monitored by both the central Bedfordshire council archaeologists and the project archaeologists. And all works are taking place in line with a written skimp investigation prepared by the archaeological contractor and agreed by the CBC archaeologist. I can say the archaeological mitigation works are progressing in accordance with the programme. topsoil strip or the full extent of the mitigation area is complete. 35% of the archaeology has been completed. And the fines recovered from the site if I can put it this way or as expected. Thus far, the work is being monitored with the CBC archaeologist as we understand it, visiting the site on a fortnightly basis.

1:16:29

Okay. So when you say 35% of the archaeology is completed, yes. What do you mean?

1:16:38

Perhaps I can ask to see if you can update on what that means. Thank you. Okay.

1:16:45

I'm sorry, I can't really provide any further detail on that. This time if if you needed more detail, I would have to refer to the the the site team are actually undertaking that at the moment. It was just a broad figure as to the sort of state of progress at this time and and to show that it was, it was proceeding in line with that sort of programme of 25 weeks with the aim that it will show that it will be complete. By the time we get to sort of the end of December.

1:17:19

It's got liners for the applicant sorry, ma'am. I'm just checking if Miss McLaren hell McLaren is still with us because she may be able to answer this question.

1:17:30

Higher health plan for the applicant? Yes, I'm still here. And I am afraid I've not been out monitoring the work on that site. But I do understand work is progressing as expected. And I think last I heard I think they are hoping to be able to finish slightly ahead of schedule. Obviously that will be dependent on the

winter weather. That's that's coming up. But Hannah first from Central Bedfordshire may have more information.

1:18:00

Okay. Miss Firth? I'll come to you. My question is not so much about the 35% or the programme is what do you mean by archaeology is completed?

1:18:12

Thank you, ma'am. I'm Hannah Firth, I am the the archaeologist who is monitoring the excavations at field 44 for central Bedfordshire Council. So I mean, just to really add a little bit more to what's been said by the applicant, we are from my perspective of Kansas perspective, we are slightly ahead and we are just at the moment negotiating over are in fact our first sign off phase on which is actually on the the eastern part of the site. So, actually, my perspective I wasn't expecting that to happen quite so soon and essentially what will happen as we progress towards the spring and the end of that period, it will be the fieldwork side of things which which we will be able to say confidently has been signed off as this is a slightly different to the DPO although very much connected to we also As you are aware we will have the planning consents and we will then move into or the archaeological contracts are appointed on behalf of the applicant will then move into an assessment phase which is in fact governed by us it's slightly shorter but all of this information we are having with the project archaeologist project lead and with Mr. Clean as well we were in kind of constant communication about this in terms of the progress and and how things are working but also so we can feed it back into things like the mitigation strategy for the the other areas across the this game why so from from the council's perspective, I'm happy to confirm that I'm quite content with how things are progressing. At the moment. I don't have any

1:20:00

Okay, so good on grounds of programme? And in terms of ways of working. So that's all very good. But I'm still not clear. Are you actually removing the archaeology from site? Or is it just a case of assessment at the moment

1:20:14

it is, what is how an archaeological investigation works is essentially what we do as we sample it. So the, we agree and this is all within the the site specific written schemes of investigation, we agree how much of an archaeological site will be investigated. So there might be certain elements of which we would say we will fully excavate that might be something that's very significant, like a kiln or a burial, and other elements where we actually only do a percentage and the percentage is have all been agreed in advance amongst the whole project team. So what will happen in this case is that at the end of the field work, there will actually be some archaeological features still there. But we will be satisfied that we have obtained as much information as we need to, to characterise and to understand this site, and there will be no, no reason why the development couldn't proceed. So in the majority of the cases, in archaeological investigations that are undertaken, whether it's for local planning authority, or a scheme like this, there is always if you like some archaeology left, but we are satisfied that we have sample that to the degree that is actually necessary to meet with our research requirement. Okay,

1:21:33

I just want to go back to that was actually really helpful. And this is just going to go back to the applicant. So you've said that the purpose of excavating the archaeological remains is to ensure that the site has been fully mitigated in advance of the construction activity. Now, if this mitigation would be fully completed as part of the planning as part of TCPA, which is outside of the answer process, then potentially, there would not be an answer and additional inset within this examination, is that right?

1:22:09

Scotland for the applicant, subject to screening confirming the position as far as the diversion works were concerned mom, yes.

1:22:22

But okay, so screening off the diversion works, rather than have the

1:22:26

Yes, because one would want the screening confirmation in relation to the diversion works to confirm that they were being carried out under the separate regime under PD, right.

