

# **Vattenfall Wind Power Ltd**

## **Thanet Extension Offshore Wind Farm**

Appendix 28, Annex D to Deadline 1 Submission:  
Minutes with MCA from October 2018

Relevant Examination Deadline: 1

Submitted by Vattenfall Wind Power Ltd

Date: January 2019

Revision A

Drafted By:	GoBe Consultants Ltd
Approved By:	Daniel Bates
Date of Approval:	January 2019
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**THANET EXTENSION MEETING MINUTES – SHIPPING AND NAVIGATION**

<b>MEETING ORGANISER:</b>	VATTENFALL WIND POWER LTD
<b>MEETING DATE</b>	4 <sup>TH</sup> OCTOBER 2018
<b>ATTENDEES:</b>	DAN BATES (VWPL) SEAN LEAKE (GOBE CONSULTANTS) ED ROGERS (MARICO) JAMIE HOLMES (MARICO) HELEN CROXSON (MCA) TREVOR HARRIS (TRINITY HOUSE) STEPHEN VANSTONE (TRINITY HOUSE)
<b>APOLOGIES/MEMBER NOT REQUIRED FOR PARTICULAR MEETING:</b>	MIKE VANSTONE (VATTENFALL) ROGER BARKER (TRINITY HOUSE)

Agenda item	
1	Introductions
2	Project Summary
3	Representations
4	Towards of Statements of Common Ground Study Area / Consultation NRA methodology ES baseline and methodology Conclusions of the NRA / ES
5	A.O.B
Notes & Actions	Notes
1	<b>Welcome and Introduction</b> The presentation slides were circulated <u>just before the meeting commenced prior to the meeting</u> via email. Attendees introduced themselves, with apologies from Roger Barker (THLS) and Mike Vanstone (Vattenfall). DB summarised that the focus for the day would be Statements of Common Ground (SoCG), with the aim being able to agree the ‘building blocks’ of the assessment before then focussing in particular on the objections noted within the Relevant Representation (RR) from both MCA and THLS.
2	<b>Project Summary</b> DB briefly reintroduced the project, noting on the project programme, that Vattenfall think the examination may commence in November but this is to be confirmed by PINs in due course.
3	<b>Summary of RR</b>

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**Commented [HC1]:** This implies we had ample time to consider the content of the presentation in preparation for the meeting which is not the case.

