

# TEXT\_ISH5\_Session1\_21012021

Thu, 1/21 1:23PM • 1:13:49

00:03

Good morning, everybody. And welcome to today's issue specific hearings number five for East Anglia, one North and East Anglia to offshore wind farms. Before we introduce ourselves, can I just check with the case team that you can hear me well, and the recordings and the live streams have started?

00:29

A positive feedback on the system, then Mr. Williams, can I just check again? Yeah, I can confirm that I can hear you well now run and that the livestream recording has started. Now we started the recordings as well. Thank you very much, Mr. Williams. So ladies, gentlemen, two introductions. My name is Ron Smith. I'm the lead member of this panel, which is the examining authority for the East Anglia one North offshore wind farm application, and have a panel which is the examining authority for the East Anglia to offshore wind farm application. I'm in the chair today and I will lead the questioning in respect of agenda item two today. I'll now ask my fellow panel members to introduce themselves starting with Mr. JOHN Hockley.

01:15

Good morning, everybody. My name is john hopfully. panel member, and I'll be leading on item free of our agenda today.

01:22

Hello, my name is Caroline Jones panel member and I will be mainly observing and assisting with a note of any actions arising from today's hearing, they may ask questions if they arise.

01:34

Thank you, Mrs. Jones. Those of you who would have been involved with or watch any of our previous hearings will note that a full panel is not here today. This is to allow the other members of our panel to work behind the scenes. However, if need be for contingency purposes our colleagues can join us can also introduce our planning colleagues working with us on these examinations, some of you who you will have spoken to already. And Ray Williams is a case manager leading the planning Inspectorate case team, and you will have met him in the arrangements conference this morning. Emirates accompanied today by two case officers KJ Johansson and Caroline hope well, I've also been informed that our digital services team who keep the mechanics of these events running may drop into today's event to help them with some work that they are doing to improve the technology that we use. If they appear, they're not participants in the event. And for our purposes, we will proceed as though they are not present. Hopefully it'll publish agenda papers for these hearings provide a clear explanation of lowa and your reasons for being here today. And that's to hold an issue specific hearing on the topics of onshore and offshore social, economic, land and sea use effects. The hearing will be concluded today. Now you know who we are and why we are here we'll move on to deductions. So shortly i'll i'll be

running through a list of our participants and asking them to confirm who will believe in their contributions this morning. But before I do just a few things to note. Today's hearing has been live streamed and recorded. The recordings that we make are retained and published. Therefore they form a public record that can contain your personal information, and to which a general data protection regulation applies. Does anyone have any questions about the terms on which our digital recordings are made?

03:11

Okay, I'm not seeing any raised hands or seeing or hearing anybody. So we'll move forward on the basis that that's all understood. Thank you.

03:19

Attorneys today's meeting, I'll now ask the participants to introduce themselves. If organisations attending today have a number of representatives attending could ask that you nominated lead representative to introduce your team on behalf of your organisation. Because I know that for a number of the organisations here today, we have several different individuals that may wish to contribute during the course of proceedings. It would also be helpful if you could let us know at which point in the agenda you would like to speak on today. say okay, so firstly, could I check the name but the main speaker that we have representing the applicants today, please?

03:52

Good morning, sir. My name is Colin Minister and I appear on behalf of the applicants. I'm instructed by Fiona coil of SPR legal. I'm also accompanied by Stephanie mill of my firm as well, in terms of the introduction of speakers, I suppose to hold that back to agenda items in order that you can proceed if that's acceptable. Of course, thank you very much Mr. Enos.

04:15

Okay. And who do we have representing Suffolk County Council today please?

04:24

Good morning sir. panel members. My name is Michael Bedford Queen's counsel. I'm appearing on behalf of Suffolk County Council. And in relation to do today's session, I will also be joined by Mr. Paul Warmington, who is the energy Skills Development Manager for Suffolk County Council. And we have no comments that we want to contribute on agenda item two. We do have some comments on agenda item three. And I have a procedural query in due course on agenda item four.

05:02

Thank you very much, Mr. Better.

05:04

Okay. And for a soft Council, please.

05:11

Good morning. Thank you, sir. I'm Naomi Gould, a Suffolk Council. And I'm also joined by I'm a senior energy projects officer for the southern Council. And I'm joined by two colleagues, and Paul wood, which who hasn't joined the call yet, but will be joining us shortly. The head of economic development and regeneration, and Neil cocksure, who's on the line at the moment is their programmes and partnership manager. And we'll be speaking to agenda item three, but we don't have any comments on agenda item two. Excellent. Thank you very much. It's called welcome.

05:47

Okay, and who do I have here today from the marine management organisation, please?

05:54

Good morning, sir. My name is Mark Qureshi, the case manager for East Anglia one North project. I also have with me in the meeting, Lindsey, Milan, who was the case manager of East Anglia two, and also Rebecca Reed, who is the case officer involved in both projects.

06:15

may just we expect to just to read to speak for agenda item to today.

06:22

And if there are no issues and with your permission, we would like to leave after agenda mighty to

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if a no objections to that, so that we can continue with our work. Of course, Mr. Crusher, you're welcome. And now what you're outlining there, your plan is is entirely fine. Thank you. Thank you very much. And

06:46

who do I have here for our town council today please?

06:57

Good morning, sir.

07:00

Marion fellows counsellor Marion fellows representing over town council. Good morning. Thank you.

07:07

Morning. Thank you counsel. fellas.

07:10

Okay, and Friston parochial church council

07:18

Good morning sir. Morning. You hear me or see me I can see you at sorry I can hear you but I could see you as well. Mister I thank you. My name is Simon I've I'm secretary and Treasurer system parochial church council just in PCC for short

07:38

representing the community not just a system but the wider area as well. And I wish to speak on aspects of

07:45

under agenda item three all of them and also so if I might lose an issue which I would call it sort of major social and economic consequences can say there is the question about strategic planning and and vision for the error in view of everything that's going on. So if you could come back it might come under certain error later. Okay, thank you very much Mr. Drive.

