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FULL TRANSCRIPT (with timecode)

00:00:06:16 - 00:00:21:00

Right. Welcome back, everyone. It is now 2:00. And this issue specifically into strategic offshore matters is now resumed. Can the case stay in place to confirm? Everyone who wishes to be here has joined back on.

00:00:25:03 - 00:01:02:08

Thank you very much. We will resume by starting with the agenda item six on the environmental statement and the marine environment. I would point out that this section will include some questions that also may overlap with the changing onshore matters. So please do not restrain any answers you give to offshore matters when answering the questions repos. Your first answer would be preferred. And we'll start off with looking at an issue regarding the worst case scenarios and the mitigation strategy.

00:01:03:19 - 00:01:37:19

The question I have for the applicant, it's a long one, so bear with me. But the the worst case scenario for offshore ornithology is the full build out of the Dudgeon project north on its own. I mean, put in show them aside for one moment, but development of Dutch and North on its own. In other words, no turbines at all in Dutch south. But for offshore on on apology, there is the mitigation hierarchy of avoid, minimize and mitigate.

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Now, natural England have said that placing all turbines within Dutch and North would not comply with that mitigation hierarchy. What is the applicant's response to this?

00:01:51:14 - 00:02:22:20

We don't agree that that's actually impossible. The applicant. Once you've got to the point of having a red line boundary to deliver a capacity within its normal approach is that you have the flexibility to deliver that capacity within that red line boundary to then be under pressure to not use parts of the red line boundary. It's an extremely unusual argument to be making, and we don't accept that that's a correct application of of the mitigation hierarchy.

00:02:24:24 - 00:03:04:03

Could you elaborate perhaps some what would be an appropriate use of that in that context? Well, and you really to repeat what I just said, that there has to come a point where considering that when you're framing an offshore wind farm, going through all the different stages that you do with your instruments, you know, from site selection through to choosing the red line boundary or the agreement that they stage and then the red line boundary. There comes a point when you're balancing so many different considerations that when you are then ultimately getting to detail design, you need the freedom to balance those different considerations.

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Navigation, ground conditions, wind resource, layout for

00:03:12:12 - 00:03:43:09

setting navigation and so on. So that to pick out one thing as is being attempted here to say, oh, now that has to override everything and now suddenly you can't use a large chunk of your entire red line boundary. That's not a correct application of the principle, and that would fly in the face of multiple consents that have been granted. So. In a roundabout way has the hierarchy already being applied when you draw your red line? Yes.

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I mean, the other secondary point, but it is a secondary point is that what seems to be driving the argument from natural England's point of view is that there is

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a sensitive set claim sensitivity that north area that we don't think is borne out by even analyzing it in those terms. But that is a secondary point. We don't want to imply that we that we think that should become the argument. The real argument is that we shouldn't be under pressure to drop an entire area in the way that is apparently being well or to to sacrifice that a design option of having all of the turbines in in in that north.

00:04:29:15 - 00:04:51:27

If if if, if, if if the logic of what natural England was which was doing was was adopted. Okay. To sort of related questions that come out of that could if that hypothetical could all the turbines fit within DEP so.

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Pretty sure the answer to that is no. Okay.

00:05:01:21 - 00:05:38:06

It's impossible. I think what you said about the balancing between all the different considerations and that our technology does not override all of those considerations in order to almost ignore one big part of the red line boundary. And do you have that? Do you have that balancing exercise somewhere, either in the. Yes. Or can you provide it to us? What are the criteria you considered? What rating did you give it? And you know what you've done so far in terms of project development and what it's likely to be as you go forward in terms of detail design.

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What would those considerations be and with what kind of level of importance attached to each consideration?

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I don't think there's anything So, Julian possible for the applicants.

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I. I think we've.

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I think the mechanisms to control that are well-established and we are we are we are very much making a business as usual application in that respect.

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That has been.

00:06:15:12 - 00:06:38:01

You know, the vast majority of wind farms don't have separate gray areas like this. So this is very much the exception. And that may sort of lead to perhaps an understandable human sort of interest in the two different gray areas. If this was a single gray area, we wouldn't be having this conversation.

00:06:40:08 - 00:07:11:13

No, I appreciate that. And. You said business as usual a couple of times. But the fact that you have to address areas and this is the extension of two projects and you are using a single consent scheme means it is unique. So it is not quite business as usual. And so it would be considering that this is an examination for sharing them in such an expansion project, it would be helpful to understand what your considerations are and how you have prioritized those considerations in order to arrive at this.

00:07:11:15 - 00:07:43:16

So it's it's it's I'm going to just draw up how you would say, an assessment of alternatives. When you're doing assessment of alternatives, you apply the same criteria and one alternative in much over others potentially. And I think in order to satisfy why and this worst case scenario is not sorry, the the argument put forward by natural England, your response to that in in a slightly more nuanced, justifiable way I think would help.

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The example you want to see is.

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Obviously we come up as we as we would normally we can provide, you know written summary of case. I think the.

00:07:58:16 - 00:08:35:21

But I do. I do. Stand by what I said about I don't think the fact that we've got separated areas shouldn't should suddenly mean that there are different considerations. It's always the case that that within an approved area you have got flexibility depending on on a range of considerations as to how you use that area. It's true that when you have separated areas, you do you have a slightly different balance. So I also consented. Great to gamble and galloper. And those are the two other obvious examples of projects that had different race.

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And that's because they've got a shipping lane running, running and running between them. But in that in in well great Cabot was pretty eco but on the gallop DCO there wasn't an extensive consideration over the issues as between the two the two grey areas. I mean one of the commercial factors here is obviously if, if one goes into that north, then if you're only in that north and sorry, I should make it clear the potential driver is, is more from us wanting to be in that north end.

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So it's not, it's actually not natural England pushing us to not not use Deep South they want and the implication of that position is that they want us to use that south. So the yeah, there's obviously an extra, there are extra costs if you've got an extra internal cable, that is one of the factors in the mix. But the in terms of the balancing considerations.

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I'm a bit reluctant to to have to set out or to restate things that are already in effect in front of you. It's not like there's.

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As I say, there's nothing there's nothing novel about the considerations that come into play at the detailed design stage, along with we can we can summarize that, but we're reluctant to put in a detailed submission on that because I think that's that's already in front of you, in effect.

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Understood. And will process that. And if that needs to be a post hearing action, then we'll have a discussion with you towards the end of the hearing.

00:10:16:03 - 00:10:46:22

Just to follow up on that, you've you've said, rightly so, that if it was a single gray area. Now, when you ask in these questions that there's a human interest in the fact that there are different gray areas, I think the the issue comes then by having the optionality within the DCO that you could develop either that north on its own or that north and deep South.

