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00:00:04:27 - 00:00:22:16

Okay. So the hearing has now resumed. And just a reminder that we're in agenda item three. That's the Ornithological Sensitivity report and specifically 3.5 in relation to the population viability analysis, including problems with the model and how these are being dealt with.

00:00:24:27 - 00:00:36:12

So for the population viability analysis, the applicant advocates that a kittiwake productivity rate of 8.8 should be used instead of 0.58. Does this make.

00:00:37:28 - 00:00:47:07

A material difference to the outcome of the assessment. Looking at tables 43 and 44, that state level material difference at first glance.

00:00:50:21 - 00:01:14:20

Lucky vote for the applicant, as you stated, and it doesn't make material difference to the outputs because of the model being a density independent model. So it is heavily constrained. But in terms of the validation of the model, using point eight provides a much better model fit compared to the actual population.

00:01:17:13 - 00:01:17:28

Thank you.

00:01:27:28 - 00:01:38:07

Think we'll make an action point to ask the RSPB natural England for their opinion on the use of the productivity rate of 0.8 or 0.58.

00:01:39:24 - 00:01:50:10

Could the applicant explain further the reason and rationale behind the use of Guillemot survival data as a proxy for reusable data in the additional visible PVA modelling?

00:01:53:24 - 00:02:33:07

Matthew Bauer for the applicant. And so the rationale behind that is the data that goes into razor bill comes from holes within Robinson. And within that report, there is stated that there is low confidence in the Roosevelt data, and this is just simply due to the lack of available evidence. So with this and with this in mind, we decided it would be reasonable when undertaking validation of the model to use Guillemot, which is a signal a very ecologically similar species to use the data which has which as stated in Hawksbill and Robinson, that there is much greater confidence.

00:02:33:17 - 00:02:53:15

And when, as you can see from the results in the ornithology assessment sensitivity report within the PVA validation section, and that when using the Guillemot data as a proxy, you get a much better model fit comparatively to when using the reasonable data that we currently have from host William Robinson.

00:02:55:15 - 00:02:58:29

And is that a recommendation in the actual paper itself that you followed up?

00:03:01:23 - 00:03:03:26

Yes. That would be one thing that we would recommend.

00:03:06:13 - 00:03:10:25

And have you consulted with Natural England and the RSPB on the use of that?

00:03:14:13 - 00:03:41:17

Mafioso for the applicant at the ETG 15. We did have a brief discussion on subsequent and proxy data for species where the validation of the model was providing low confidence and they were agreeable that it would be useful to provide those proxies. And again, that's led on to that why we presented it within the Ornithology Ornithological Assessment Sensitivity Report.

00:03:42:27 - 00:04:05:03

Thank you. I think it would be useful again to have an indication in a written submission from those two parties. So can we make a second action point here to ask the RSPB and Natural England if they accept the applicant's suggestion that killing of survival data should be used as a proxy for reasonable data in the additional rays of LPA modelling?

00:04:06:24 - 00:04:14:12

And we did discuss the problems with the modelled PPA model earlier, so I don't think there's anything else to add to that list. The applicant has anything to add.

00:04:17:09 - 00:04:19:29

Nothing for the applicant? No, nothing to add on that one, sir.

00:04:20:17 - 00:04:50:24

Thank you. And can we move on, please, to 3.6, which is my favorite mouthful for counterfactuals. Including Natural England's and RSPB positions. Having seen the further submission. I think we have the applicant's very clear position in the sensitivity report and elsewhere that the counterfactual population growth rate is the only output value that should be relied upon when running a density independent population viability analysis.

00:04:52:19 - 00:05:41:15

I'd like to understand if there's any change in the positions of natural England and RSPB to this matter, having them having read the applicant sensitivity report. So I think here what we just need to do is again, record an action point and actually point firstly for the RSPB to provide an updated position on the use of both counterfactuals counterfactual population growth rate and the counterfactual of final population size. Having seen those further submissions and can we make a very similar action point for natural England? But noting that we have seen in the late additional submission as so 48 that natural England maintains that the counterfactual population size should be provided to inform the assessment, as has been done in all recent offshore wind farm assessments.

00:05:41:27 - 00:05:54:20

Those are those how that works. So the action point is to provide an updated position on the use of both counterfactuals, having seen the further submissions. If this is not fully addressed in a 48.