**Commented [TH2]:** Trinity House had not seen the slides prior to the meeting. And still have not had them sent to us.

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<p>DB summarised the remit of each consultee, initially summarising the remit of MCA and their RR before then summarising the remit of THLS (as presented within the RR) and the detail of the RR itself.</p> <p>HC <del>gave an overview of the MCA's RR clarified the MCA RR and</del> and noted that the Navigational Risk Assessment (NRA) is <del>fully</del> compliant with the guidance [MGN 543]. <del>However, but with the on the basis of the extent of the current Red Line Boundary (RLB) to the west, along with the collective impact of the extension, the MCA does not accept that the increase in risk is acceptable on this occasion. it is felt that the project is not acceptable.</del></p> <p>ER sought clarification that the assessment of the hazards in the risk assessment were appropriate.</p> <p>TH confirmed that the assessment is very good, with more detail and data than is often provided within NRAs, but the overall interpretation is different between the applicant and MCA/THLS.</p> <p>ER sought clarification that the interpretation was based on the best available data, and data that clearly illustrates the project has gone beyond best practice with regards data, analysis, consultation and further studies; concluding that the projects position is that a very robust dataset and analysis has informed the assessment and interpretation.</p> <p>TH confirmed that the NRA and data were good but that Trinity House disagreed with the conclusions.</p> <p>ER sought clarification for the basis of the disagreement – was it based on interpretation of risk, likelihood, consequence, as the data, analysis and reporting were considered beyond best practise?</p> <p>TH confirmed that in the view of THLS the increase (from a 1:6 year likelihood of collision) to a 1:4.5 year was unacceptable.</p> <p>ER confirmed that the increase represented likelihood of collision, but not consequence and requested clarification on what would be an acceptable risk profile given other sites within the region (e.g. Dover Straits – UK Waters only hold a 1:1 collision likelihood and as no additional control measures are being considered is deemed acceptable), with further examples around the UK coast also being a greater likelihood than 1:4.5 and being deemed acceptable.</p> <p>HC confirmed that it was not the MCA's <del>responsibility duty to determine what the risk assessment figures should be, and therefore what indicate what would be</del> an acceptable likelihood of collision <del>is, and but</del> further concluded that the <del>navigation understanding of MCA's view (along with other key stakeholders) is -is-</del> that there is a disconnect between the interpretation of tolerability (of a 1:4.5 likelihood) and the stakeholders (industry experts) views. <del>has gone wrong.</del></p> <p>ER identified that the understanding of tolerability hasn't gone wrong but identified that acceptability appears to be in question.</p> <p><del>TH confirmed that any increase in likelihood is unacceptable.</del></p> <p>HC further iterated that all proposals are considered on a case by case basis and the risk for Thanet extension is considered unacceptable.</p> <p>TH also confirmed that the existing likelihood [1:6] was not <del>acceptable preferable</del> but <del>they had no choice as</del> it was part of the baseline <del>survey data.</del></p> <p>ER concluded that statistically the likelihood has actually reduced since the existing Thanet was constructed. This latter point was returned to later in the meeting with both MCA and THLS confirming that no complaints had been received (with regards navigational safety) within the baseline area that are attributable to the existing Thanet project.</p> <p>ER also explained the underlying principles of the collision risk calculation and the conservative nature of the assessment presented – it does not consider bridge team intervention to deconflict encounters –</p>	<p><b>Commented [HC3]:</b> In what context? This doesn't add anything but creates ambiguity. Suggest deleting.</p> <p><b>Commented [HC4]:</b> We also highlighted that a separate meeting was held to suggest some key improvements to the completion of the MGN, and that appendix 2 – compliance with the methodology for assessing the risk of OREIs was missing.</p> <p><b>Commented [HC5]:</b> This depends what you mean by beyond best practice and is slightly presumptuous – implying you have done more than required. However, the additional work has been relative to the impact of the extension and to address concerns raised by stakeholders.</p> <p><b>Commented [TH6]:</b> This comparison only accounts for the final annual figure. It does not accurately compare like for like as other areas have more marine traffic movements to account for. Eg Dover Straits approx. 300 per day when figures in this NRA allow for 10 per day.</p> <p><b>Commented [HC7]:</b> Developers are expected to present a suitably detailed formal safety assessment – within which, among others, all of the nav hazards, risk control options and then the residual risk (e.g. IMO FSA, gCAF, nCAF ..gross/net cost of averting a fatality .etc.), mitigation and final assessment baseline figures are to be presented. MCA, and experts as may be needed, would then study and examine and agree/disagree.</p> <p><b>Commented [HC8]:</b> I did clarify and retract 'gone wrong' to 'disconnect' at the time.</p> <p><b>Commented [TH9]:</b> Trinity House position confirmed on page 3</p> <p><b>Commented [TH10]:</b> Received by Trinity House. We are unaware of reports received by other organisations.</p> <p><b>Commented [HC11]:</b> The bridge team would take action to avoid collision, however, the risk of collision, which the study is to highlight has already occurred.</p>
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	<p>this intervention has variously been assessed as anywhere between 40-90% effective.</p>	
<p>4</p>	<p>Towards a SoCG</p> <p>DB then suggested moving on with the wider agenda asking for confirmation that the building blocks of the assessment were appropriate and agreed and provided a number of statements for considering and agreeing. The following were agreed [Statements taken from the presentation]:</p> <p>Study Area of the NRA – agreed by MCA and THLS as appropriate. <i>It is agreed that the study area used to inform the assessment of the project on shipping and navigation receptors was appropriate</i></p> <p>Consultation to inform the assessment – agreed by MCA and THLS as appropriate. <i>It is agreed that throughout the pre-application process the level of consultation and the provision of information has been sufficient in informing [THLS / MCA] of the development of the project and the predicted impacts on shipping and navigation</i></p> <p>At this stage HC requested confirmation <del>whether that</del> the project had <u>reconsidered in anyway the extent of the redline boundary to the west in response to the representations made to the Planning Inspectorate.</u> <del>gone away and redesigned the RLB.</del></p> <p>DB confirmed that this had not been done as, whilst an objection was noted, it was necessary to clearly identify the material requirement to amend the RLB and associated factual basis of evidence would be necessary for Vattenfall to do so.</p> <p>HC stated that in the opinion of the MCA the RLB change was necessary and the RR should provide sufficient evidence of this need.</p> <p>DB accepted MCA's position but further iterated that it was necessary to identify what the RLB change should achieve and to investigate whether other mitigation measures could achieve the same objective (to reduce risk to an acceptable level). Further summarising that the change that has already been made has been welcomed by the MCA / THLS, but any further change needed some form of evidence-based objective.</p> <p>HC clarified that it sounds like the project require facts and figures but concluded that it is not the <u>MCA's responsibility job to provide facts and figures evidence in order for Vattenfall to as to consider wh how what at consider what</u> the change in RLB <u>should</u> achieves in risk assessment terms.</p> <p>SV clarified that it appeared the project team wanted the stakeholders to drill down into the NRA in more detail and to see if they can identify if there are any inaccuracies which could lead to the disconnect between MCA / THLS views and the results of the assessment.</p> <p>DB confirmed that to be correct, the target needs to be identified and the specific issues explored before determining any additional mitigation which can then be focussed on the specific issue and of appropriate mitigating contribution.</p> <p>ER requested clarification whether it is the position of MCA/THLS that there should be "no net increase" in risk (or that any increase is mitigated 100%) – or whether the basis for assessment should be against absolute risk acceptability.</p> <p>No agreement was reached by MCA / THLS on this.</p> <p>ER then sought clarification as a 'no net increase' is risk is considered unattainable and would lead to no development offshore as it is</p>	<p>Actions captured at the base of the minutes</p>