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And because of that optionality, there's then the preference is come in is no way you should build the majority of the development and.

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I. Correct me if I'm wrong and signpost it if you can, but is there an identified split yet as to the number of turbines going in each position? Could it be. No. 95% of turbines in depth? No, but 5% in depth. So would it be 5050 where I know that's pretty subject to detailed design as such, but that's

00:11:22:19 - 00:11:33:24

part of this preferential option. Now let's see if you like that. That needs to be just sort of clarified if you could these. To the impossible without. I think two things. Firstly.

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The

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and I'm sorry if if we were a single Ouray area. Reality is that some sites are tighter than others, so some are more generous than others in terms of the red line boundary. And then we have an evolving situation with turbine sizes, but they keep getting bigger and bigger, which is mostly a good thing because that's been the key driver for all the costs coming down the line. Offshore wind has become competitive and but with bigger turbines you need bigger separation distances.

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And so you're balancing balancing a range of considerations.

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The and so we haven't, as it were, chosen to have.

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With the site that we've got, we have and we have a range of potential options and there are people within any developer like Ecuador. There was sitting there speculating at different stages in the project as to what what layouts they might be considering whether balancing those options. At this point, we, I could look to my left. But I know that that

00:12:51:22 - 00:13:23:21

I will get a nod when I say that that we we we don't have a committed position or committed expectation as to the split at this time. We need to have a deal. We need to have the flexibility to take into account different conditions, to take into account results of ground survey ground investigations

and all the rest of it. So we certainly don't have a settled position on that or an indicative position. Our position is that we need that flexibility, but within that we need we also want

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to maintain the possibility of putting all of the turbines in terminals.

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Okay.

00:13:35:20 - 00:13:39:29

Okay. Thank you for that clarification on that.

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Down and to the next. So the second question under this this section, it's mainly in relation to two broad principles regarding the the Rochester long below and this idea of headroom.

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You've raised the concept of headroom in the environmental statement insofar at that less turbines have been built in a dudgeon offshore wind farm under the Section 36 consent.

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Not the examining authority did not see any quantification of the headroom or any application of that headroom principle, which have been the assessments of the mitigations. And it was just whether the applicant could point to any areas where the benefits of the headroom. By not building out the the dudgeon offshore wind farm where they've been that accounted for and how that kind of translates over to the current project based.

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Impossible for the applicant. We think it's in the chapter, but we haven't come prepared with that answer on that issue. So we we can certainly provide you with a response in the in the written summary.

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Okay. Yes. If you could, because it's just something to get their head around as to what's been sort of sold there. Yeah. No, that's fine. Okay.

00:15:26:12 - 00:15:34:04

And the last question for me under this this section. So would it help if I just just in terms of.

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Just to make sure we're on the same page in terms of what what is being sold.

00:15:41:06 - 00:16:01:23

There's a letter that you've seeing from the back of the expansion memorandum from the owners of the existing project who are saying, you know, very clearly they have. Whilst in theory there is capacity that they can seek to build out under that consent, they have no intention to do so. And so we are simply.

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There is an industry issue around headroom, which you may or may not be familiar with, i.e. legacy headroom from projects which

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either could in theory be built out more or.

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Have been.

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Even if they were built up to that to their full capacity. There is still

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debate about how you deal with the fact that that if they were built out with larger turbines and WestConnex, that normally means that almost always means that there is a lesser effect that would have been recorded in the environment statement. And so if that isn't allowed, which is sort of default position, is that you don't make allowances for that in the way you do assessments. That's quite a precautionary position that that has been an ongoing debate in the industry as to how that legacy position is dealt with.

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And there are conditions in new more recent consents, including the draft eco here that will prevent further legacy sort of headroom issues being created. The only headroom that we have within our control

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sort of indirectly is that the same people promoting the Dudgeon Project almost, almost by definition because of the way the consents, the extension process work the same people that an existing project. So that's been a dialogue that's led to that letter where we have said that on the basis that

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it's in everybody's interests on the face of it, for there to be less impact if the rules allow us to and we put in drafting the act to allow that headroom to be, in effect, released by imposing a binding legal restriction in the existing consents, then that means that that can be taken into account if the Secretary of State is content to allow that to allow that to happen. With that is one bit of novel drafting in this DCO because whilst I think there's least one example of another project that made a change to its DCO to release Headroom, it didn't link that formally to an application.

00:18:25:24 - 00:19:16:06

I think it has an application, not by coincidence in the process at the time. So I think it was expected to get a benefit, but it wasn't directly linked. So you're right to say that inevitably there's a quantification aspect to that. How much headroom is going into the pot if that is allowed. But just in terms of the mechanics and the sort of background, I hope that's helpful. Yes, indeed, that that is helpful. I suppose the the perspective I was coming from and it may be difficult to quantify this, don't get me wrong, I'm not saying this is an easy thing, but on a crude, simplistic level, if I say I'm going to build 100 turbines and 100 birds are going to be killed as a result, but then I only build 70 turbines, so only 70 birds are killed.

00:19:16:08 - 00:19:49:21

So 30, for lack of a better description, can be killed elsewhere. That's how I understand the head room sort of transferring across. And I'm just wondering on that kind of basis how that fit into the modeling to say how many birds are available to be affected, if you like, and that it's a very crude and simplistic way of approaching it and not by means the scientific way of approaching it, but there's just anything could be given in terms of quantifying the headroom to say what is actually going into the modeling.

00:19:51:26 - 00:20:06:01

Just to add to that, the appendix to the explanatory memorandum that you mentioned, which is the letter from Suchan, which explains what what it is that they're releasing back is just in terms of the number of turbines. It's not really in terms of the effects.

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Yes. No,

00:20:08:29 - 00:20:39:00

Julian, both of them. Yes. No, I accept that. I suppose that's that's the stepping stone. We thought that the panel of the secretary of State would want the comfort of knowing that the owners of the existing project were content with this approach. It's a separate exercise which is done in the sort of HRA material. We we can definitely give you the answer and we can explain how the answer is made up.

00:20:39:02 - 00:21:09:16

I mean, conceptually, because there's because it's I think there are a couple of things. Going on, i.e. a number of turbines that could in theory still be built. And then what worst case assessment was being applied to the turbines that were actually built. And so I think the I think it's probably safer if we come back to you with a signpost and a bit of explanation just so that you're clear where that is. But it's definitely in the analysis already.

00:21:11:02 - 00:21:16:00

Excellent. Thank you very much for that. Thank you. Appreciate your commitment to that.