00:05:57:05 - 00:06:29:06

In that regard, can the applicant remind me of a full audit of recent offshore wind farm decisions was undertaken to determine which of the two counterfactuals we used as part of the assessment and decision decision making. I think I recall one of your submissions, probably a deadline to suggested the counterfactual for final population. So it had not been used as a projects recently or as natural England as telling us in essay 48 that it should be used to inform the assessment, as has been done in all recent offshore wind farm assessments.

00:06:33:01 - 00:07:10:23

Matthew, go to the applicant and from review of the submissions for recent projects in particular, I think the references in relation to Norfolk Press and Norfolk Vanguard. They did present the results, but the within their reports they stated the exact same conclusion that the applicant is stating for this project that it should not be relied upon for the exact same methodological issues. Also, when it came to natural England's own interpretation from those PVA results, they own within that advice that they submitted into examination.

00:07:11:09 - 00:07:20:26

They only relied upon the counterfactual of final population growth when making their decisions and inferences from the PVA models that were presented for those projects.

00:07:23:28 - 00:07:40:22

Thank you. Well, the applicant, Sandy Merrick, perhaps in providing an audit of this from, let's say, the last half dozen offshore wind farm research decisions, just to provide a succinct conclusion or succinct submission into the examination of what happened in each of those.

00:07:52:24 - 00:07:59:14

Luckily for the applicant, we are happy to review the recent submissions today and provide a short summary response on up.

00:08:00:29 - 00:08:12:02

I think they would be very useful. Thank you. So can we just have an action point to the list, please, for the applicant to undertake that audit of the recent wind farm decisions and the use of counterfactuals?

00:08:15:23 - 00:08:22:18

I'm pleased to say I'm finished with counterfactual unless the applicant has anything else they'd like to raise on that.

00:08:26:00 - 00:08:28:27

And we move on then to breeding season definitions.

00:08:30:28 - 00:08:37:06

And can I cover agenda item 3.10 here too, which was the breeding policy and the population estimates.

00:08:39:02 - 00:08:48:02

Can the applicant confirm that the differences between the parties in this relate only to seasonal definitions, agonists and guillemots, and that only other species are agreed.

00:08:51:06 - 00:08:59:14

Ed Schultz. And it's all species. Agreed. Except for Garrett and Kittiwake. I believe so.

00:09:00:06 - 00:09:01:06

Yeah. All right. Thank you.

00:09:11:26 - 00:09:45:20

So the Your Ornithology EIA Our Annex refers to a precedent set for Gannet by the assessment for the Hornsea three project, which also used the migration free breeding biases and as defined by Furness 2015 as the months of April to August. And you say this was accepted by the Secretary of

State in that decision. My understanding is that the assessment relied in part on tracking studies by Langston 2013 and please be 2018.

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Is that correct?

00:09:51:16 - 00:10:30:11

Something for the applicant. Yes, that's correct. It relied upon those two studies that you'd mentioned, as well as site specific survey data for Hornsea three that fed into that process. And it's the same two tracking studies that we've we've we've also agree with and our own site specific survey data from Hornsea four also suggests and provides that evidence a very the same movements of birds during those months and the limited movements of birds during the breeding season, which is why we agreed with the same the same months that should be applicable for a project that is not too distant from the other.

00:10:31:10 - 00:10:51:27

Thank you. I wasn't I was intending at this point to examine a little further whether this was a fair comparison and therefore a robust precedent. But given the agreement that macro avoidance can be incorporated and predicted, impacts on it seem to reduce significantly as a consequence. Do you believe that if this issue effectively goes away.

00:10:54:28 - 00:11:09:17

I should thank the applicant. And yes, I think even natural England would in their own responsibly agree to that, that you know about how you scan that concern. You know, there's not going to be an issue once I've applied the additional rulings together, in particular.

00:11:10:20 - 00:11:12:14

It would be my interpretation to

00:11:14:03 - 00:11:19:18

just go back to Guillemot again. And could you summarise formally for me where we are with that

00:11:21:17 - 00:11:27:14

to the outputs of the sensitivity report demonstrate a differences between the two ways of approaching this.

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Said.