1:22:45

Sorry, I'm just given that the only significant effect is the archaeology is the and then if you've already fully mitigated it, then then the diversion works is even if it was not under PD regs would not have a significant effect, and therefore would not be an inset. All I'm trying to understand is that if this is full, possibly ahead of schedule, and there is the slightest possibility that it might all might be completed before the close of the examination, is there any chance that we're looking at a case where we would be able to determine it all together for the secretary, well recommended for the Secretary of State in this report,

1:23:30

Scott liners for the applicant, and if the works proceed as planned, and our understanding if there would be a screening assessment that would be carried out by the Secretary of State to confirm that the diversion works would be covered by PD rates. If that comes through before the decision the DC was taken, then it would not be necessary for that element of the works to be included in the dcl was a separate answer, that the process that would be that would be followed, but we proceeded on the basis that that screening assessment have to come forward to confirm the position so that the words could then be essentially regarded as development taking place pursuant to PD rights which have to be screened or not under the answer process.

1:24:15

Yep, fair enough. Okay, I understand that. And given but you're still even though you're slightly ahead of schedule, and the archaeology is as expected, as you said, you're not sure that that screening assessment can be done before the close of the examination.

1:24:34

It said, Yes, Scott liners for the applicant. It is in the hands of kid and in the sense that the the further screening assessment has to be undertaken by kids good and in advance of carrying out the diversion

work and then be confirmed by the Secretary of State. So I think the reason for our caution is is out of our hands in that respect, but it comes forward in time and we can respond accordingly.

1:24:59

And my next one was is there any information that might be available on the screening assessment where you've just answered that? Because that's in the hands of cadent?

1:25:07

Scotland for the applicant at this stage? No, ma'am. But we are keeping an eye on and as for the for the reasons you would expect, we will update, we will update the examination as soon as we know more.

1:25:21

Fine. Okay. So we'll probably follow this up with a question and written questions for cadent. And I'm just thinking if there's anything else, yes, actually, there was one point is as expected, what do you mean, the archaeology that you've that you've removed from site or assessed is as expected, what does that mean?

1:25:45

Perhaps? I don't know if Miss McLean is able to answer that question.

1:25:51

Yeah, hello McLean for the applicant. So the archaeological remains there are largely of Iron Age and Roman debt, we've got a number of features such as large ditches, enclosure ditches as well as settlement activity. And basically, that's what we were expecting to find. That's what we're finding. So we haven't had anything unexpected that we weren't predicting from our from our evaluation work.

1:26:18

Okay. And sorry, and so far, whatever you found, you think, will still be classed as a significant effect to qualify the pipeline diversion as an answered

1:26:33

Hello McLaren, for the applicant. The fact from from either from the scheme as it is, is a significant effect because we are still impacting the archaeology. But it is my understanding is that it wouldn't tip over into a separate and sip for the gas diversion because the archaeology will be

1:26:53

removed.

1:26:54

That was that. I suppose that was the point I was trying to get to though if you've if you've already mitigated against under a separate regime, which is planning. With the planning permission from Central Bedfordshire, then for this scheme, there isn't a significant effect that for it to tip over into an insert as a separate answer. Did you have anything to add Miss Firth?

1:27:18

No, no, though, to start with nodding my head though, though I was agreeing that.

1:27:24

Okay, that's good. I think there's a few simple questions with respect to this. But I think I'm quite clear on this point. I'm happy to move on to agenda item 11. And mostly both both the agenda items are still under 11. A and B. Both require National Farmers Union. So I wonder if the staples are still with us.

1:27:55

Yes, I am.

1:27:57

Still here. kerygma staples, okay. So a one. So provision secured to Article 23, which refers to land which is adjacent to but outside the order limit. And I suppose against the example is, we know the examples in other DCs where provision has been included, and I appreciate that. But I am not convinced that there is enough control within this DCs yet. So for example, if the land adjacent to the order limits is affected by a survey, for instance, of groundwater levels, and that is not an affected person, then the survey will potentially affect a party that's not been consulted at all. So without prejudice, what further so you know, am I right on that assumption?

1:28:49

apologies, Mom, it the re entry for the applicant? I'm having camera troubles again this afternoon, for some reason, seems to wear out by this time of day. But I hope it's okay. If I proceed. All

1:29:00

right. Yeah. And sorry,

1:29:03

i what i what i think you were asking me apologies if I didn't say re entry for the applicant, is that the concern here is about whether or not there would be parties involved who hadn't been consulted on the scheme that may be affected by this survey power that we are seeking to include in the in the order.

1:29:24

That's one of the concerns. But yeah, let's start with that.

1:29:28

And my my comment on that would be that the the ability to use this power is somewhat limited and there is a notice period within the the rook or the article so that there would be some notification on the adjoining landowners that this this power would be exercised on their land.