00:21:20:25 - 00:21:37:09

The last question I had on this section is actually for the Marine management organization. So I will commit that in written questions. In which case that brings me to the end of agenda item six. Is there anyone else in the room who wishes to write anything about what they've heard?

00:21:38:27 - 00:21:39:28

Anyone on the line.

00:21:42:21 - 00:21:51:18

I see no headstone faces there. So that concludes agenda item six. So I'm sorry. So I miss your hand.

00:21:51:29 - 00:21:55:21

I'm sorry. So, yes, I would apologize, but.

00:21:56:07 - 00:22:08:28

I would like to raise something just to make a point about the ecology on the ecology side of of with regard to the and the me and I and I foolishly didn't.

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Bring up this point.

00:22:10:29 - 00:22:11:23

And I should.

00:22:11:25 - 00:22:13:03

Have done and.

00:22:14:02 - 00:22:33:09

In respect of the of the the me and I would like to say that there are there are positives. I think the consideration that the applicant is put in. I'm an oyster farmer in Blakely Harbor and the the the.

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The applicant has put a lot of consideration into that for me, and it should be noted that their consideration would provide, I think, a

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positive

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aspect to this the sea quality and the ecology of the area in in in multiple ways. It would improve.

00:23:04:25 - 00:23:05:10

Water.

00:23:05:12 - 00:23:10:28

Clarity, would increase fish fish populations, it would increase the oyster.

00:23:11:00 - 00:23:11:23

Population.

00:23:11:25 - 00:23:32:29

Obviously would have a cultural value of bringing back an oyster reefs in an area which had an extensive oyster reef for several hundred years. It would be not the case and there are many aspects of what they have proposed that I think would be extremely good.

00:23:35:12 - 00:23:39:05

Thank you very much. Thank you for that. And yes,

00:23:41:03 - 00:23:49:11

no, so not so. Thank you for that. And I'll just refer back to the applicant for any comments on that or anything else.

00:23:51:09 - 00:24:04:28

No, we're grateful for the supportive comments on the meat, especially from an oyster specialist. I'm just on the question that you were skipping, I think, on the Marine policies.

00:24:06:17 - 00:24:36:29

We we are we think we have applied the policies of the different parts of the Yes button to help you with pulling together sort of marine compliance documents which we are proposing to submit at deadline one that may assist the MMO in considering and considering that position as well. They do read my mind basically because the relevant representation had made reference to marine plants per say.

00:24:37:01 - 00:24:46:17

The question of which policies do you think are relevant and is there any conflict with them? So yeah, that's good to hear. That's coming for the deadline one, that's, that's, that's marvellous. Thank you.

00:24:48:21 - 00:24:54:04

But in which case that finishes agenda item six on our hand over to my colleague Mr. Any.

00:24:57:18 - 00:25:08:24

Thank you, Mr. Wallace. So I have some questions in relation to shipping and navigation. This will also include helicopter access and navigation to the oil and gas platforms as a form of navigation.

00:25:10:14 - 00:25:21:23

Now, looking at the parties that are here today, I just wanted to address some of these questions to Trinity House. With regards to the shipping and navigation.

00:25:26:19 - 00:25:34:07

Tom McNamara. Trinity House. Yeah, that's absolutely fine. And we're happy to field any questions? Thank you.

00:25:36:08 - 00:25:56:29

I'm not sure exactly some of these questions will be within your remit or not, but I'd just like to ask, first of all, with regard to the location of both the the wind farm areas as proposed, are you satisfied that the site has been selected reasonably to avoid or minimise disruption for shipping and important routes to the area?

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To McNamara Trinity House. I may need to defer to Captain Harris on that. On that particular point, he's closer to the detail. I'll hand over to Captain Harris.

00:26:14:09 - 00:26:17:14

Yeah. Good afternoon, sir. John Harris, Trinity House.

00:26:19:06 - 00:26:44:09

Yes, sir. We've been discussing right through the process with the applicant, the sun selection and race. From our limit of safety. We think the site selection criteria and mitigation measures will be applicable there. Unfortunately, we cannot comment on any of the commercial aspects from the shipping deviation which have been raised.

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Thank you. And furthermore, to that, then, are there any further measures that you think could be employed or implements with the proposals to further mitigate any adverse impacts, you would see that you would encourage the applicant to adopt.

00:27:07:05 - 00:27:35:00

Not from what we've already been discussed. And I know the other shifting parties. I know the chamber should bring them the see how you have been discussing it. Well, most of the mitigation we would normally consider within an offshore project have been discussed and taken into account and a lot more will come into effect post consent. When we get down to actually discussing layouts is a lot more issues we can raise on mitigation than.

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Thanks again. Another question, similar sort a question. The environmental statement chapter on shipping and navigation is Chapter 13 concludes that the affected vessels would be displaced at a high frequency into a small and navigable navigable area or sea room than is currently available, leading to increased encounters and collision risk. And could you just get your reaction to those comments?

00:28:06:18 - 00:28:42:12

Sara Harris for Trinity House. Yes, sir. We'd agree perfectly with the statement if you're compressing the traffic into into and. Smaller area, it will increase the risk, the increased risk. And again, we're obviously depending on agent. The fact with the weather zone in the area at the time I know it was at the Sonic extension project here in the compression in traffic there was.

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To a more drastic effect and what this project is proposing and it was higher it was discussed very deeply. Any mitigation for that is down. We'll be around.

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Shiffrin would be have to solve.

00:29:07:01 - 00:29:13:05

Complying with the international collision regulations and marking as a wedding from.

00:29:14:26 - 00:29:21:28

With they used to navigation or any other ice navigation. We consider along with the applicant, the parties like the MCO

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and Chamber of shipping, would also be taken into effect to mitigate that. Yes. Is if you're compressing that amount of traffic to an area, there will be an increase in risk.

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Thank you for your comments there,

00:29:42:03 - 00:30:20:09

Tom. At Monroe Trinity House. I just thought it would be helpful to to add to that that notwithstanding the statement you referred to in the environmental statement, the navigational risk assessment, which is application document 198, concludes that for all impacts, which includes increased collision risk. And all impacts on the SEP and dep together. And on a cumulative basis were assessed at being of most tolerable with additional mitigation and allowable as low as reasonably practicable.

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And so so our position and he has his position is that with the secured mitigation through the order in particular that the marine licenses. The risks can be appropriately mitigated.

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Thank you.

00:30:41:03 - 00:30:59:18

This might be a question that you may not be able to ask within the House, but I was interested in whether you would have any comments about shipping operators maybe having a maximum deviation of around 4% from existing rates and maybe what sort of effect that would have on shipping.