00:11:33:15 - 00:12:07:01

Essentially, the Hopkins put forward that all case, which was within the York Review of evidence for all displacement and mortality. And we are at the interpretation our view is that the at that evidence review and the report does provide a both a sustained and a thorough review of all data available to support our case. And I think we did consider there's been slight misinterpretation from natural England on how we presented our data on that is what we stipulated we did.

00:12:07:03 - 00:12:39:13

We said it was a 0 to 50% potential displacement rate and not a simple flat 50%. Although what we have presented is the obviously the precautionary upper end of our revised range, which from from our own review was between 0% and 50% displacement for all species, and particularly in relation to taking account of all these different post consent monitoring studies and relating that to Hornsey for the design of the Hornsea four project and the location with which it sits as well.

00:12:39:15 - 00:12:58:12

So, so I mean we believe that we see going beyond that and also with relation to the mortality rates, you know, by taking those of the ranges and going into the of those up ranges, those highly overly inflate the the potential impacts based on the project alone in this case and also cumulatively.

00:13:00:00 - 00:13:00:15

Q.

00:13:03:19 - 00:13:28:22

In relation to the biologically defined minimum population scale breeding biases and population estimates. What the implications of natural England's most recent comments on the estimation of the maximum beet impact reference population for the EIA as natural England as set out in Annex one to its deadline five a letter which is Rep five zero 29.

00:13:34:18 - 00:14:17:05

Sure. Yes. We consulted with natural England on this. And yes, we did follow that guidance and we revised that dated all the data we now have in terms of the revisions to our breeding season, NPS values, in terms of the assessment for the breeding season. We both agree on those data and which data go into that. The slight difference we now have relates to the annual assessment. So where you add up all the different biases and potential impact values and then have that assessed against what's proposed to be the largest of any of the individual bnps values.

00:14:17:13 - 00:14:59:14

In this case, we we put forward an alternate which accounts for not only the breeding birds that would be present across the year or during the breeding season in particular. But also the counts for those birds outside of the breeding season, which are from non-UK breeding colonies, say a slight minor difference to our, our own interpretation of how we should define the widest or the largest pdp's population for which assessments accounted for both UK breeding birds, which is what we agree on, and then including those non UK birds which do move into the the North Sea or the PBS area for assessment purposes.

00:15:00:24 - 00:15:09:25

Okay. So you say this having seen natural England submission, you liaised and revised it. Is that in front of us now? Is that still to come?

00:15:13:14 - 00:15:28:15

And you can the. Yes. All the assessments and the values that we put forward are within the submissions to date with the latest ones within five and five. They said all those assessments were against the are the options updated values.

00:15:29:03 - 00:15:30:13

As agreed with natural England.

00:15:31:01 - 00:15:38:22

As agreed with natural England and for the breeding seasons. And then our own interpreted and non breeding season was set.

00:15:45:11 - 00:16:14:24

In which case I think we will make on the broader scale will make another action point for natural England, the Dead Sea deadline six. I'm not expecting it to arrive from anyway, but just to ensure we do get it to comment on or signpost, it's up to date position on the use of the migration free breeding season rather than the full breeding season. And given the outputs, many applicant sensitivity report and noting its advice and its deadline Friday letter.

00:16:17:12 - 00:16:19:24

Was there anything else on that before we move on?

00:16:23:01 - 00:16:44:02

AK 3.8 was all displacement, which we covered earlier at 3.4. So we're going to move on to item 3.9. And we returning to macro avoidance, including the approach taken by the applicant and the cumulative assessment implications. And as I say, we did consider this to a degree earlier in agenda item 2.1.

00:16:47:05 - 00:16:54:16

To clarify matters for me, and I'm going to find it quite difficult to explain this, I'm sure. So please ask me for clarification if you require it

00:16:56:08 - 00:16:59:00

in relation to the fine detail of the modelling.

00:17:01:03 - 00:17:39:10

Does this very recent consideration of macro avoidance and the approach increase the predicted adverse effects overall from avoidance, or is it already built into the avoidance calculations? And I assume that the earlier approach considered what we now call micro amnesia, my avoidance maneuvers by the birds. And I do understand that an allowance was made for the additional energy losses on the birds and the consequent impact on mortality. But if we're now building in an additional 70% allowance for macro avoidance, does that macro avoidance add to the penalties of the birds, or is that already implicit in the model?