08:12

Okay, and Suffolk coast destination management organisation please.

08:18

Good morning. Hello. My name is Harry young. I'm the chair of the Suffolk coast dmo and I'm joined by my colleague and he really but I'll be the lead voice and also here in my capacity as chief operating officer of Britain peers arts and intend to speak to agenda item three.

08:39

Okay, thank you very much, Mr. Young.

08:42

Okay. And the old brick society, please.

08:48

Hello, good morning. It's Mackey here Chair of the obrah Society. I'm here today with Paul Angostura who is our secretary? I'm dipping in and out because I'm afraid I have a day job today. But Paul will probably speak if either of us speaks and we'll be speaking to item number three. But I'd like to endorse what the first npcc said about the need to look at strategic vision.

09:14

Okay, thank you. Thank you very much, Mrs. Mackey. Welcome.

09:18

Okay. And beachview Holiday Park, please.

09:23

Good morning, sir. It's Nicholas door and I'll be representing beachy Holiday Park. And I'll be looking to speak on agenda item three. Of course. Thank you Mr. Thorpe. Welcome.

09:37

Next committee representative for Stacy's today, please.

09:45

Good morning, sir. My name is Michael Marnie, and I am representing faces today and I would like to speak on agenda item three, of course. Thank you very much, Mr. Mani, welcome. Thank you

09:58

and Representative force.

10:00

Cease today please.

10:04

Sir, my name is Fiona Gilmore, I represent Suffolk energy action solutions. And today we would like to be able to talk on all aspects of number three. And we have a professional specialists

10:20

john Trapp, who would like to talk specifically on point B, even though it will encompass a little bit of the other points, but I think B is probably the area where he should focus. And we would like permission for that to happen. Thank you, sir. Of course. Thank you, Mrs. Gilmore, welcome.

10:45

And we have save our samplings here today, please.

10:49

Yes, good morning. Good morning panel. Morning, everyone. I'm Paul Jones. I save our soundings. I'm joined today by Richard Reeves. We would specifically like to talk about agenda item three. And I know Richard would like to talk about three Bravo, please. Thank you very much, Mr. Chairman. Welcome. Thank you.

11:10

And we also have the wardens trust here today. I believe

11:17

that my name is Dr. Alexander jimson. I am the chairman of wardens trust and we would like to speak about item three, please.

11:28

Thank you very much, Dr. Gibson. Welcome.

11:32

Okay, I think that's all the attendees that I have. So just before we carry on is, is there anyone here who wishes to speak you have not introduced?

11:41

Can I just specifically check Do we have Nick Salter from the maritime and coastguard agency?

11:49

I believed we were going to and I don't seem to have checked them off on my list. So apologies, Mr. Hockley, if you've already passed through him, but I think that's my fault, Mr. Smith. So thank you.

12:01

Yes, sir. I'm here. Thank you, Nick salts from the offshore renewables lead for the maritime coastguard agency. I'm here for Agenda Item Number two, after which, with your permission, I'd like to leave and continue.

12:15

Just with the MMO we're very conscious that we have a specific offshore item and and we're very content that those involved in that leave after that item.

12:26

Like so.

12:28

Okay, thank you for that. And thank you, Mr. saltoun. Apologies for missing you off that list before.

12:35

Okay, if we can proceed, then anyone who is not participating directly in a session that is observing is welcome to set any observations about what they hear this morning or today in writing by deadline five, which is Wednesday, the third of February.

12:49

The introductions are now complete, and I'll just raise free issues emerging from the current public health position.

12:55

Participants in these hearings will have been involved in examinations since they started will be aware that the examinations timetables were prepared, enabling flexibility so that if by New Year, we're in a position to begin to plan for return to physical hearings, we could do so. I think it's fair to observe that the Coronavirus situation remains difficult, perhaps more so than many would have anticipated. On that basis, the examining authorities consider that it is important that all interested parties are clear that we now considered it is most likely that all remaining hearings in these examinations will be virtual.

13:27

Equally and for the same reason the examining authorities have recently taken steps to significantly limit attendance at the site inspections timetable to be held next week. Only people whose attendance is essential will now be supported to attend them. It is important to place on record that the examining

authorities considered at the site inspections must be delimited delivered in this limited limited manner to enable them to be safe and compliant with public health regulations and guidance.

13:52

Finally, if you consider that you cannot participate in these examinations in a manner or to the extent that you deem necessary due to the current public health controls, please write to us by deadline five setting out your concerns and examining authorities will consider any such sub submissions in our planning for events programme for February and March, and for the remainder of the examinations as a whole. Thank you. I'll now hand back to my colleague Mr. Smith to lead the next part of this session.

14:19

Thank you very much, Mr. Hockley. So you know what we're doing. We're holding issue specific hearings, five for both these don't do one North and East Anglia two projects, and we're holding those two hearings in parallel. There's a single agenda for both hearings, and it was issued on the eighth of January and I trust that everybody has it before them.

14:38

Whilst the agenda is designed to enable us to hear oral submissions for the two applications in parallel, we do have the discretion to break out into the committee or most and consider each project individually during these proceedings if necessary. And if anybody has a specific request that we do so just put it to whichever of the panel members is leading the relevance

15:00

And we will consider that request at the relevant point in time. Now, before I move on to the main business of this morning's hearings, does anybody have any questions of a preliminary or procedural nature about how today's hearings will run, that need to be dealt with now, because they do not naturally arise at any relevant point under the succeeding agenda items.

15:26

And I'm checking the room for yellow virtual hands. And I see none.

15:33

So ladies and gentlemen, we will then move on directly to agenda item two, which relates to offshore social and economic effects.