- Commented [HC12]:** 'Factual basis of evidence' has been provided by key stakeholders in the many PINs representations, and these will be further explored/expanded as we go through the examination phase.
- Commented [HC13]:** MCA has already made it clear that the small change to the redline boundary was not to the extent we expected to change our view.
- Commented [TH14]:** Trinity House did welcome the small change already made. However this change did not reduce our concerns on the navigational safety aspects of the project.
- Commented [HC15]:** As a regulator, our role is to inspect and examine the information provided based on our guidance, not to provide evidence for it.
- Commented [HC16]:** MCA's view is that we have told Vattenfall of the disconnect and it is now up to them to address the stakeholder concerns before it will be supported by statutory consultees.
- Commented [TH17]:** We agree with MCA comment.
- Commented [HC18]:** MCA accepts that there will be an increase in risk, and in the majority of cases so far, we accept that risk with suitable mitigations but in this case considering the multiple factors we have already addressed many times – we do not accept the increase in risk and likelihood on this occasion for the Thanet Extension.
- Commented [HC19]:** When you are talking about very important policy lines, we cannot be expected to just 'agree' across the table. It has to be discussed within Navigation Safety Branch and with any other internal experts as and when necessary.
- Commented [TH20]:** Trinity House position is that any increase to risk should be the minimum achievable using both qualitative and quantitative data.