00:31:02:03 - 00:31:14:19

Just trying to. How I saw through the house? No, sir. We have really no comment on any commercial deviations and that any risks or additional costs imposed on shipping operators.

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I understand. Thank you for that.

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I think pretty much the last question on this for for yourselves, are you satisfied that there would not be any adverse safety impacts on recreational vessels that might be operating when within the sort of operational phase of the wind farms proposal?

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Simon Harris from Trinity House. Yes. Within again, within the navigational risk assessment, 198 items within the. Yes. The

00:31:53:12 - 00:32:07:01

recreational vessels have identified that they would be or possibly could be a risk or an additional risk from use. So when the vessels are operating alongside.

00:32:09:08 - 00:32:23:24

Vessels within the projects. But again, that would be mitigated within the navigation management plan that is being discussed within those documents and those mitigation measures are appropriate.

00:32:26:29 - 00:32:42:07

Okay. Thank you. Well, last question for yourselves. Considering the evidence mitigation set out for the applicants. Would you envisage any negative implications, if you like, on search and rescue capabilities in the area of this area of the North Sea?

00:32:44:21 - 00:33:08:01

Again, that is another question that should be aimed at the MCI and Haitian Coast Guard. Tracy, have you met with in search and rescue? We do have a statutory obligation. That means revolving around new wreck and marking a new wreck, providing our vessels can still access the waiting farms.

00:33:09:27 - 00:33:13:06

There would be no impact on our obligations within this.

00:33:17:21 - 00:33:54:11

Thank you, Captain Harris. And just for the Africans, for any response on anything based by committee, has all the questions themselves. Duty and for the applicant. I think we'd like to emphasize that we are having a constructive engagement with Trip, and she has the Chamber of Shipping and the Maritime and Coastguard Agency, and we are very much on track towards comprehensive statements of common ground with all three of those bodies, which would not conclude

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any which would not leave any sort of significant or any material points outstanding. In other words,

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that is still a that is still a work in progress, which is normal at this point in the process. But in terms of the engagement that we've had through the Pre-application process and hazard workshops and all the usual all the usual things, we are very much on track for agreed statements of common ground

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with which you think we think you will find helpful them, which will show that we've we've reached a positive outcome on on the range of issues including those for Trinity House.

00:34:42:13 - 00:34:48:28

Okay. Thank you. Is there anyone else in the room that wants to mention anything about ship navigation?

00:34:56:22 - 00:35:00:29

So anyone online who wants to make any comments based on what they've heard on this issue.

00:35:04:25 - 00:35:11:08

Okay. In that case, I'd like to move on to ask a couple of questions to do with the.

00:35:17:27 - 00:35:38:11

Sorry. I'd like to go on to ask some questions to do with the helicopter access to the oil and gas platforms. I understand that these platforms need quite regular helicopter access and that the first wind farms might make that difficult to achieve potentially in poor weather conditions depending on wind direction, for example.

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Now, I understand Franco might not be here with us at the moment, but I do believe this might be someone from an oil and gas energy start.

00:35:52:23 - 00:35:53:13

The is from.

00:35:53:15 - 00:35:56:10

I can see here I'm a bad one. Mr..

00:35:56:12 - 00:36:12:03

Any good. Thank you. So first of all, I just wondering in terms of the helicopter access to the platforms that you operate near the sites, what sorts of regularity would you need helicopter access to those platforms?

00:36:14:08 - 00:36:35:28

I think I can see it's quite dependent on the operations and maintenance regime, the platforms themselves, the Blade platform in particular, which is the one closest to the proposed boundary for the wind farm, is a normally unattended installation and service that's usually scheduled, usually on a 7 to 10 day basis, although we do have the option for additional

00:36:37:18 - 00:36:58:12

one day intervention exercises which be mobilised at short notice to 24 to 48 hours. So at this point in time, the Blade platform has been in production for just a little less than a year. I'm so our regime is uncertain at this point, largely averaging 1 to 2 trips, possibly more.

00:36:58:14 - 00:37:16:22

In a week. Okay. Thank you. Well, following on from that and looking at the information admitted by the applicant. To what extent, in your view, would the proposed developments affect the approach or take off, if you like, from the platforms by helicopters?

00:37:18:09 - 00:37:50:00

So the one I spent we do have is the restricted access to the platform from certain directions through the wind farm itself. When there's a particular wind direction. No, that's not insurmountable, depending on the approach that can be changed. What I would say is that we do have an ongoing dialogue with the existing Dudgeon wind farm, which adjacency about supply platform, and we have procedures and protocols in place there for emergency procedures to fly through the the through or near the existing wind farm at this point in time.

00:37:50:02 - 00:37:54:24

And we expect those to be extended to the extension, to the dudgeon extension to the north or south as appropriate.

00:37:55:18 - 00:37:56:03

Okay.

00:37:58:07 - 00:38:07:12

In terms of the mitigation, you might have seen, I think for the Waveney platform, they're talking about a free an obstacle three one nautical mile arc.

00:38:09:24 - 00:38:15:25

Is that or maybe I think there's also mention of commercial agreements, the sort of mitigation that you would you would be looking for.

00:38:17:00 - 00:38:43:06

So I can't comment, but I can tell OJ PLC, I can't comment on the way of platform is it's not operated by IAG PLC. I can say for the both platforms we the mitigation options as stated I think seems sufficient, but we do have an ongoing dialogue with the applicants and most notably we will continue to look forward to continue that dialogue once the number of turbines and the spacing on the side of those turbines are dissipate.

00:38:44:12 - 00:38:50:24

And would you imagine that commercial agreements would would be necessary as part of the negotiations?

00:38:52:04 - 00:39:04:07

I couldn't comment at this stage on the requirement for commercial negotiations strictly from us. I would advise the Planning Inspectorate that other operators in the neighbourhood as well, and they might seek different approaches than ourselves.

00:39:05:17 - 00:39:18:00

Okay. And finally, I suppose, is there any impacts as well to any shipping routes that you might need to have in terms of access to the platforms?

00:39:19:04 - 00:39:31:14

A firm I can talk of yet, but potentially there is particularly to the south, which is a main route of access from Lowestoft. But again, nothing that we see is insurmountable with continuing dialogue with the applicant.

00:39:33:04 - 00:39:33:24

Okay. Thank you.

00:39:36:00 - 00:39:41:12

Can I just maybe cross to the applicant, see if you've got any comments on what you just said.

00:39:45:11 - 00:40:03:20

It impossible for the applicant only to to to thank iog for the continuing positive and constructive engagement which we are having with them. Just to confirm that we are negotiating a statement of common ground which will be submitted in due course.