00:17:48:20 - 00:18:17:07

Translated? No. The additional macro void has not previously been accounted for within the collision with modelling for organics and the the application of this revised or updated macro avoidance be that 60%, 70% or 80% and is of benefit in respect will be respected. It would produce a massive reduction in the predicted mortality rates.

00:18:19:12 - 00:18:57:25

But. Mr.. Not quite sure I'm following your your response. The my question was to do with the energy penalties from avoidance. And I'm content that the way the calculations were originally done before we considered the macro avoidance built in those energy penalties were sort of micro means of avoidance maneuvers. But if we're now taking away the double counting. That would occur if we look at collision risk and avoidance. So we're taking but out of the collision risk zone, we're saying that undergoing macro avoidance is are an additional energy penalty which needs to be applied for that, or is it already implicit in the model?

00:19:01:10 - 00:19:43:28

No, we don't believe that that would provide any additional energy issues. As you know, the macro avoidance just simply is not accounted for in terms that would be more of a barrier effect, I suppose, which is accounted for within the displacement analysis, if you like to say the displacement would account for any of the issues in relation to birds avoiding that offshore wind farm, whilst the addition of the macro avoidance within the collision risk model simply looks at how birds avoid flying into and consequently, you know, being subject to mortality as a consequence of moving into the structures.

00:19:45:09 - 00:19:58:24

So I think I think what you're saying I'm sorry to labour it, but just to make sure I've got this correct, there would be an energy penalty associated with the macro avoidance, but that would be accounted for in the the barrier effect calculations.

00:20:01:25 - 00:20:17:29

As you'll see, the applicant. Yes. Essentially always said it would be a barrier really if of movement or essentially within the displacement analysis. So within the displacement matrices and the application of, you know, the values of displacement that we apply, if, again, it is accounted for within that.

00:20:19:00 - 00:20:19:15

Thank you.

00:20:24:28 - 00:20:45:06

I'm. I think I know the answer to this one as well. But let's just check if you were if natural England and the RSPB are now content with the approach you're taking and specifically the application of a 70% reduction in the monthly flying gun intensity estimates. I do appreciate you've done you've done a range, but you've focused on the 70%.

00:20:49:10 - 00:21:22:06

Shortly for the applicant again. Yes, your interpretation is correct. We now understand and have received also communications so naturally that they content with with also in support of the project not having an a loading punitive issue for Gannett when applying the latest macro avoidance. And that's actually from the whether you apply 60, 65, 70, 75 or 80% avoidance to the you never applied that to deceive entities that go into the collision risk model.

00:21:22:08 - 00:21:35:12

So we think now we are all in agreement with natural England on this matter and we are yet to receive the response from the RSPB with regard to that matter though, sir.

00:21:36:14 - 00:21:54:03

And so there's a further action point there for I think both natural England and the RSPB to complete the audit trail and to indicate their views in relation to the inclusion of the 70% macro avoidance factor in the combined displacement and collision mortality assessment.

00:21:58:06 - 00:22:36:23

Excuse me. Item 3.10 we covered in an agenda item 3.7 earlier, so we can move on to 3.11, which is the positions of various parties and the tension between balancing precaution against a realistic evidence led assessment. And I think we've had a good discussion about this in relation to the collision risk modelling and the sensitivity report. And I think Mr. Swinney's demonstrated the applicant's position in relation to the additional compounding effect of using the maximum of all the variables throughout the assessment.

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And I can't obviously none of us here can speak for Natural England, RSPB or anybody else. And whilst I understand what the applicant is indicating in terms of compounded precaution at the moment, I'm not quite sure what other approach could be taken whilst it remains a possible, if unlikely, outcome in practice. So I'm unsure at the moment whether any other approach, any other approach a regulator could advocate unless and until, as Mr. Sweeney said, the new evidence becomes compelling and could be adopted by the SNC base.

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And I hope the SNC be submissions at deadline six through some further light on this.

00:23:19:13 - 00:24:11:26

I think I'm very much like to ensure that we have a final position, a firm final position from the applicant and from natural England and indeed the RSPB on the matters that are considered in the

sensitivity report. And I do appreciate that some of these matters are addressed in the two statements of Common Ground and the Natural England's risk log. But a question really for the applicant to the applicant, I think it would be a good idea if it were to coordinate a three way summary of the positions, drawing on the latest submissions and not needing to repeat the detail, reasoning and in depth, but just cover the final positions on the tension between balancing precaution against the realistic approach and the collision risk modelling displacement analysis combined collision risk and displacement, population probability analysis and the counterfactuals in one place as an agreed submission between all three parties.