<p>inherently part of the development that there will be some increase in risk, and that the question is then one of "what is acceptable". SV confirmed that 'no net increase' is not the position of the THLS and asked for confirmation that the 1:6 risk likelihood was within the overall 5nm but what was the specific risk at the western tip area of the project boundary. ER confirmed this would be addressed later in the meeting. DB then introduced the following building blocks, each of which were <u>agreed considered</u> as appropriate by MCA/THLS:</p> <p>NRA methodology</p> <p>NRA checklist <i>It is agreed that the Navigational Risk Assessment has been undertaken in line with the requirements set out in the Marine Guidance Note (MGN) 543 – Guidance on UK Navigation Practice, Safety and Emergency Response Issues and complies in full with the MGN 543 checklist. <u>Post meeting note: Although we don't disagree with this statement, there is one section missing from the required checklists.</u></i></p> <p>Environmental Statement (ES) baseline environment description. <del>Pilotage study and analysis</del> <u>Pilotage study and analysis</u> <u>Post meeting note: Although we don't disagree with this statement, we do note that there were limitations raised with the pilotage study during the consultation period, and how 'realistic' the trials were.</u></p> <p>Bridge simulation exercise <i>It is agreed that the shipping and navigation baseline environment has been adequately and appropriately described in the ES. Based on that information it is further agreed that the marine traffic survey data and wider data sources used are appropriate for the assessment and details a good representation of commercial traffic in the area of the project It is agreed that the approach adopted in the Environmental Statement is appropriate to assess the magnitude and range of navigational safety impacts from the proposed Project on the users of commercial vessels</i></p> <p>Design parameters <i>It is agreed that the design parameters of the project would result in the worst case collision and allision scenario for commercial vessels.</i></p> <p>JH identified that the CRM slides were key. ER suggested that the method of assessing tolerability could be explored in detail in this meeting. All parties confirmed this would be helpful. ER provided detail on the methodology – Collision incident rate are derived using Domain Theory to consider in detail what the rate is both with and without Thanet Extension, and before and after the RLB change made following consultation on the PEIR. ER concluded that the background number of incidents is 3 in 18 years (broadly 1:6) but confirmed that whilst this number is low so as to not be statistically robust, gives a useful indication of likely incident rate. ER then confirmed that the Domain Modelling re-runs, undertaken conservatively (without taking account of bridge team intervention). The collision incident rate conclusion is that the likelihood increases from a 1:6 to a 1:4 prior to the [post PEIR] RLB change, and a 1:4.5 after the [post PEIR] RLB change. This later risk profile forming the worst case as</p>	
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**Commented [HC21]:** POST MEETING NOTE: Although we don't disagree with this statement, there is one section missing from the required checklists in addition to the MGN 543 checklist which Andrew Rawson agreed to provide when we held the separate MGN 543 checklist feedback meeting.

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**Commented [HC22]:** POST MEETING NOTE: Although we don't disagree with this statement, we do note that there were limitations raised with the pilotage study during the consultation period, and how 'realistic' the trials were.

**Commented [TH23]:** Agree with MCA comment. Trinity House position and concerns on how the pilotage simulation was carried out has been highlighted at previous meetings.