00:40:08:00 - 00:40:13:29

And also with Franco, it seems that maybe the way the platform has

00:40:15:18 - 00:40:22:26

particular impacts when it comes to helicopter access is a part of that. You have negotiations with them at the moment as well.

00:40:25:02 - 00:40:32:12

To impossible for the applicant. We would like to and we have made sustained attempts to engage with Frank.

00:40:33:27 - 00:41:04:15

But as yet, that hasn't turned into turned into a dialogue. And they've got various things from us which we are at different points, which which we want to engage with them on. And so when we heard that they were coming today, we were we were pleased to hear that. We know that they engaged with the Hornsea four scheme. We don't know why they haven't engaged with us at this point. But we are we we're confident that we've put forward an appropriate solution.

00:41:05:02 - 00:41:15:00

But inevitably, you're interested in what what they have to say. And so we with that, I believe Frank might be trying to telephone in actually. Does that come through our

00:41:16:17 - 00:41:17:02

system?

00:41:18:00 - 00:41:19:05

It will come through

00:41:20:24 - 00:41:24:14

the teams meeting. So we're still waiting for that.

00:41:25:25 - 00:41:33:28

Good case to just confirm whether her income are on the line or if they're about to join on the line, please.

00:41:43:09 - 00:41:48:06

While we wait for that, could I. Could I ask the applicants you set out to.

00:41:50:06 - 00:42:00:18

The two fairly contrasting scenarios are one one where you are engaging in positive dialogue and one where you are not. With with oil and gas platform operators.

00:42:02:15 - 00:42:12:21

Given that or taking the hypothesis at that, that scenario continues to the end of the examination, How how would you propose.

00:42:13:06 - 00:42:15:21

That is now joining.

00:42:16:03 - 00:42:24:17

The issues that currently exist or don't exist as a result and also secured to the satisfaction of partners.

00:42:28:01 - 00:42:51:15

Well, we think we have put forward a complete solution as things stand at the moment. The way this normally works is that we would then see if we can reach agreement with with the other affected party. In the absence of that engagement. We would expect to stay with our position unless there's some other intervention to try to lead us to a different position.

00:42:54:13 - 00:42:59:22

You wouldn't envisage that it would be a requirement to protect provisions in either case at this stage?

00:43:01:10 - 00:43:05:09

Or rather, would you envisage that there would be a requirement for protective provisions?

00:43:12:09 - 00:43:27:01

Protective provisions would normally come about through. Through a dialogue in this type of situation. And so that's the dialogue we've been seeking. It may be that we put forward something at a later stage, depending on how things play out.

00:43:29:08 - 00:43:31:06

Thank you. No further questions.

00:43:33:11 - 00:43:36:22

I believe Mr. Sanders might be on the line from Brinker.

00:43:36:24 - 00:43:37:24

Yes, ma'am. Yes.

00:43:38:21 - 00:43:39:24

Ah. Welcome.

00:43:41:21 - 00:43:50:03

If I've spoken to independent oil and gas, I just want to if I could basically put the same few questions to yourselves as to

00:43:52:05 - 00:44:07:23

the possible impacts of this proposed development on from your perspective. Firstly, just looking to get a sense of how regularly helicopters are sent to the platforms that you have, such as weekly.

00:44:10:27 - 00:44:19:18

Well, it very much depends whether we've had an intervention, but I would say probably 11a month, depending on

00:44:21:19 - 00:44:32:11

on on interventions and inspections. We normally have a five day campaign once a year during the summer months.

00:44:34:07 - 00:44:44:26

Okay. Thank you. To what extent, in your view, with the proposed development of the approach to the platform from helicopters and also from the taking off many of us.

00:44:47:28 - 00:44:48:13

Uh.

00:44:50:14 - 00:44:59:25

Well, they would they would. They would. I mean, depending exactly where they were placed, they would, um, there is a certain amount of space that we need

00:45:01:19 - 00:45:26:01

to ensure that there's a single engine intervention failure, that the single engine takeoff is able to be performed. And normally that's within the range. We've been advanced by a helicopter upwards of about five miles. Um, oversee the, uh, the wind farm will affect the approach to the plant. So anyway.

00:45:29:03 - 00:45:30:06
Okay. Thank you. And

00:45:32:01 - 00:45:39:19
the mitigation that is being talked about within the environmental statement, including an obstacle three one nautical mile arc around waveney.

00:45:41:20 - 00:45:46:02
What's your reaction to that sort of mitigation? Do you think.

00:45:46:04 - 00:45:46:24
That would be effective?

00:45:49:27 - 00:46:01:07
No. I think our view is the is that the distance has to be greater than that due to its due to safety reasons for single engine take off basically.

00:46:03:01 - 00:46:07:13
What sort of distance would you be looking at for the space?

00:46:09:12 - 00:46:12:10
Well, in the past, we've been advised five nautical miles.

00:46:14:23 - 00:46:15:28
Sorry, could you just repeat that?

00:46:16:22 - 00:46:17:28
Five nautical miles.

00:46:21:24 - 00:46:30:23
I mean, we looked at this about a year ago in connection with with other platforms. My understanding there has been further work by the helicopter operators,

00:46:32:21 - 00:46:40:18
which I don't think has been completed. Just reviewing those distances again so that there's a common consensus between all the operators.

00:46:42:17 - 00:47:00:03
Okay. Thank you. And I understand the applicant has been looking for dialogue with Franco and possibly towards some sort of maybe commercial agreements, even as been talked about with environmental statement. Is that something that you would be looking to do.

00:47:01:07 - 00:47:04:08
Consult with? Yes. Okay.

00:47:06:00 - 00:47:11:06
I'm going to go across the Africans on to see if they've got any responses to those points.

00:47:13:11 - 00:47:46:14
Totally impossible for the applicant. Yes. We're very keen to have a dialogue with with Franco. I think it makes more sense to to discuss the nautical mile point that's just been touched on with the

relevant specialists. We don't have our specialists here today, and I think it would be particularly productive to try to take that conversation forward in this forum without having had sort of prior discussion with with with Franco, which we're very keen to have at this stage.

00:47:50:18 - 00:47:58:08

Someone else in the room. One set of people inspects offshore oil and gas. Is there anything more from Franco or

00:47:59:28 - 00:48:01:00

IAG on this matter?

00:48:04:13 - 00:48:10:27

No. What it says is that we are very happy to talk to the applicant about the impact.

00:48:12:20 - 00:48:14:16

Okay and was back in time as.

00:48:14:18 - 00:48:17:09

Phil McIntyre, GOPAC. I know. No from the point of this thing.

00:48:17:27 - 00:48:19:00

Okay. Well, thanks you both.

00:48:21:08 - 00:48:23:20

But I go across to my right.