15:42

Now here, ladies and gentlemen, you'll be pleased to hear that I I anticipate that we ought to be able to deal with this agenda item reasonably succinctly certainly before a morning break, which I anticipate taking no later than approximately 1115 to 1130. And we have two entities here, registered specifically to speak on this item who are the MMO DMCA, and, and obviously, this item will engage the applicants as well.

16:15

This item is intended as a checkpoint in relation to social economic effects on social and economic effects offshore. And when we're conscious that in the balance of issues raised within these examinations, and these issues have not engaged and the extent and range of commentary that we have had in relation to the onshore effects of the applications, but nevertheless, as examining authorities, who are appointed to be inquisitorial and inquire into the entire range of effects, that these applications raise, it is critically important that we do not leave the examination process without turning over some stones in relation to offshore effects and inquiring further into them. And

17:05

we sought to carat, characterise Okay, categorise interests and involvements into three topics, although in reality and effects that are relevant to each of the three topics that we'll cover in this item up, alighted somewhat overlap both with each other and partially with elements of agenda item three that Mr. Hockley will be leading on later in relation to tourism effects. So you'll see again right away principally relates to civil commercial military shipping navigation see us. And by that latter term, our intention is to cover all beneficial human uses of the seabed, the sea surface in the water column from extractive industries through the oil and gas sector through defence activities. So that's everything that falls under a B does what it says fishing and fisheries. In this sense, though, I think it's we need to make clear that that we're aiming to refer to and we'll cover commercial fishing activities, fishing vessels, and those sectors of the economy that support and benefit from commercial fishing and fisheries. And then finally, item C recreational and other sea uses. And to a degree that there's an arbitrary line being drawn here between recreational uses of the sea such as yachting, boating, or non commercial fishing, which are within the remit of this item See, and the more shore based tourism activities such as visiting walking on or swimming from beaches, that we've slotted into tourism, and Mr. Hockley will touch on those later.

18:39

In each of these three topics, I've got some initial questions for the either the applicants and or the statutory parties. And I'll put before I open the items for submissions from anyone wishing to speak to the general thrust of the items, before finally returning to provide the applicants with an opportunity to reply. And, obviously, I think we're not going to be as pressed for time as we were in previous hearings, and so hopefully this process can play out fully orally. However, if time does for any reason to come short, then as in the previous issue specific hearings this week,

19:17

we will focus our time on enabling the interested parties, the statutory parties in this case to bring out any possibly unresolved issues. And I might then put questions to the applicants that can be refocused into written questions if needs be and the applicants responses indeed, can be put in writing and deadline five if that is required.

19:43

In opening this item to before we get into the real substance of items A B and see I do intend to briefly check on the applicable policy framework from the marine policy statement the M p s and the eastern shore and offshore marine plans



20:00

I've decided to take this element across items A, B, and C together. This is an exercise that relates to the applicants and the MMO in principle terms, and is best done in relation to all of the applicable policy at once, rather than attempting to split them up.

20:20

Now, we've already indicated that it's perfectly in order for both mo and MCA to leave after this item. And Mr. Hopkins confirmed he's got no further questions for him in later items. And finally, I do note that as he stuff at Council, we're not fully represented at the start of this item.

20:46

We we are lacking Paul wood. And Miss Gould if, if you if Mr. Wood had anything that he wished to introduce a tool on this item, and we were more than welcome to set aside a little slot at the end of it before I hand back to Mr. Hockley. But as I take it from your involvement in the introductions, that's probably not going to be necessary.

21:08

Anybody who is not here and unable to attend the kind, of course put their observations in writing adobong five, two. So ladies and gentlemen, let's then turn to the policy context where very usefully and the MMO relevant representations set out and tabulate and those marine plan policies that the MMO deemed to be applicable to the consideration of these applications for decision by the Secretary of State. Now, what I just want to touch on with them, our policy policies that at their view at the point of relevant representations had not been fully responded to by the applicants particularly in the development consent and planning statements. Now, these were in summary policies A q one relating to agriculture areas

22:12

d A, B, one relating to cabling,

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DC one and DC two, and the climate change policies.

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he the one, a sustainable economic growth policy,

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g o v, one, GOV two and g o v three

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policies relating to supporting offshore infrastructure, coexistence with and displacement of other activities.

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And p a, one, the marine protected area network.

22:59

O g one, oil and gas production areas.

23:05

Soc one, health and well being

23:10

SOC, three heritage assets. And then finally, you'll be pleased to hear e r, one, two, and three,

23:24

tourism and recreation areas. Now, I know that's quite long list. But what I wanted to do, and I'm, I'll be happy to return to that list individual item by individual item. What I wanted to do an opening this item was just to check with the MMO whether there are any outstanding concerns about any of those policies, or indeed any of the other applicable elements of the policy framework arising from either the MPs or the marine plans. And just ask them to provide me with an update on the latest position in relation to their view on these policies. And particularly focusing on whether any additional work is deemed by them to be outstanding as necessary to address the policies and whether any work that they might be asking for is in hand, or whether we can view all of these matters as having been brought to compliance. So if I can turn to the MMO, and again, I'm quite happy to go through that list individual item by individual item, if that would assist. And just take a view on whether there is anything still outstanding in relation to any of those or indeed any other applicable MPs or marine plan policies.

24:36

Mark Qureshi Mmm, thank you, Mr. Smith. First of all, I'd like to thank you for having this item on the agenda regarding offshore social and economic effects. To give it its two exposure

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at this stage, it is a long list if I'm honest with you to go through singly, what I would like to

25:00

say is, what we can do is we've set out our position in the last deadline.

25:08

And perhaps if we could contract we we believe that all the major concerns, first of all issues regarding offshore social economic effects, as far as we're concerned, how are being addressed, there are one or two, some minor issues, which we are in consultation and engaging with the applicants.