<p>submitted within the application. ER also iterated that this considers 'any' incident and does not identify severity of incident.</p> <p>ER went on illustrate that due to the low data numbers (and therefore statistical strength) in relation to severity of incident (most likely vs most serious) it was necessary to look nationally; national data illustrates a ratio of 1:60 between most Likely Most and Worst Credible. ER reminded attendees that given the 1:6 baseline likelihood has incurred no management measures it must be deemed acceptable.</p> <p>TH confirmed that this premise could be agreed but that any increase has to be justified. TH further suggested that it is not down to a specific threshold beyond the baseline as any increase <del>is considered not acceptable</del> will be assessed individually.</p> <p>ER further iterated that this would result in a 'no projects' scenario unless some indication is given as to what is acceptable.</p> <p>HC <del>said confirmed</del> that the MCA would not <del>confirm provide a number a steer</del> to this effect <del>(using a 1:5 as an example)</del> as <u>every project is considered on a case by case basis. it was considered and in this case, when you consider the cumulative impact, the increase in hazards and likelihood, and the resultant changes required (pilot boarding, less area for manoeuvrability of larger commercial vessels, operational implications including emergency response/readiness and additional pressure on mariners in an already complex area for navigation)</u>, <del>ed the the</del> Thanet Extension project is not <u>acceptable in our view. tolerable to other assets (such as pilotage)</u></p> <p>TH asked how little could the increase in risk be made.</p> <p>ER confirmed this was challenging without an objective.</p> <p>DB asked for clarification of the objection, which was made in the round, focusses particularly on pilotage and whether the increase in risk was for safety or the commercial viability of the pilotage operations.</p> <p>HC confirmed <u>that the MCA's concern is the safety of navigation, and if there is more pressure placed on pilots, and other vessels with restricted sea room, this has an impact on the safety of navigation. it was both MCA therefore has an interest in the impact on pilotage operations, and statutory obligation to discharge its part of the bargain towards international conventions like SOLAS (ch V Safety of Navigation) and COLREGS</u></p> <p>DB stated that there was a concern that safety and commercial issues were being conflated by some of the relevant representations and that they are separate issues. <u>Post meeting Note: Agreed that they are separate issues – however MCA's approach to carrying out its assessment of the results of the NRA is to listen to the concerns of its stakeholders and where the commercial aspects interfere with the safety of navigation such as longer passage plans, and deviation, impact on pilotage boarding, then the MCA has an interest. + additional requirement on navigators, lookout personnel; ships' SMS (safety management systems); emergency response preparedness etc.</u></p> <p>ER stated that those risks occur everywhere with the evidence clearly showing that there are other challenges locally that are greater than the 1:4.5 likelihood predicted for Thanet extension. ER used the example of the Tongue pilotage station which is better with regards safety but more distant and therefore commercially not preferred and therefore used less frequently.</p> <p><del>HC confirmed that the MCA were concerned about pilotage both commercially and with regards navigational safety, and therefore tolerability.</del></p> <p>DB asked for further discussion on how tolerability has been defined.</p>	<p><b>Formatted:</b> Comment Text, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers</p> <p><b>Commented [HC24]:</b> Agreed that they are separate issues – however MCA's approach to carrying out its assessment of the results of the NRA is to listen to the concerns of its stakeholders (which include the Chamber of Shipping and the PLA who will raise the commercial aspect) and where the commercial aspects interfere with the safety of navigation such as longer passage plans, and deviation, impact on pilotage boarding, then the MCA has an interest.</p> <p>+ additional requirement on navigators, lookout personnel; ships' SMS (safety management systems); emergency response preparedness etc.</p> <p><b>Formatted:</b> Font: Book Antiqua</p> <p><b>Commented [HC25]:</b> This has been addressed above.</p>
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<p>ER confirmed that no guidance was available (from MCA) and therefore HSE guidance has been used. Using this approach identifies highest risk group are fishermen but overall the risk (using HSE guidance) was tolerable under both the 'workplace' measure and the more stringent 'public' measure.</p> <p>TH confirmed that in this context the use of HSE assessment methods is common currency, frequently used, and in the absence of anything else is fit for purpose and appropriate.</p> <p>[the statement shown within the ppt was agreed as needing to be changed from 'It is agreed that the tolerability of risk is appropriately defined and assessed.' to 'In the absence of industry specific guidance it is agreed that the tolerability of risk is appropriately defined and assessed through application of the HSE standards'</p>	
<p>DB then confirmed that the proposed DCO condition related statements were agreed. <u>Still not sure what this is agreeing?</u></p> <p>MCA and THLS confirmed (following clarifications with regards 'below sea structures') that the wording seemed appropriate <u>and agreed. This was briefly discussed, not sure we 'confirmed it was appropriate' at the meeting.</u></p>	
<p>ER asked MCA what they would like to see or to be demonstrated with regards the residual risk.</p>	
<p>HC confirmed that MCA would take away an action to consider what will address their concerns.</p>	
<p>DB further clarified that there is a suite of mitigation measures available which if exhausted may lead to a RLB change but all options should remain available subject to MCA considerations as to what the concern is and how best to address it.</p>	
<p>TH identified that an increase in risk would happen, but could the position of WTGs be refined? Elaborating that the 6 or 7 WTGs in the 2 westernmost rows if relocated could reduce risk, perhaps this would be the answer to reduce development in this area to reduce compression of vessels.</p>	
<p>SV asked for clarification as to the rough area needed to accommodate the WTGs.</p>	
<p>SL responded that this depended on the worst case scenario presented within the ES with the smaller capacity turbines (8MW) requiring 34 WTGs plus potentially a substation. Furthermore it depended on ground conditions which requires a greater resolution of data than was commonly utilised for the purpose of EIA, instead a Rochdale approach' is employed.</p>	
<p>DB confirmed that other factors such as wind resource come into play for project viability and as such the project design is not a simple as requiring a set amount of room per turbine.</p>	
<p>TH identified bigger WTGs need less space.</p>	
<p>DB iterated that a worst case assessment was necessary.</p>	
<p>DB asked if it would be helpful to sensitivity and stress test the risk scoring as this may shed some light on MCA concerns</p>	
<p>SV agreed and asked if the scoring of 'effectiveness of mitigation' could be explored.</p>	
<p>JH confirmed</p>	
<p>ER provided a summary of the scoring matrix methodology and consequence/likelihood scoring mechanisms. DB, JH, and ER at this stage also confirmed that the 'raw' matrix could be provided to MCA/THLS to be sensitivity and stress tested with a view to a workshop in which the</p>	