1:29:50

But and this is something we raised that the last issue specific hearing. The first issue specific hearing is that but you could potentially whether he whether or not there is a notice You could potentially force the landowner to give you access in order to conduct that survey.

1:30:07

That's right but subject to compensation.

1:30:12

Okay, Mr. Nichols.

1:30:19

Thank you, Louise staples from the NFU. Our concerns are that obviously not all these years do grant that surveys can be carried out outside of the order limits. Sometimes it's what the concern is, is what exactly does adjacent to mean. I did raise this in the meeting with highways England that we had last week. They have said that they do believe there are certain surveys that will need to be carried out. I think what would really help landowners that are directly affected or even the landowners that aren't is, if this could be Yeah, narrowed down as much as possible. So do they just need to carry out let's say, surveys within 250 metres of the order limits so that landowners are prepared for that afterwards? Or but I think from what I gathered from the meeting last week, there might be some surveys they need to do which are further away than that. So to me, if something is 500 metres or a kilometre away, I would not be calling that adjacent to the order limits. So I do think that highways England Well, I would like to see that this could be I would say pin down more into the in the DCR. As to what how far surveys will be allowed to be carried out from the order limit, if that's possible.

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misandry I do think that's a valid point. But because, and I think it kind of brings back the point that I the example that I just originally gave is that if it could be further than, you know, could be a kilometre away, then, then it's very possible that you are, you know, in somebody's land with who's not an effective person not been consulted. So whether you give them notice or you give them compensation, you are affecting somebody who has not been consulted at all, who has had no say in any of this.

1:32:23

Thank you, Mom, Iarae, Hendry for the applicant. My only kind of response to that whilst as we said, in response to written questions, it isn't possible at this time to definitively define the what you know, the extent of what we would consider to be adjacent other than to refer back to what would ordinarily be considered adjacent, or refer back to the limitations that are set out within the article in that it has to be reasonably necessary, it has to be land adjacent to the order limits, and it has to be confined to the powers that are being sought. I take the concern from Miss staples and and yourself about, you know, the extent of that, and perhaps what I can offer is, in response to this some examples or types of surveys that we would be considering, under this power in this particular circumstance, to see if that would provide further comfort as to how this May you be practised in practice?

1:33:21

I think there's two things. One is in terms of examples, it will be helpful to provide what would be the most extensive example. So this is what is most likely going to happen, most likely going to affect the most number of people.

1:33:35

Okay, so what is the worst case?

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And what's the worst case, this is the absolute worst case where we might be affecting somebody really far away, who's had no idea, not been consulted at all. And it's going to be rather an intrusive survey. So so i think i think we would want to see what that spectrum is. But I'm not sure I'm satisfied with just that, though. Miss Henry, I think, I think, without prejudice, whether it's possible for you to tell us what further controls you could introduce, either in the decio, or in the first iteration EMP.

1:34:17

Thanks, Mom, the very Henry for the applicant happy to provide some examples of that as well. We were happy to consider that on a without prejudice basis, if that would be of assistance.

1:34:27

Yeah. So I think just in terms of, you know, the points that have been raised is, what is the what does it mean adjacent and you're going to give us a few examples of what that might be. And then what you know, in terms of consultation, these are people who have not been consulted, how do you how do you square that? And I I'm most concerned about that, that you know, these are people who have, who have not had any involvement and possibly just knock on their door and save You know, we were in some how long we're I think it's 28 days, 14 days notice, I'm giving you 14 days notice and he has a compensation and we need access to your land. And then the third thing is, so was that with her thing? No, I think those are the two things. So examples of that. But also what further controls you could introduce? Okay,

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thank you, Mom, the re 100 for the applicant. That's it, that's

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an that's a hearing action, then I'm going to move on to B. And which is the notice period of 14 days and articles 2223 and 40? And my question is that what is the implication for the applicant to accommodate 20 days 20 days notice period. So that's my question to the applicant. But I do also just want to add to this, the National Farmers Union have made the case that 14 days notice may not be adequate. You know, it's not adequate notice for the landowner to be able to vacate the area of land, in order to minimise the impact on farm business and so on. So, you know, I think we want a response to that. But I also want to hear from the applicant, what is the implication to accommodate 28 days notice period.