00:48:24:17 - 00:48:28:02

Mr. Rennie, I think there might be a action here because I.

00:48:29:28 - 00:48:54:22

While Mr. Sanders explained why he needs to five nautical miles, I'm just struggling to get my head around why there's such a big difference between what's been proposed by the applicant. And so there might be a hearing action here for us to get some action. Well, technical information on the justification for both cases and what the compromise solution might be.

00:49:06:24 - 00:49:20:26

We're happy to signpost or supplement the position that we've already submitted, but obviously we have given consideration to that to that point. It's obviously an important point that at the heart of this.

00:49:21:14 - 00:49:24:16

Are you seeking a statement of common ground with Ranko?

00:49:25:24 - 00:49:47:07

I think we would like to, in the same way that we are seeking one with IAG, but I think there needs to be a dialogue to sort of allow something to reflect. I think the first thing is to start having a sort of dialogue and to consider a position that we've we've set out and that our response to that and then to go from that.

00:50:06:29 - 00:50:18:00

Um, what I like to do is look at the time is to carry straight on from where we are now. We're to talk about fishing and fisheries. Um,

00:50:19:23 - 00:50:21:24
so this is item eight.

00:50:25:17 - 00:50:27:02
Firstly, I was going to ask

00:50:28:22 - 00:50:40:24
Mr. Lyons, just if you wanted to come and just explain to us your interest in fishing and the background that you might have.

00:50:42:21 - 00:51:17:18
So we can understand your perspective on this. Well, my confession is long and varied. I started runners, a big ten years old, pushing the nettle on the beach, catching insurance consultant holidaymakers, and then left school and went to Loughton and joined the trawler fleet. Well, as you know, the EU took away all the fleets and it came inshore fishing and against several boats and several years on the job. And I've also worked in the wind farm industry and I know very well, and I had a very good career at sea.

00:51:17:20 - 00:51:43:15
But my main concern with fishing is that with all the developments that took place, there's been a culture from wind farms about got the same reason, obviously, as we get. If we go out there and catch fish and bring boxes and sell us to the highest bidders, they make the electricity and sell to the country. So we've got a common ground to be in there. But what has happened is that.

00:51:45:01 - 00:52:16:16
They paid compensation packages to fishermen, but hasn't always compensated what their losses are very easily. To take your hand out and grab some money and think, No, they looked after us, but oh my, a son. He's got million pound investment in fishing. He hasn't got a boat licence yet. That's build. But I've always said to him, you know you've got this a future, your life and work life is going to be 30 years, 40 years on, retire and that and.

00:52:17:24 - 00:52:50:04
If you just take disruption, payment and compensation, that will not cover him for what he lost. Prime example is where my concern is Lyndon in the thousand site. Boston Kingston fishermen gathered seed mussel from them as sites that built the site. The tide had to stay high, Rob. But now when they go back and start gathering mussels, that mussels aren't there. Something happened with the cables that disturbed the area and weather turbidity in the water.

00:52:50:24 - 00:53:22:21
And there's a lot of examples where things aren't as productive as what they were. My input to you is that this need to be looked at in depth because what happens with applications to any marine activity is it's on the agenda to look at these things which explain them. But soon as you get the license to go along and build these things, but there's no follow up data collected and no one looking at the future and.

00:53:25:17 - 00:53:26:09
Sorry about that.

00:53:28:10 - 00:53:28:26
It's good.

00:53:30:27 - 00:53:33:00
We need a new culture.

00:53:36:04 - 00:53:36:19
Some.

00:53:41:14 - 00:53:42:03
Technology.

00:53:43:20 - 00:54:17:21
We need a new culture where we look at these with a view to carry on more than until the wind farm is built. Because squeeze, push you over there, you move your fishing gear. At one area, it goes in someone else's backyard and you get the spatial squeeze. And that gets your point where there's so many developments out there now and that always seem to coincide. Wind farms want to be where fishermen are. But what people have got to take into account, the fishermen have to go everywhere.

00:54:18:22 - 00:54:56:23
They have to go where the catch is. If you build a wind farm on where animals live, you exclude that that gets lost. And I get your point where sometimes these things are lost forever. And also the older generation of fishermen. I'm 64 years old. People I work with, they're all the older generation. Well, there will be a new group of young people come along and they gather food to feed on nation. So consideration have got to be given the stick pushing here, pushing over there that come to a point where there is no pushback.

00:54:57:16 - 00:55:27:27
And we just talked about shipping. I didn't mention fishing vessels that work in these area. And that is a dangerous place to be. The general never thought of 600 meters that way, that way, that way. But what you need to get at where you're living is right in the middle of them. And, you know, no one's taken any of this into consideration. But eventually, there will be no way left. We all go home. Every now turn out looks virtual because we want electricity and we want cheap electricity.

00:55:28:11 - 00:56:02:25
But we also want to be able to go and feed our families. I know mortgages North Norfolk, more than anywhere, make a living out of seafood products. People come to the coast and come home from the coast. And that's how the whole socioeconomic thing is harvested from the sea. We don't want to see that. Change any shape or form when we can work with you. We aren't working against people. We just want to be seen as we already there because this is all about them.

00:56:02:28 - 00:56:31:21
Get the license or not that we've already got licenses to do what we like to say and bring food home. But we want to work with people so that that's a collaboration and that works for everyone then. But you can't just tour the fishing industry for our money. And so they go away. That don't work because, you know, they're easy answers. They haven't really signed much, but that's all about consideration and to respect what we already do.

00:56:33:13 - 00:56:33:28
Thanks.

00:56:35:18 - 00:56:37:09
Thank you for that. Very informative. Thank you.

00:56:48:27 - 00:56:52:24
I thought was helpful. Would you like to come back to?

00:56:58:15 - 00:57:14:03

So that was very helpful. But what I'm trying to gather is the effects of this proposed development on you. Of course, we're trying to understand the proposed amendment and the by the fishing industry. But you talked about a squeeze.

00:57:15:28 - 00:57:29:25

Explain to me a little bit more about that squeeze now. Is that only during the construction period or do you find it odd? Is that fishing area the area of interest lost forever?

00:57:30:15 - 00:58:08:27

Well. Well, it's not lost forever. But developers do not want fishermen in their heavy anchors. And when we do that, we give heavy equipment, heavy anchors and cables and never buried for long. It's a challenging environment right there, as you well know, that forever government buried in sugar. They don't want you there. They don't want you there. And that's eventually that you will file cables. And that's dangerous place to work. Insurance companies, if you told insurance companies you're fishing in the middle of a wind farm, boats zipping around here, there and everywhere, and structures crafted there and everywhere.