**Commented [HC26]:** MCA does not write its own guidance on tolerability. We have our MGN, the methodology for assessing the risk - FSA/ IMO. I have also attached a relevant IMO circular for your info.

The MCA guidance that it provides with regard to safety of nav is considered adequate.

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**Commented [TH27]:** DCO conditions briefly discussed but not agreed.

**Commented [HC28]:** Not sure what this is saying.

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**Commented [TH29]:**

**Commented [TH30]:** Not agreed yet

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**Commented [HC31]:** We have considered what action will address our concern and that would be a significant change to the redline boundary on the western extent, to the satisfaction of its stakeholders.

**Commented [HC32]:** As above - we're to provide the final perusal, examination, inspection etc. and not how to achieve our conformance.



<p>process could be reviewed together in an open book manner. All parties agreed.</p> <p>SL asked for confirmation if the MCA were familiar with the process</p> <p>HC confirmed <u>MCA was aware of the process but are not actively involved in the process with developers.</u></p> <p>SL asked if the MCA utilised similar approaches and if they were familiar with the use of the matrices.</p> <p>HC confirmed that this was not something the <u>Navigation Team MCA are actively involved in with developers. utilised.</u></p> <p>TH confirmed that the scoring was also in the NRA but stress testing the matrix would be useful.</p> <p>DB agreed and suggested that even though it appears the MCA/THLS object on the basis of <u>gut instincts, qualitative stakeholder feedback</u> walking through the matrices would hopefully lead to consensus on the steps take to align views.</p> <p>TH identified that part of the question is to identify what is acceptable, and to look at the concept of ALARP in this respect.</p> <p>JH asked if there had been any complaints or feedback provided to the MCA about the existing safety baseline in the area of Thanet (specifically collision likelihood of 1:6). MCA and THLS confirmed that no complaints had been received.</p> <p>ER asked for confirmation if the MCA undertook regional safety/risk profiling assessments to demonstrate whether baseline risk is acceptable or benchmarked.</p> <p><u>HC confirmed that it was not the duty of MCA to undertake this. HC explained that any issues are presented to MCA either direct to HQ or to local Marine Offices and are assessed at a local level, again through discussion with local relevant experts via among others, the District Marine Safety Committees as and where operational, or similar safety of navigation related stakeholders and interested parties. Issues are either resolved at a local level or escalated and discussed at the UK Safety of Navigation Committee again where industry experts sit around a table and discuss the risk and collaborative, consensual resolutions, based on the information provided.</u></p> <p>ER clarified if this was undertaken in the absence of projects in order to profile, understand and manage regional risk.</p> <p><u>HC confirmed this was not undertaken. HC confirmed that risk was assessed by MCA on a case by case basis in discussion with the relevant stakeholders in order, the reactive management approach outlined previously was utilised to understand and appropriately, manage risk.</u></p> <p>TH confirmed Aids to Navigation are managed with reviews utilised (<del>through</del> including stakeholder engagement) to identify changes to AtN that may be necessary.</p> <p>ER stated that AtN are risk controls and therefore the need for them could be derived through assessment of baseline risk.</p> <p><u>HC confirmed that active management was not undertaken but the UKSON system reacted to complaints and incidents and escalated concerns until action was agreed.</u></p> <p>JH asked what the trigger was for the actions to be taken</p> <p>HC confirmed that complaints/ representations are raised at local or TAG committee level and then escalated rather than active management in the sense of pre-emptive and /or strategic regional risk scoring.</p> <p>ER concluded that in the absence of complaints (and therefore escalation through UKSON) the baseline must be acceptable. But it was the perception of MCA and THLS that the 1:4.5 was not acceptable, <u>although this clearly is acceptable elsewhere. Post meeting note: This is not just MCA and TH's perception – and this risk might be acceptable</u></p>	
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**Commented [HC33]:** We do not consider the views of multiple industry experts sat around table discussing the development as merely a 'gut instinct'. This has been discussed by the SUNK VTS User Group, the VTS Policy Steering Group, Navigation Safety Branch, MCA, HM Coastguard and The UK's Safety of Navigation Committee. This is how the MCA works with regards to consulting with our stakeholders – the NRA is a tool to provide us with the evidence we need to make our own assessment in consultation with our stakeholders. And on this occasion, we have unanimous agreement that this project is not acceptable with the current redline boundary.