25:28

And if there are any further, if we could respond at the next deadline,

25:34

I would, again, iterate that we are working with the applicants on these issues, and we don't believe there are any major concerns there. Okay, well, I'm actually, again, very grateful, Mr. crusher for you for your attendance, if only to say those words, because,

25:52

you know, it is critically important that the marine plan framework is given the dignity in these processes that it deserves in relation to

26:04

the examination and recommendations of sexual state overall. And

26:10

I guess I may just be fresh from the experience of of another offshore wind farm panel, where matters of policy exception, actually emerged during examination and and MMR and MCA, we're making very strong contributions about

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ongoing concerns about policies not being addressed during examination. And so notwithstanding your position in writing, that things are broadly on track, I did want to not let today go past without,

26:45

I think the opportunity to have this conversation with you. So look, I take it then that if I asked you a general question in the round, that you don't have any particular expectation, but there are matters around policy that would lead you by the end of the examination to still be forming the view that any relevant policies have not been broadly met by these applications. So if we do do it by exception, and if you if you, if anything is likely to cause concern to you, then clearly we need to think about the timing the remainder of the examination, what we might need to do to ventilate and assist in consideration of the policy framework. Yep. Thank you, Mr. Smith.

27:35

And yes, and thank you for highlighting that. With your comments in mind, we will go back and double check on those policies. So thank you for, if you like flagging that up with us. It's much appreciated. What I would say generally is in terms of plant and marine plants, specifically, one of the key functions is to ensure coexistence. And,

27:59

you know, we are broadly content that the applicant is engaging with other users of the sea, in terms of social and economic effects, ensuring that so we are broadly, you know, content, that coexistence is being addressed and being resolved as we understand.

28:21

Thank you very much. Now, I do see a hand up on this item from Mr. Jarrow, who I believe is one of the applicants. And Jerry Vela, who was one of the applicants representatives, I will come to the applicant. And but before I do so on this point, I did just want to very briefly check whether the MCA had any

observations at all to make on the policy framework, I'm going to come to the specifics around shipping navigation and see us directly after this. But so don't feel the need to engage now, unless there are specific high level observations that you wish to make on the policy framework. So if I can just ask the MCA?

29:07

Thanks. No, we don't have any comments or concerns to make. Okay, thank you very much. Now, I will come to the applicant. And if there are any observations at all that the applicant can make, particularly just to give us a sort of, as we currently stand pen picture of the current state of play around marine plan policy compliance, that'd be very helpful indeed. So to the applicant.

29:38

Apologies, can I just hold the applicant I can now see a hand from counsellor Marion fellows, counsellor, furloughs, and before we go to the applicant for some reason, conclusions, can I just ask you, briefly to come in?

29:55

Yes, I'm sorry. I'm so dark on screen today. I do apologise I try and do something about that.

30:00

In a moment, so good morning Maryam fellows representing over town council. I'll be guided by yourself, sir. But I wanted to speak to two matters very briefly. One is the policy of coexistence which has just been raised. And then secondly, was the overall policy regarding how the MMO

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does offer up pieces of land for development. So I believe it does come under this section of the agenda.

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He, he does. And there, I think one of the the issues about offering up in inverted commas land, and that fairly does need to be made is that that is also the role of the crown estate.

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And we don't have the mistake here today.

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And principally, therefore, what we're trying to work out is whether the MMO is essentially local planning authority to the sea. So in this respect, they're they're, they're wearing exactly the same choosers as the Suffolk Council.

31:07

Consider whether that body considers its policy framework is the equivalent to this local plan to have been met. And so that's that's the focus. And I can certainly come back to you at the end, if there are

points that you would put at the end of item two, if there are points that you wish to put on the role of the crown estate, and essentially the see

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development opportunities framework that the crown estate provides. And I'll hear you on that. But at this point, and just before we go to the applicant,

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on these policy matters. Can I ask you to confine your involvement just to

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the marine plan policy framework and the marine policy statement? Yes, however, I would, we would contend that

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we understand the different roles and responsibilities, but we would contend that the M o also has a role in lobbying, where they feel that strategy perhaps does need to change. Okay.

32:11

point point well made, but let's, let's hear from you on on the on the coexistence points. Well, it is literally just one sentence. So Marianne fellows overtime counsel, observing yesterday, we would say that there's still many concerns and outstanding matters with regarding to habitats and protection of wildlife, birdlife, that does mean that the policy of coexistence is not where it needs to be at this point. So I would say we do need to take regard to what was discussed yesterday, and the outstanding matters still. Okay, well, look, if I can reassure you in that respect, and although this has a much more strongly sort of social and economic flavour than than other hearings, the marine policy framework is to be addressed in the round and is just as applicable in natural environment and other aspects of our investigations. It just so happened that here was a good time to just check the policy framework with the MMO.

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Thank you very much. And Councillor fellows, I will come back to you on the broad points at the end of

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agenda item two.

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On the roll

33:36

note,

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role of the crown estate and see nice allocation.

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We're very grateful, sir. Thank you. Thank you very much. Okay, so to the applicant, then and I'd trust now that everybody else who wishes to speak on just the policy framework has spoken. So I can go to the applicant again and remind you that my question to you is just to give us an update on progress, as it currently is on any remaining items of work that might be needed to satisfy the MMO on policy compliance from the MPs or the marine plans to the applicant, please.

34:24

Good morning colonists on behalf of the applicant. I'm going to hand over to Gero Villa who has already appeared this week. So I will not give him his full introduction. But he is the offshore consensus manager for both the projects and has been a key part of the marine stakeholder engagement. And he has extensive experience in the development of offshore wind farms is dealt with over 15 I'm just going to hand over him to him for you to get the update. And equally in other matters of the agenda. It is likely that Mr. Vela

35:00

We'll just deal with those matters without any further introduction, and he will be at responding to these matters. Thank you. Thank you very much. Mr. Gates. Welcome, Mr. Vela.