00:58:09:19 - 00:58:33:23

I didn't show you. So that area is tight in a way. And if you actually look at the area and see it, probably only 5% of that say productive fishing. And that's not true inside the. 40,000 square kilometer development. Take 1%. Can you say you've been excluded

00:58:35:12 - 00:58:45:27

by these? Huge areas are now being built. I don't know, Eve. The trouble is, back at Tripoli, where there's very little places to go.

00:58:47:12 - 00:59:27:11

And you know what I mean? Three times in my career, I changed my method of fishing yesterday. Long line squid from the size Atlantic got so expensive we couldn't do that. We went to net fishing. We can't fish or nets anymore because we got so many seals on our coastline. But the work we call pulse fishing is predominantly in North Norfolk because there's very little trouble in Norfolk because eventually everyone will be in North Norfolk. So. You can tighten this tape a bit saying, well, where do we go? Where do we go? I mean, we've opposed offerings.

00:59:27:13 - 01:00:08:17

SAT there. Go from the seaweed farm. When you want to square kilometers, that change. Square kilometers, very important fishing grounds. And because these creatures are there, because that's their habitat that they actually say, and you keep taking away, you taken away. You'd never dream of stealing that statement and expect production to stay inside. And that's exactly true with the sea. You keep tightening sections like sections or sections, right? As people come up to retirement and the job get poorer and poorer, it's very hard to get people to replace them because fishermen do contribute to the nation's food.

01:00:09:20 - 01:00:17:24

And so very important that we can maintain that and we maintain our position. What we've got, we don't want to lose any more.

01:00:19:07 - 01:00:21:03

Thank you, Mr. Jones. Mr. Romney.

01:00:22:23 - 01:00:43:29

To respond to some of those points. And I think the point that I'm trying to just understand is the point that lines made about the screens and the area of fishing that has been taken away. And just if the

opposition to this could respond to Mr. Kline's would just help us understand those implications for the industry.

01:01:03:12 - 01:01:04:14

Madam Julian Boswell,

01:01:06:22 - 01:01:39:21

just to emphasize that. Mr. Morris, on my left is not our fisheries expert, but we've come prepared because you explained this was going to be a strategic hearing, which we took to be a relatively high level discussion. We've come prepared, as you would expect to, to respond to the to the questions that you put in the in the agenda. One is on the cumulative pressures on Ponting I think is on point. So I'll suggestion is that Mr. Morris takes you through the answer that we that we had prepared for that and then we go from that.

01:01:41:11 - 01:01:47:12

That's absolutely fine. That's fair. And if there are pending matters, we can put that in writing to you. But

01:01:49:09 - 01:02:16:23

can you just answer this question? Do once Wind Farm is operational, do fishing vessels go back? Can the fishing vessels go back to the area? Because obviously the distance between turbines is is big enough is there is enough of that for fishing vessels to be able to go back. And I'm just trying to understand that shouldn't this disruption be only during construction period, or is it a permanent loss?

01:02:19:18 - 01:02:51:27

I can julienne both of them, and I can give you a sort of headline industry type answer to that. But it would be prudent for us to follow that up with a specialist answer. Yeah. So I happen to. It's a chair. So there's a there's a trade body for renewable UK, which represents most of the offshore wind, but it has a specialist consenting committee and I happen to chair that committee, the offshore consents and licensing group. And one of the sort of topics that we cover are fisheries related issues.

01:02:52:23 - 01:03:07:18

And in that context we have an ongoing project. And to be honest, is stalled at the moment because people are busy with other things, which is to conduct a survey as to what level of fishing actually does take place within OCH amongst developers

01:03:10:03 - 01:03:15:07

to have a more accurate picture of what does actually happen in terms of the legal position.

01:03:16:23 - 01:03:24:20

The league, the legal position on the headline. Legal position is that there is nothing to prevent somebody from fishing in the wind on the

01:03:26:06 - 01:03:59:12

subject during the operational period if we stick with that. And so the but as, as Mr. Lyons mentions, it's recognised that that there is an insurance sort of aspect to whether a monster will want to take a ship into that into into a wind farm. And so there definitely are wind farms where fishing takes place. So I think it's fair to say it is certainly less than would take would would almost certainly take place if the wind farm weren't there at all.

01:03:59:25 - 01:04:16:15

But the true shape of that is there isn't as much information, detailed information on that question. As you might imagine, that's my understanding as somebody that's been involved in that discussion in the industry forum that I have just mentioned.

01:04:16:18 - 01:04:36:29

Okay. No, that's absolutely fair. And I understand that this is a little bit fluid stuff in the agenda sentence, if I'm sure come back to us. But if I'm going to just for the benefit of the hearing actions, I'm going to just highlight the things from Mr. Devine's representation that I'm seeking a response to. One was the point about

01:04:38:14 - 01:05:16:25

the squeeze or the area that is lost to the fishermen. Is that a temporary loss during construction or is it a permanent one? I.e. can fishing vessels go back in between turbines? The second was about the depletion of stock. And you know, no doubt you would signpost me to information in the is where this information's already provided in terms of baseline. Nevertheless, I think some information in terms of wind farms that already exists and what has been found that would be very helpful to the examining authority.

01:05:24:00 - 01:05:26:02

So you.

01:05:31:23 - 01:05:33:10

Okay. Yes, those two points.

01:05:35:20 - 01:05:36:13

Thank you, Mr. N.

01:05:38:02 - 01:05:46:13

Thank you. What I'd like to do is it's been an Eastern Shore Fisheries Conservation Authority there, which we attended.

01:05:49:27 - 01:05:53:27

I smoke the hungry snicker. I'm happy to answer any questions.

01:05:57:02 - 01:06:18:01

First of all, in terms of the sort of fishing industry that you represent, have you been able to look through the fishing views on a coexistence plan? And your reaction to that and how it might help in terms of any impacts, the fishing that goes on that?

01:06:19:27 - 01:06:52:02

And spent their home free snitker. So just just to confirm that we are a regulatory body and we don't represent men and women, our remits goes up to six nautical miles and so doesn't cover the Ouray area. We have had some involvement with the elements of the ecosystem for fisheries based coexistence plan and we support something like that and and support that consultation with fishermen, that agreement.

01:06:52:08 - 01:07:00:29

And but if the fishermen that need to agree in, that cannot go south. And that's something we can we can highlight and comment on.

01:07:02:11 - 01:07:24:01

Okay. Thank you. I just wondered, maybe you could help with that question that we just had recently in terms of the impact to fishing fleets. Once the wind farm is operational and all the turbines are built in terms of fishing, returning to those areas in and around the the turbine areas.