00:24:21:12 - 00:24:24:17

Gary McGovern for the Applicant. If we could just have a minute to confer, please.

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And of course.

00:25:01:25 - 00:25:03:15

Got McGovern for the applicant.

00:25:05:11 - 00:25:32:13

So we think just within the constraints of time, it wouldn't be realistic to expect us to prepare what would be a joint submission, given that we need to go round all the various houses. And on top of the fact that the sensitivity report and a review gives you the different parties respective positions already. So we don't feel that that would be necessarily a useful exercise at this stage in the examination.

00:25:34:00 - 00:25:42:09

Okay. I understand that you obviously recognise also that some of those positions from the other parties could come very late in the examination.

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Can we move on then to 3.12, which is the overall conclusions really on the confidence in this report?

00:25:55:00 - 00:25:59:19

I think you. I think I have the applicant's position. But I will ask it again. Just for just for.

00:26:01:13 - 00:26:15:09

Can help can provide an overall summary of the material differences to the outcome of the environmental impact assessment that are highlighted by the sensitivity report? Or is everything sufficiently the same anyway that there no material change to the assessment per.

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So she wants with you. Sorry. Could you just repeat that again?

00:26:26:11 - 00:26:26:28

Yeah, sure.

00:26:29:09 - 00:26:43:12

I'm looking for your overall summary of the material differences to the environmental impact assessment that come out of your sensitivity report. My question was, is everything sufficiently the same so there's no material change to the assessment output?

00:27:16:01 - 00:27:51:28

Well, I actually said if you have, as you said, a slight delay. We just conferring on our interpretation of your question. I said that if I'm right in thinking what we put forward within the sensitivity

analysis, I mean, that is the applicant's position is clearly put forward within what spaces, the ultimate position, within the differences with the different parameters we put forward. And we then provide the range of what we are interpretation of natural England's parameters. For each the sensitivities are as well as the ranges, alternate parameters that have been put forward on different projects and from different sources of post consent monitoring and research papers.

00:27:52:25 - 00:28:11:10

But fundamentally, no, I mean, our position is it remains the same and there are no significant differences. What we've put forward, our opposition and our parameter use and the evidence that we put forward point of application remains the same in which, you know the applicant's position within the Ornithological Lithology Sensitivity report.

00:28:11:12 - 00:28:35:04

So thank you. I mean, if I put that perhaps in a slightly different way, the sensitivity report itself itself says it aims to provide the examining authority and the Secretary of State with confidence that the applicant's approach to offshore ornithology impact assessment can be considered suitably precautionary and presents a realistic scenario. I guess the same question really. You still believe that to be the case?

00:28:37:12 - 00:29:10:03

SCHULTZ Yes. Yes, sir. We we really do. I, I suppose, you know, we have assessed where precaution and precaution add up to, you know, very overinflated potential impacts at the levels of both a loaded and cumulatively was taking these upper reaches of the parameters that could be used. We've also then put forward what we believe is is a precautionary and realistic or more realistic approach to the impact assessment, which is what the Hopkins approach is.

00:29:10:15 - 00:29:55:22

And we also highlight that and there are a number of alternate routes and parameters that could be used, which are less precautionary, which we haven't taken. But we also, you know, we review the evidence and give a summary of of where those particular alternate parameters are sourced and whether with our opinion on whether some of them actually should be taken more more on board into the future. So essentially, yes, we did. And we'd like to provide the authority with that confidence that we have incorporated sufficient precaution along the way for all of our assessments to provide you with a realistic potential impact level from the project to load in cumulatively.

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Thank you, Mr. Sweeney. That's very clear.

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Again, we make an action point here to ask that same question of natural England. And I think the RSPB, which is basically do you believe that the examining authority and secretary of state can now have full confidence in the Marine Ornithology impact assessment? Or are we still needing further work and commentary before we reach that stage?

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So that concludes all of the matters I have on agenda item three. And this is anything else that the applicant wants to bring up in relation to that.