1:36:19

Thank you, ma'am, the re entry for the applicant, if I can just go first and in relation to the implications of the 28 days. The implication on a programme of this of this nature, if we were to apply a 28 day period across across the board for each of the different powers or articles that you've referred to, and I wouldn't mind addressing each of them in turn, because I think they have slightly different impacts or and slightly different reasons, perhaps, for the for the 14 day periods. The first article that you referred to is article 22, which is the protective works to buildings. And I don't believe Miss Staples in her submissions has questioned the 14 day period within this particular power requirement article. Apologies, but I will obviously let me Staples, correct me if that is not the case, this power is in order to allow us to go on to to land to protect buildings. So any delayed to to that, arguably has the risk of increasing damage to to that property or to those buildings. So we would argue that 14 days notice in this instance, is appropriate. And I would also set out that this is a provision that was included in the in the model provisions, which as although they are appealed are used frequently as a helpful guide. And the 14 day notice period was noted at that point as well. Okay, moving on to Article 23, which is the article we were just discussing authority to survey and investigate the land. Again, this is a 14 day period, the 14 day period was also included in the model provisions, and has been the same period as noted in many other orders granted to date. And essentially, the need to keep this at 14 days across the scheme to pick up your point about the sort of the implications of having a 28 day period is is merely because if you were to impose a 28 day period in each instance, where this power may be applied within the order limit, say with within or without, then that could have quite a significant knock on effect or cumulative effect onto our programme, as you may be aware, or I'm sure are where these programmes are run, you know, as quickly as possible in order to reduce the overall impacts of a construction scheme of this size and nature. And as we said in response to our written questions in rep one, zero to two, you know, we want to ensure that the scheme can be carried out efficiently and expediently. And I think that it's it is it's unhelpful. It's probably not the right word. But I think if you were to think of this in isolation, as in, in one instance, what will making it 14 days to 28 days really have on a programme where that runs for a number of years. But that's not what's being asked here. I think it needs to be looked in the context of this power then being required across the board. It also assumes that we won't be in regular contact with landowners who may be affected by this power, which again, I don't think is a safe assumption across the board. I think that there will be those ongoing discussions. This is a long construction programme, we will have relationships with the landowners who are affected. And so those this notice period of 14 days is a minimum and if there are specific instances where landowners need additional time and we are in engagement with those landowners and those landowners come to us and tell us that, then there is a chance for that to be accommodated on a case by case basis. So that I mean that that point really does apply in each of those three situations.

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Just just on the second one, which is article 23, though,

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I think, I mean, you've just said that you will be on regular contact with landowners, so it's 14 days is the minimum. So 20 days is quite achievable, particularly because the list of pre commencement in in the decio includes surveys anyway, so. So it's it's likely that you have a longer lead in time for surveys in order to be able to provide a 20 day notice period and for that to potentially be secure through the dcl rather than a minimum of 28 days.

1:41:03

Thank you. Very,

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minimum 14 days sorry, yeah. Okay.

1:41:07

Thank you, ma'am, the re entry for the applicant. I mean, what I would say is that by imposing a 28 day minimum period across the scheme is likely to have a significant impact on our ability to run this construction programme effectively and efficiently. What I'm saying is that there isn't any reason why on an individual case by case basis, we wouldn't be in conversations with particular landowners who perhaps, to you, I think there was a livestock example, used where there were particular concerns or needs that needed to be addressed. We are a proposal, you know, we are going to be neighbours with with landowners on this scheme for a number of years. So we will want to be maintaining that relationship and limiting impacts where we can.

1:41:55

Okay. Mr. maples, I'll come to you. But I have a question for you as well, that you have said that there's you know, it has been accepted another decio. So could you set out which DC is the 28 day notice period for service has been accepted and which where they haven't?

1:42:15

Thank you to me staples for the NFU? Actually, I just I just like to clarify, actually, I think there's been a little bit of confusion here. So in regard to Article 23, yes, we would like there to be more notice given if it was possible than 14 days. At the meeting with highways England last week, what I did raise was that we would definitely like 28 days to be looked at where a derogation is needed if some of that land is in an environmental scheme like a countryside stewardship or a higher level scheme or it might be elms going forward, because normally 14 days notice there is not acceptable it's not enough time. So that's really my request there. And actually, the 28 days, what I'm really looking for is to have the 28 days agreed for article 4014. Temporary possession. Yeah.

1:43:12

Okay, shall we move on to Article 40? Then Miss Hendry.