35:13

Good morning, Mr. Smith, Jerry Vela for the applicants. In response to your question, the applicant submitted a marine policy clarification on the 11th of June in response to the relevant representation by the MMO. That was document as 038. In the MMOs, written representation, they did say that they consider that the applicant has considered the appropriate and acceptable policies and just content with the marine policy clarification.

35:47

I'm thank you for that. And I'm conscious that that was the position that we had reached in writing, this is almost like the reading of the bands prior to a wedding. And here, we have to just make sure and inquire that that work stream is essentially now navigating to a point where it appears that there is reasonable agreement between yourselves and the MMO, which very much appears to be the case. So all I will say, and by way of action to both yourselves and the MMO is that we very much appreciate you keeping us updated on any matters of policy compliance arising out of the MPs or the marine plans. And so that, hopefully, this is now just a case of keeping these on track until the end of the examinations.

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I'm not Mark Qureshi. FML. Understood.

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Excellent, thank you very much, Mr Qureshi. In which case, we will turn now to proper item a shipping navigation and see us

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now, my interest here again, I've already used the term reading of the bands, it's somewhat similar because I'm conscious of the fact that this is an area where there isn't the level of written concern or contention, that there is in some other subject matters in these examinations. So

37:18

our interest here is in ensuring that the siting and design of the arrays and cables and see the programming of construction and decommissioning works at sea fully address the policy requirements and particularly to reduce navigational risks to as low as reasonably practicable, ALARP. Addressing the interests of shipping ports, and navigation uses of the sea

37:44

the effects of construction and the operational facility can be put to the most substantial test in poor weather conditions. And this is obviously something that's been considered in the appendix 14.1 which deals with poor weather routings and I would like to ask

38:05

the MCA particularly whether your content and the effect of the proposed developments individually in combination with each other, and with other offshore wind farm facilities in the southern North Sea have retained sufficient scope for prudent Mariners, navigation in adverse weather conditions and adverse weather routings. This is obviously particularly oriented towards commercial shipping. But I will ask that question in terms of navigation generally to the MCA.

38:45

And thanks unexcelled for the MCA. Yes, these were considered within the navigation risk assessment and we're satisfied with the conclusions that have been made.

38:55

Excellent. So therefore then follows in relation to the navigational risk assessment, the NRA process, and that, looking back into the foundation stones of it and its methodological soundness and initial concerns that were expressed by the MCA and that the early stage NRA lacked radar data relied on Automatic Identification System AIS data alone. And those have been addressed later work combined our AIS and radar data. I mean, in a nutshell here. Again, without labouring the point, I'm seeking to inquire whether you're fully content with the current status of the NRA As it stands, including the volume and nature of the shipping data that's been collected, its means of acquisition and the study area.

39:49

So we're very concerned with the with the traffic surveys and the data collected and the conclusions that have been made. Excellent. And again, on a supplementary to that

40:00

Marine gardens note 543 is obviously applicable. And and again, having checked marine plans policy, I just wanted to check that this is complied with, again, fully at this juncture to your satisfaction, and that you are clear and content, that navigational risk has been reduced to a low level.

40:19

Yes, subject to our comments or latest comments to deadline for concerning the conditions within the DC Oh, yes, we are. Okay, excellent. So, everything should be on track. And as long as the conditions are managed in the in the manner that you set out, and there should be no likelihood of any outstanding technical concerns or issues arising during the balance of these examinations. Okay. Okay. And

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write a related matter, but this time to the MMO. And, and this is again in the coexistence world, and, obviously shipping being but one use of the Sea to the MMO. Are there any residual concerns at all about oil and gas production coexistence?

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Thank you, Mr. Smith. Mr. crushy mmo.

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I don't believe we have there are any residual concerns regarding Orlan gas in this matter.

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The reason the reason that's why I specifically asked is again, wearing

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previous experience on my sleeve, so to speak, and in a previous offshore wind farm matter. And one of these dangers these dangerous three.

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Again, fairly substantial debate occurred

41:53

reasonably late on in the examination still around coexistence with licenced offshore oil and gas exploration blocks. It was I think, in that case, any the the Italian oil and gas operator, and we ended up discussing quite substantial length with the applicants that the need for potential protected provisions around oil and gas operations. Now, there is no sense of smell of any of that in either of these examinations so far. But again, because we are now at that break point where realistically, if any new issues are to arise, they need to be on the table so that we can get to the end of the examination, knowing what we're dealing with. This is the time to flush any such things out. So conscious that you're not aware of them. Again, just to plead for final diligence, if there's if there's anything else out there that we need to think about in terms of those sorts of issues, and and all possible protective provisions. And they do need to be surfaced at the latest by deadline. Hi

42:59

are Qureshi. Mr. Thank you, Mr. Smith, for raising that as well.

43:03



Just to confirm, we're not aware of any residual concerns, however, we will review that we do sit on various on various forums with

43:16

oil and gas organisations, that sector and were arranged to raise that as well in relation to these projects, just to check that and we'll discuss with the applicant as well to confirm their position. And again, this is this is not a fishing trip at all very much the reverse, but this is final diligence.

43:37

But of course, if anything does crop up

43:40

by deadline time, please.

43:43

Now again, and the MCA will have heard that question. I gather from the tenor of your answer to my previous question about navigational safety compliance, that there is no possible for you to cross as far as you're concerned in relation to the operations of the oil and gas sector viavi and the proposed development

44:05

an Excel to MCA Yes, sir. That's correct. Excellent. All right. Moving. Moving on.

44:15

I will ask the question merely for form. And it's it's on my list. But I think the tenor of the responses, I've received questions so far, and this gives me the direction of travel, whether there are any concerns from either the

44:33

MCA or the MMO that any additional offshore and protected provisions that are not currently appearing in the draft orders might be required for any purpose.