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Kind of government for them to do so. We're happy to move on to the next agenda item.

00:30:37:11 - 00:30:44:24

Excellent. Which is item for the report into the indirect effects of forage, fish and ornithology.

00:30:47:27 - 00:31:49:15

We have read the report and we're content that we have the applicant's clear position on these matters. I think the report was predominantly on material already submitted into the examination, but it does link together the various stages in the food chain, quite literally, to provide an opinion on the likely indirect effects of changes to marine processes on the relevant seabirds. I think not unreasonably, there's a degree of interpretation and interpolation involved, and I think I just need now to ensure that we do receive feedback from Natural England and the RSPB on the report and the extent to which they believe the findings affect the overall ornithological assessment as such at this point for this item will look like another action point for the RSPB natural England to comment on the report into indicative indirect effects on forage, fish and ornithology and the extent to which they believe that the findings affect the overall ornithological assessment.

00:31:50:05 - 00:31:52:08

And that will be for deadline six

00:31:54:12 - 00:32:04:21

to the applicant to have any outstanding concerns in relation to this matter or any further work envisaged. And if so, would there be any implications for the examination timetable from your perspective?

00:32:07:05 - 00:32:18:14

Got a McGovern for the applicant? No, sir. We don't have any remaining concerns, and we're not proposing any further work of submissions. So no implications for the examination time table from our perspective.

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Excellent. Thank you. We will see what comes in at deadline six. Is there anything else to raise on that report? The indirect effects of forage fish.

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In which case we have about 4.2. And we discussed the timetable implications for the indirect effects report. And earlier, we touched on matters in relation to the ornithological baseline now being up to date and being no further implications as far as the applicant is aware for the timetable from that perspective.

00:32:56:10 - 00:33:05:06

Could the applicant therefore just summarize any further intentions in scheduling for the ornithological assessment overall in the remaining four weeks of the examination?

00:33:14:09 - 00:33:32:08

Kind of mcgovern for applicant and no other than the updated P, which Mr. Bor had referred to and clarifications that come out of today's hearing. And we're not envisaging anything else other than to respond to comments and make comment from that. London, RSPB Debtline six.

00:33:33:06 - 00:33:43:05

Thank you. Do you intend to provide an updated version of your examination deliverables document deadline six. I think the last one was a50 60.

00:33:50:11 - 00:34:00:14

Garry McGovern for the ALP. I don't believe we have any intention to update that document because I don't believe there's any other new deliverables. So the position remains as it was at that last submission.

00:34:01:09 - 00:34:01:24

And Kim.

00:34:04:21 - 00:34:09:04

That brings me to the end of agenda item four and less is anything else in relation to that.

00:34:11:19 - 00:34:22:15

Which brings us to agenda item five, which is the updated conclusions on project and cumulative effects. And again, we've discussed this to an extent already, but

00:34:24:10 - 00:34:43:03

and indeed, I think given the the absence of natural England in the RSPB today, there's probably little to be gained from such a discussion, though it does, I think, highlight the importance now of making sure that the strengths of common ground are fully up to date so the examining authority can clearly identify the outstanding points of difference between the parties.

00:34:45:26 - 00:35:28:23

I think I just read out one piece out of natural England's additional submission this week I zero 48 and ask if the applicant has anything to add to it. And that's the comment that natural England says it's not able to comment in full. However, we note that our position in recent examinations for cumulative impact has been that we were unable to rule out significant adverse effects. Impact sorry at an EIA scale on Kittiwake, our Isabelle Guillemot Gannet and Greater Black Back Gull due to cumulative collision mortality and or displacement impacts for all projects up to and including Hornsea for Norfolk, Vanguard, Norfolk, various East Anglia or North and East Anglia.

00:35:28:25 - 00:35:44:15

To any further impact to the existing totals from Hornsea four would reinforce natural. England's conclusions regarding these species has a very long sentence and in fact it was the sure one of the ends really of importance to Scotland have I think to comment on that.

00:35:48:18 - 00:36:35:21

Shortly if you got in. Yes, we we did note in a tremendous position. And we'd like to, I suppose, just proceed to the conclusions that we put forward within the DCO application that the the applicant's position and that there was no application to this no sniffing adverse effects as a result of policy for a loan or cumulatively the EIA level. And following the revisions to the baseline which are now agreed and all the updates within the Ornithology, EIA and HRA Annex five A we we do differ in our opinion as these changes were of only no material difference I suppose and you know significant adverse that can be ruled out for this.