It appears that Vattenfall are not taking this feedback onboard and doing their own internal reassessment of the redline boundary to address the concerns.

**Commented [TH34]:** Agree with MCA. Trinity House have consulted with numerous organisations around navigational issues in the area, and have raised our objections around a specific area of the project. These concerns are not on "gut instinct" but follow serious debate internally and through stakeholder engagement.

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**Commented [HC35]:** Addressed above.

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**Commented [HC36]:** This is not just MCA and TH's perception – and this risk might be acceptable elsewhere but not in this location in conjunction with all the other factors we have raised.

**Commented [TH37]:** As per our comment on page 2 the comparison of risk levels between this project and other areas is not a like for like comparison. It does not take into account specific factors such as differing levels of marine traffic inherent to the area.

	<p><u>elsewhere but not in this location in conjunction with all the other factors we have raised.</u> ER then asked what the benchmark or common currency is that could be used by the assessment. TH concluded that there isn't one and the decision would likely come down to the Examining Authority for this project. DB agreed, summarising that at the moment it feels like there is an approved quantitative process on the table that is disagreed with on a qualitative basis. The meeting was then drawn to a close with the following actions:  <b>SL</b> to issue draft SoCG on the basis of today's meeting  <b>ER/JH</b> to issue risk register and associated scoring matrix  <b>HC</b> to consider MCA position on what actions could be taken to address MCA concerns.  <b>DB</b> to organise meeting at the end of October/beginning November to run through the RA matrix.</p>	
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**POST MEETING CLARIFICATION**

Following receipt of draft minutes a clarification was provided to outline how the MCA operates and noting that it is up to the developers to present their safety case to MCA, using MCA guidance as a template for the information required. It was further noted that MCA then make their own assessment of that information, listening to the views of stakeholders before making a decision whether MCA support the application. Based on the information provided in this case, MCA do not support the application, and the reasons for this are seen in the MCA Relevant Representation and through MCA support of the Sunk VTS User Group response.

As far MCA are concerned, it is therefore up to Vattenfall to address these concerns, and provide MCA with revised plans going forward. The MCA has attended at least five meetings already, and multiple representative from MCA have spent a significant amount of time on this one project. MCA do not consider it their responsibility to tell developers what the figures in the risk assessment should be - as a regulator, our role is to inspect and examine the information provided based on our guidance, not to provide the evidence for it. MCA are therefore not proposing to participate in a risk matrix workshop at the current time. MCA are of course interested in the outcome of that workshop, and we will have the opportunity to reconsider our position as we go forward through the PINs process.

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