44:47

The answer I would guess is no.

44:51

Makarov, Mo. Learn from us, Mr. Smith at this time. Okay. Mr. Salter, your content, none from you at this time as well.

45:01

Yes, sir. Thank you very much.

45:04

Now, I'm conscious that we didn't have requests to speak on this item from

45:12

Suffolk County Council or east Suffolk Council. And we did in fact also invite Norfolk County Council to this hearing and they are not in attendance. And there is no need to gauge if there is no answer to provide. But, again, I would just like to check whether any interested party with a responsibility for ports, harbours or channels, or indeed planning in relation to their onshore access or management or economic role, and that, of course, does include the county and indeed the district councils

45:51

have the interests of ports, harbours or channels been appropriately recognised and responded to in the siting, design construction operation and decommissioning proposals put before us in these examinations. And in thinking about that, again, we're asking for account to be taken off perspective, reasonably,

46:15

seriously entertained future port use and traffic, in addition, just to the ports that are physically there, and the here and now.

46:26

So if there's anybody who wishes to address us on any of those points, feel free to introduce yourselves now. If not, then I would ask if any of the bodies that I have mentioned, wish to put anything in writing by deadline five, that it should be taught, again, on that reading of the band's basis. If it's not in by deadline five, it will be very, very hard for these examining authorities to turn to fully address any issues that are raised.

47:00

So that's a final call to the County Council, the District Council. And any and particularly if Norfolk County Council are listening on the live stream or, or watching the event afterwards.

47:18

Now I see Michael Bedford, so I will ask Michael Bedford QC for the county council to speak pristine. Thank you to the microbead Suffolk County Council. So simply to note that, yes, we've heard what you said. And we will ensure in capacity as a waste planning authority, which is the only well minerals and waste planning authority, we'll see not the district planning authority, but also as local Highway Authority, we will just make sure that we have taken on board what you said and we don't expect to have to say anything. But if we do, it will go in there like pie. I'm very, very grateful.

47:56

On that basis, unless there are any other shipping navigation or CS issues before we move on to Item b fishing and fisheries and that any interested parties here wish to raise I will turn to the applicant, the applicants for the response.

48:15

Seeing no hands. So

48:18

do I take it that I'm going directly to Mr. Jerry,

48:27

Jerry better for the African. And I could provide you with a short update on exactly where we are with the MCA infinity house if that would be helpful. I think it will, particularly in circumstances where Trinity House of we're obviously an invitee today, for the same reasons as the others have not been able to attend

48:47

a latest position would be most useful. And actually, and what I would also ask is that you just keep now an engineering monitoring brief on this not at every single deadline only if the conditions then change. But if conditions do change, at any relevant deadline, just bring us forward a very brief note.

49:12

To highlight the two changes, relevant changes occurred. That's understood. So our key stakeholders for shipping and navigation are the maritime and coastguard agency and Trinity house.

49:26

Between application submission and submission of the draft stating the common ground and resolves to the rule nine letter on the 11th of June, we did engage with both DMCA and Trinity house on the applications and were able to close out majority of matters, which included a number of amendments to the draft DCA, to be submitted that deadline three. Following that submission. We have had feedback from both the NCAA Trinity house that the matters to be addressed within the draft DCA have been closed out, but they did highlight a number of additional matters.

50:00

Which are described in Trinity house and NCAA is deadline for submissions. So currently we have a meeting a statement Common Ground meeting set up with both organisations on the 28th of January. And following that meeting, we hope to take on board any changes required to the draft deadline, drop DCA g for submission at deadline five. And we'll make those changes as required. We will probably also update the statement of common ground for deadline five to confirm the outcome of our meeting next week.

50:38

I think that's a very wise course of action. And I mean, essentially, by following that we reach the position that i'm i've been trying to promote in this hearing, which that by deadline five, we are clear that

50:52

all further actions is unnecessary in relation to these topics have either been brought to closure or are so clear and on track that there is no risk of them remaining, not having been brought to closure before the end of the examinations. Okay, thank you very much. In which case, then let's move on to Item b fishing and fisheries, which I suspect on the basis of the answers that have now been given around the

policy framework and navigation are going to be very brief indeed. And I will generalise the question because I'm conscious that we don't have any specific fishing interested parties here today. And so

51:42

if there are any parties here with economic interests, and those could include the county and district Council's

51:53

around fishing and fisheries, essentially, I just want to finally check whether the effects of siting and design of the arrays on access to fishing grounds yields and vessel operations have, you know, everybody's view been adequately considered. And again, in relation to the effects of the construction process, and the siting of cables

52:15

offshore and the construction of the cable corridors offshore. So, can I just check, is there anybody who wishes to address me at all on any of those points?

52:27

On the MMO?

52:30

Just,

52:31

again, Mr. Smith, Mr. Qureshi, MMO. Just to say this points really, we we do acknowledge the applicants work with the various organisations, including the commercial fisheries working group, the NFL, and others, we have reviewed their statement of common ground that was submitted at the last deadline. And we are broadly content and we do it, I believe there may be some minor issues, that's still being discussed. And we ourselves, will we keep

53:08

a watching brief on that.

53:11

So at this stage, that's all we have to say. Okay, so so your contempt, for example, that the whole structure and fisheries liaison and coexistence is adequate and adequately secured.

53:24

Looks, looks pretty much what what would normally be done.

53:29

Without curriculum, yes, yes, I believe so that there are some minor issues, but we also understand about the risks or some discussion with those organisations ongoing with the applicants. Okay. No

conscious that there are others in the room than the MMO. At final test and question, are there any other fishing or fisheries issues specifically, there's any other IPS wish to raise?