00:36:35:23 - 00:36:48:23

The applicant's position remains that for all ornithological research receptors for an impact project alone and cumulatively so there's no change to our position that we do note natural England's continued position on that matter.

00:36:48:25 - 00:37:03:22

So just for clarity, we will talk about HRA tomorrow, which is slightly different. So in terms of the EIA, there's no adverse significant adverse effects alone or or cumulative in combination cumulatively.

00:37:05:08 - 00:37:26:28

As you'll see if you have to consider. Yes, quite a mouthful. Sometimes these terms that's a yes. We can confirm the Hopkins position, the project alone and cumulatively for all ornithology

ornithological receptors. So this gives you a great laid back girl Gannets Guillemots, Razor Bill, Puffin and all manner of birds. There is no significant adverse effects.

00:37:28:07 - 00:37:28:22

Thank you.

00:37:34:21 - 00:37:39:16

Is there anything else on that or can I move on to item six, which is any other business?

00:37:43:16 - 00:37:47:25

Case. Which case? I see no response. So I shall move on to item six.

00:37:49:13 - 00:38:31:02

I've got one item that I'd like to bring forward as a 6.1 and try to have a business. And this is something again from natural England's risk issues local deadline five, which relates to orcs outside the immediate area and the importance of the area itself. And I kind of think we've touched on this or we've talked a little around it and natural England are highlighting in the risk log a lack of assessment of the extent and suitability of habitat for guillemot outside the array plus a buffer area and similarly of the potential effects of increased densities in this area as the main reference appears to be the evidence plan process that they're drawing on.

00:38:32:06 - 00:38:36:03

Am I correct in assuming this matter relates to the HRA rather than the EIA?

00:38:43:25 - 00:38:49:06

A short video. Video. Could you just just repeat that again? Yeah, sure.

00:38:49:22 - 00:39:02:19

It's it's a note, a red note in natural language risk and issues log, which says there's a lack of assessment to the extent and suitability for Habitat for Guillemot outside the Orion buffer area.

00:39:04:21 - 00:39:22:05

The actual entry on reading seems to relate to something to do with the evidence plan process is what they're talking about. So I was just asking if I'm correct in assuming this matter would relate to the HRA, which we could deal with tomorrow or the EIA, which we could deal with today.

00:39:24:07 - 00:39:33:10

She wants to give out the key, and I'd suggest it's probably a matter for tomorrow if we've begun to HMRC and we can we can discuss this again with you.

00:39:34:02 - 00:39:42:01

Thank you. Yeah, that was my, my favourite interpretation because I do think probably that I responded to it in your,

00:39:44:08 - 00:39:49:13

in your response to natural England's guidance on apportionment. So let's deal with that tomorrow.

00:39:51:24 - 00:39:55:20

Are there any other matters anyone would like to raise and any other business?

00:40:02:17 - 00:40:16:29

I'm aware that is Downing has now compiled quite a comprehensive list of action points and these will be published as soon as possible after this hearing. And I'm going to hand over to Mr. Jones for item eight on the agenda.

00:40:21:00 - 00:40:35:22

Thank you, Mr. Mann. If there are no other items and irrelevant to this hearing, may I remind you that the examination timetable requires parties to provide any post hearing documents on or before deadline six, which is Wednesday.

00:40:35:24 - 00:40:37:02

The 27th of.

00:40:37:04 - 00:41:07:29

July 2022. May I also remind you that the recording of this hearing will be placed on the Inspectorate's website as soon as practicable after this hearing. The next virtual event for this application will be the issue specific care in 12, which will be held tomorrow, Friday, the 22nd of July at 930 in the morning with the arrangements conference commencing at 9:15 a.m.. The agenda for this is available on the project page of the National Infrastructure website.

00:41:08:24 - 00:41:36:20

As with previous events held this week, it is worth noting that tomorrow's hearing will not be a continuation of today's team session and that you will need to log into that event using the specific link provided to you by the case team. Before we close, we would like to thank you all for your time and your assistance during the course of this hearing this morning. The time is now 1131, and this issue specific hearing, 11 is now closed.