1:43:15

Yes, thank you, ma'am, the re entry for the applicant. Again, I would make the point that the 14 day period for article 40 are the equivalent of was included in the model provisions and has been included in numerous other development consent orders. Since that time, I would be particularly interested in the examples that Miss staples may have have any orders as made with a 28 day period so that we can consider those and see if it's relevant or applicable. But one thing I would say about the temporary use of land for the carrying out of the authorised development article, and this is in our response to written questions as well, is that this involves those parties or those landowners who have been involved in the process from the beginning, have been made aware of these powers that we would be

seeking will be made aware of when the order is made. And therefore again, the the notice period here is 14 days, but it's a minimum, and the landowners are very much aware of the ask, kind of coming along. And, you know, and our ability to exercise these powers. Again, I would make the point that as I said earlier, this shouldn't be you shouldn't be considered in isolation. We have an ongoing relationship with the landowners already. And you know, on a case by case basis, if Mr. maples has any particular members who have have concerns, then we we would invite them to contact us so that you know a separate arrangements can can be looked into and and potentially accommodated on a case by case basis, but just to reiterate the point that you We would be having an ongoing relationship with with the landowners who are impacted by the scheme and therefore the 14 days is is that minimum period

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let's take us to I think there's possibly a post hearing action here for you. I mean do give a response now but I think it would be helpful to see examples of made these years where 20 days has been accepted for article for for temporary possession and particularly if you have any particular landowners who feel that they're affected by temporary possession and might need longer

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Thank you so Louise staples from the NFU. I can state straightaway that actually, in regards to the a 30 down in Cornwall, we did have 28 days given within the Okay, CEO, we do have some other schemes where actually the 28 days has actually been agreed on a voluntary basis. Okay, over and above then what's been agreed with the 14 days in the decio and I can give those I'd rather do that in a year and a written submission if that's okay,

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and do you think there are any particular landowners that will be affected by the 14 days that will

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what I want to say is that all landowners want more than 14 days notice and it's become very clear as these infrastructure schemes come forward and there's more of them that 14 days is not enough notice for the area of land that is being taken for for temporary possession. And what I don't understand is we keep on being told by highways England, where we will be in contact with landowners so they will know. So if they know and they know what their timeframe is give them the 28 days notice rather than just the 14 they are just trying to keep flexibility from themselves and they're not thinking about the landowners businesses that are affecting

1:47:04

I see your point but I think what Miss Henry said about that is that accepting 28 dates across the board will have a knock on effect on the programme which then potentially has a knock on effect on environmental effects across the board but I take your point and and i think other examples where this has been accepted would be would just make your point stronger and I think that would be helpful but just going back to that to any particular lender and as well across the board obviously I completely understand but just take that away think you know see if your members do make a specific point then

you know caring just as a follow on from yesterday then that you know that's that's always a helpful thing to do to give some specific examples and cases

1:47:56

Okay, I would say I just wanted to make one other point I know it's not a decio infrastructure scheme but on HS two Now we do have it agreed that for temporary possession so you know in their their areas of land really aren't that different to a big road scheme like this they do actually now have to give us three months notice and they have to give a further three months sort of warning notice of when they're going to serve the three month notice so it's well you know exceeding 28 days so actually these decio infrastructure schemes are now falling behind what I would say you know is is actually acceptable for

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what you pointed out it's a it's a it's a hype it's it's a parliamentary act it's of a different scale and it's not within the Planning Act 2008 regime so we are talking about we're not making a like for like comparison here

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well I'm sorry sorry I do need to respond to that place so Louise staples again from the NFU actually you've got your might not be like for like because it's a decio and one's a hybrid bill. But actually it is like for like with the amount of land that has been taken on the ground under temporary possession. Okay, noted.

1:49:12

misandry there was one point, which I think I've missed out. Which was the point miss that Mr. maples raised about 28 days where where derogation is needed? is that relevant?

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Thank you, ma'am. The re entry for the applicant I must confess I'm not entirely sure of the context of that point. But I do note that it was raised in the written representation so I would be grateful for further clarification. So perhaps we can respond more fully in our response to that a deadline to three

1:49:52

okay. I think these a lot of these are matters which we, we would like I mean, obviously deadline three is Sooner than deadline for and it would be helpful to have these responses then. But equally I think these are matters that really should be covered in statements of common ground as well. So that you know, then. But, but yeah, so I'll, I think I've got Well, we come to actions in a minute minute, but I think I'm happy to leave that there. And, and bring this agenda item to a close.

1:50:28

Thank you, ma'am. leray 100 for the applicant, that's that's fine and noted about their statements of common ground in addition to the response to being reps on deadline three.

1:50:37

Okay. Sorry, I should have asked just before I close, is there anybody else who has points to make about these the matters that we've just discussed? Okay, I don't see anyone, we will take a very brief adjournment. I don't think we need more than five minutes. So I do request parties to just stay online, not go anywhere. And we'll come back at exactly 10 minutes to six. And we will resume the meeting to cover off agenda items. numbering has disappeared from my page, but procedural decisions, review of actions and next steps and closing remarks. So we'll see you at exactly 10 to six. Thank you