53:58

No. In which case Ladies and gentlemen, I'm going to move on from item B,

54:07

to item C, recreational and other uses, which I suspect is going to be even more brief and abbreviated than the previous two items, because it does to a degree overlap here most with Mr. Hockney's items this afternoon. So I'm very deliberately not going to go into elements that cross the boundary and tourism. And

54:33

so here, I just want to make a final check. And again, particularly back to the MMO in relation to their custodianship of the maritime world. But in DMCA if there are any remaining issues or concerns that they're aware of, we're very conscious that we do not have in front of us and not actively engaged at this stage in the examinations because they seem to be happy. The range of normal recreational

55:00

yachting and boating stakeholders. And

55:05

so to test whether effects on recreational, boating, cruising and yachting have been fully responded to, and whether there are any outstanding concerns about the effects of the projects on these interests.

55:19

Thank you, Mr. Smith, Mark Hershey MMR. Again, we believe that there aren't any outstanding recreational or other issues. We do, of course, in order to is, is, of course within our remit, as well as the local planning authorities and local councils, it is well

55:38

within our jurisdiction, but we're not aware of any of this stage. Thank you very much and again, conscious that they may not have necessarily come armed with particular thoughts on these points. But to the extent that any of these matters are within the remit of either Suffolk County Council Research Council, and if you wish to put anything to us in writing by deadline five, then that opportunity is also there. And I'm going to move to Mr. Joe Vela for the applicants response on item C. Councillor fellows, I do have you here. But I'm not going to take you on the crown estate and see use allocation point until we've got item C finished out. And then I'm going to return to that as a kind of exceptional item under the rubric of agenda item two, but not in item C. So the Africans response please on to see

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Jared Avella for the applicants. I think probably the key point to make is that pre application we did engage extensively with the Royal yachting Association and the cruising Association.

56:48

But we did approach them to determine whether they would like to enter into statements of common ground with us. And they did both confirm by email in in April and march of 2020 that they didn't require engagements or preparation of statement common ground and that they were very happy with the applications as they work and the engagement meant that been undertaken pre application.

57:12

Thank you very much,

57:14

Mr. Vela. Now. Now again, you know today almost in a sense reading of the bands again, that that reasonable final opportunity to come forward if they will matters that they wish to raise they're not here. And I think, you know, we can move forward on that basis. So I'm going to close out agenda item to see and what I'm then as I foreshadow going to do is to ask counsellor fellows to put her question her point about essentially the process whereby see areas come forward and as prospective offshore wind farms, wind turbine generator arrays. So Councillor fellows, the floor is yours.

58:07

Thank you, sir.

58:09

Councillor Marion fellows representing over town council,

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the significant problem and the driver, in fact, the starting point for why we are here today at all, and why the examination is taking place is unfortunately the current policy framework and strategy of and the process of the release of sections of the seabed by the crown estate. And then the process by which the MMO competes that out.

58:43

If there was a robust strategic plan, which is much needed for the provision of energy in the UK, from offshore wind power, then I don't believe we would be facing the problems we face today. Because this policy or this process, is the fact that in turn prevents the coordination and improved creative effective delivery, which doesn't harm coastal communities. So my question to the MMO, and one that I'd like put to the crown estate, and asked for their representation within this examination is what actions are you taking to lobby government? Or what can you do yourselves to assist urgently to readdress this, because what we have before us what is being examined is not fit for purpose, and will be judged even less so in five to 10 years time. And this project won't be delivered before we see a review and the new opportunities put through legally that need to be obtained and achieved.

59:56

So urgently. Just my my last point. So what

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We're looking for is for an agreement to pause, definitely future releases of the seabed without consideration of a review or the new strategic development that needs to be in place. And whether they would speak to our requests that the proposed no one knows. And EA two is paused and made subject to review and flex as still in development, as we discussed yesterday on page 80, of the government, white paper. Thank you. Okay, that counts photos there, obviously, you know, that's a that's a small team with very, very large set of content within it. The first thing I'm going to say before I hand those items back to the MMO, principally

1:00:49

is, firstly, to flag that in relation to the policy framework that these examining authorities must apply. We are specifically statutorily enjoined to apply

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the national policy statement in force and recognising that government have made a commitment to their review in the white paper, but has also made a commitment in that paper to them not being suspended, and in the interim phase before the review takes place. So we will deal with the policy framework that is before us until we have a new one. And if we have a new one, we'll have to deal with that. And we're also very strongly conscious of the ongoing days review.

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And again, we will have to deal with the policy framework and all that sort of administrative framework for the industry that may emerge from that.

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That

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there really is, and we do have to be very careful here. And a relatively limited scope in this examining authority to

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deem itself capable of doing a job that is not appointed to do which is to acquire into everything maritime around effective strategic planning for offshore wind farms, that is not our job, we have to make a recommendation on each application before us to the Secretary of State

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about that specific project within the policy framework that applies at the time when a recommendation is made. So I make those remarks to condition,

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the response that the MMO, if any, feels able to give to the questions that you've raised. And before I hand back to the MMO, council fellows, can I can I just also, briefly explore one

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specific question with you. And that is, whilst I understand your position, that the substantial largely onshore effects that are of deep concern to you, and the people that elect you,

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are your main focus

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if the offshore arrays were proposed in the locations that they are proposed, but with a different means of connecting them to the transmission system, that meant that the effects that of concern so many days of these examinations around the landfill, the cable corridors and the connection points of Friston? Were

1:03:32

not part of the exercise.

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And would you be content? Or do you have outstanding in principle concerns about the offshore arrays themselves in the place that they are proposed to be?

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Thank you, Mr. Smith. In response to that question, there are some people who to perceive the arrays that they can see from the shore as being part of a cluttered vision. You know, there are some people who don't like to see that.

1:04:11

However, there is there are others that recognise that the overwhelming benefit of generating power from offshore means that that isn't such a huge concern is similar to when you asked in the last round of issue specific hearings, what we felt about pylons, yes. To me, yes, they are slightly industrial, but there is a beauty to them. They have a height you can see through them. They're lighting colour, they're not solid, they don't impact they don't make a noise, you know, so we are not NIMBYs we're not taking part in the examination. From that standpoint. We recognise that there isn't a huge overwhelming dis benefit of the array as long as the

1:05:00

impact on wildlife and fishing can be mitigated satisfactory, plays huge, a huge concern is exactly what you said. There is a disconnection. And I believe that it started because the original energy paper, white paper, didn't actually talk about onshore infrastructure. And although many of us have researched energy in the past, we weren't aware of the huge requirement for onshore infrastructure. And I think if you spoke to most people in the street and said, Are you in favour of wind power offshore? They would say yes, but they're basing that only on seeing the array. They don't know about the onshore implications. So yes, you're correct, sir. Our concern is with the onshore infrastructure. Okay, well, on that basis, what I am then going to do, capsule fellows is, you know, the MMO, are clear about the broad remit of, of these examinations and the powers of the examining authorities. And



1:06:07

I'm not going to constrain them to provide detailed answers in relation to matters beyond their remit matters that arise more broadly than essentially the policy framework for the sea, their role as planning authority for the sea, their responsibilities, for example, around the discharge of conditions to deem marine licences.

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Because to essentially put them into the position of having to answer questions about the onshore policy framework, but they don't own and operate either these are essentially government strict bs matters. And I, I feel would would not be a particularly appropriate use of their time. And

1:06:56

I will go back to them and just ask, see whether there are any observations that they feel able to make on those points that you've raised, but I think you will have to accept if they say that they're not happy because end of the day, they operate with a very specific remit, just as indeed we do. And there are other parts of government that are charged with thinking about the policy framework. And all of the questions about the adequacy of the policy framework, I do have to say, have continually to be put to the sexual state bees within the context of the bees review. So what is your respect? Sir, the only thing I would like to say is of course, they are connected. Oh, if the if the way that the crown estate and MMO operated in terms of the early phase of this project, it would not mean we couldn't coordinate, it is the principle that there is not the coordination each project is independent, competed no strategic development of what we need, and not future proofed. For example, there are existing lines already interconnectors from Belgium coming to the UK, but it's not being future proof. So now in the future, we face another line being developed. So they are a strategic body, they do have the ability to lobby, and they do have the ability to understand the result of their actions, and to actually go back to government and say, we recognise that the current actions we have under our policy is not actually helping the next stage of the delivery. So that's the piece that I think he's relevant, sir, with your respect. You've you've very passionately advocated that position, I equally have will have to recognise the MMOs view about its own remit. I'm going to turn finally then to the demo and ask them if there is any of that on which they wish to make observations, but we will have to respect if they do not that they do not. So, Mr. Qureshi.

1:09:04

Thank you, Mr. Smith, Mark Qureshi. MML. And thank you to Councillor fellows for the observations and the arguments put forward.

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I think there are

1:09:18

a few things mentioned there. And thank you, Mr. Smith, for clarifying into in terms of our remit as well. I think there are potentially some matters there that we we couldn't get out beyond our remit at this stage. And I would like to be given the opportunity to respond to Council of fellows

1:09:41

questions, but I feel we need to go back internally and discuss within my organisation to do that. I'd like to give up your to that and I'm just wondering what the mechanism to do that is

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just to ensure that we are answering the correct questions. Is it possible

1:10:00

That

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content fellows observations can be synthesised into a question or written question that we can respond to. So, absolutely, I think that's a very reasonable request and council fellows, would you be content to to essentially? distil those points in writing for deadline five? Because we are asking people to make written submissions of oral representations that deadline five in the case. And if on that basis, Mr. Qureshi, and the MMO would then commit at deadlines six, to providing a clear, reasoned response to those elements of those questions that it is able within its remit to do, and if there are ones that it deems to be beyond its remit, to essentially explain why those are beyond its remit. That will be very, very helpful, a deadline six. So that's an action for those building the Action Lists for us, unless

1:11:00

there are views that it should be done differently. So I'll just return briefly to council fellows. And just check that she's contented.

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moratalla is over town council. Yes, I think that's a very good positive solution. And perhaps that could also be copied to the crown estate. So

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yes, I think if you if you put in your written material at

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the deadline five, the action in the action list should record that we would like the crown estate to comment on it just as much as we would like. The MMO to comment on it. But deadline six.

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Thank you, sir.

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Excellent. In which case, and I will turn to the applicant just to see if the applicant has any observations on that brief exchange.

1:11:56

Mr. Vela, Jerry Bella for the applicant? No, I don't have any specific observations. But I will ask my colleague, Mr. Ennis, whether he has anything that he would like to add? Thank you very much, Mr. Ennis.

1:12:12

Yes,

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I've got nothing to add. So thank you. Thank you very much.

1:12:18

In which case, ladies and gentlemen, that has brought me to the end of the matters that I had wished to explore on agenda item two. So before I close out the item, can I just ask if there are any other interested parties present who have yet to speak on agenda item two, who wish to raise matters on it?

1:12:37

I'm viewing the room for yellow hands. I'm seeing Mark Qureshi.

1:12:44

And Mark crush Mo, thank you for the opportunity today, when we will respond to the question to cost and just to confirm that we will now intend to leave this hearing, although we will review the live stream as well. Indeed, and I'm very grateful for that Mr. Crushing for your attendance and equally grateful to Mr. Salter for the attendance at the MCA who are also permitted to leave. And I think it's a sensible point. It's probably about 15 minutes earlier than I'd anticipated. But I also note that some of the attendees here have been in since the beginning of the arrangements conference at 20 minutes past nine. So let's call a break. Let's cut, call the break until 1130. And then we will resume with agenda item three. And my colleague Mr. Haku will be in command for all of that item. So otium is to hopefully on resumption at 1130. Thank you very much, ladies and gentlemen.