01:07:26:02 - 01:07:57:22

I think in terms of in other areas or districts that have been we hear from from industry members that there are kind of restrictions and so not restrictions, but. Fishermen don't necessary return to those areas to to sit since the rays have been put in in this in this place. And but it's really speaking to the fishermen themselves to get that the impacts on then that we would to 30.

01:07:59:26 - 01:08:03:26

Okay. Okay. Um, I just to

01:08:06:04 - 01:08:37:22

return to the applicant. First of all, I just want to ask about the the chapter on commercial fisheries, which sets out that the moderate adverse impacts on UK cutting fleets will be mitigated through justifiable disturbance payments, as is termed, to reduce the significance of residual impacts to minor adverse. Is there any other form of mitigation other than compensation payments that could be potentially made to reduce the impacts of putting things?

01:08:46:05 - 01:08:52:14

Julian Bond of the applicant. Not that we've looked at. That is the normal approach that is followed.

01:08:54:05 - 01:08:57:15

And it's the negotiations and the demands taken at the moment with.

01:09:00:10 - 01:09:05:02

I think it's it's it's too early to do that. It's normally done

01:09:06:22 - 01:09:25:08

at a later stage. I consent. Okay. I should emphasize that because of that colonel's involvement with Sharon Shell and Dutch has an extremely good and knowledgeable relationship with the fishing interests in this part of the world. And so it would expect that to be a

01:09:27:12 - 01:09:37:15

it's not one of these situations where developers coming into a new area where we very much know already who's who and what squat in terms of taking that forward.

01:09:40:11 - 01:09:41:09

Compensation.

01:09:43:00 - 01:09:51:04

It's normally in the context of content that the payments that are made, normally in the context of surveys being carried out, not operation.

01:09:54:20 - 01:09:55:19

Okay. And.

01:09:57:16 - 01:10:22:09

Following on from comments made here yesterday from the crab lobster food processor, you put forward mitigation, which includes compensation payments potentially for the putting fleet. Would this or should this extend to onshore processes, the dependence on efficiently for produce? In other words, should they also be compensated if they are significantly directly affected?

01:10:30:12 - 01:10:31:29

Julian possible for the applicant.

01:10:33:18 - 01:11:01:06

There's something called the flow guidance, which addresses the question of payments, and it's not in that guidance. And as far as we know, it hasn't been done before. Obviously, we've heard what Mr. Janus had to say yesterday, and we can sort of confirm our position in a written summary afterwards. But I shouldn't. My working assumption is that it's not going to change.

01:11:06:09 - 01:11:16:11

Just ask if there's anyone here today that is maybe representing a business dependent on fishing, not actually fishing themselves, but like a process or anything. I might want to comment.

01:11:19:02 - 01:11:25:12

No, I'm clear. Go back to the fishing. Insufficient conservation authority

01:11:27:11 - 01:11:31:10

and ask about the impact of the potting fleets. And.

01:11:32:28 - 01:11:43:14

Just how would you maybe assess the potential impacts to the UK partner fleets? And would disturbance payments be sufficient compensation to reduce this impact to mitigate?

01:11:45:12 - 01:11:58:24

As the month of the is the. So in terms of assessing the impacts, again we would advise speaking to the fishermen though, about this, we don't hold and cannot share any information on fishing activity.

01:11:59:18 - 01:12:00:28

We see her sitting.

01:12:01:16 - 01:12:27:29

But we do know that there are a spatial and temporal patterns in inshore parting activities and just that that looking at those and understanding those could be useful ways to try and help mitigate any impacts, particularly during the construction phases. And so just highlight. Within our district, we did overlap with the array. So it's more in terms of impacts from that. Of the cable route.

01:12:29:27 - 01:12:55:26

And so the second part of your question about compensatory measures at. Similar to the comments that Mr. Lines is making, we don't see these as being long term solutions. They are more short term compensation methods, but in the long term they do support the fishery and and we can affect future generations and negatively.

01:12:59:08 - 01:13:04:20

Thank you. All right. Let's go back to the applicant. They got me response to the comments.

01:13:11:21 - 01:13:16:28

To them, both of them. I don't think we've got anything to add in response to that.

01:13:25:06 - 01:13:26:25

Oh, yeah. Um,

01:13:28:23 - 01:13:33:12

at this point, I'm just wondering if yes, Mr. Lines is going to say anything to the audience, perhaps make a comment.

01:13:37:07 - 01:13:58:02

Getting back to the question you asked a minute ago about processes, and I'm glad Mr. Jonas is a very well respected man in the local shellfish community and an honorable fellow. Yet but you also got look, if you hadn't got processes because what has happened in the past, I don't know, supply him with a large shellfish.

01:13:59:27 - 01:14:32:13

When I paid compensation payments to the fishermen I spent, like winning the lottery. Then there's a lump of money in the hand. In one, they don't go fishing. He nearly lost his business to this effect. Without the processor, you haven't got shellfish industry endorsement for the simple processes. But I would just like to add that that's a collaborative operation. We catch it, they process it, they distribute it to the public. That's all part of the industry. And I've got a very, very dear friend of mine that lost it.

01:14:32:17 - 01:14:51:19

She nearly lost her business. So Frank, fishermen got paid not to take the gear out of the area. She sold fish for 11 and she nearly went out of business. There was no redress for her she had to stomach so that suddenly looking at, Hey, I've after. All right. Thanks very much, Alison. I think.

01:14:52:15 - 01:15:16:24

Mr. Knight, can I just remind you and most people here that we do look for post hearing summaries of the oral submission that you've made. You know, and I know this is the first time you've come here, but if it's impossible for you to write down the things that you've said and submitted to our mailbox. We would highly appreciate that.

01:15:18:10 - 01:15:22:21

I'll get my son to do that because I am very good on the tippy taps. Thank you.

01:15:26:17 - 01:15:32:00

Thank you. Is anyone else got any comments about professional fisheries? Both napkin.

01:15:33:18 - 01:15:34:08

It's an online.

01:15:42:09 - 01:15:54:02

Okay. Thank you all for your responses to these questions. It's been a useful session. I will no hand over to the panel, leave Mr. Hyde for the final items on the agenda.

01:16:14:12 - 01:16:19:06

If nobody has any concerns which is going to go right into agenda item nine.

01:16:21:03 - 01:16:22:27

Yeah. I don't see anyone travel time.

01:16:49:20 - 01:16:50:05

Okay.

01:16:54:18 - 01:16:56:08

Given that.

01:16:58:06 - 01:17:10:18

I'm just going through this agenda item, and I think most of the questions will be to the applicants. Mr. Buswell is your colleague the one who's going to deal with these items online.

01:17:12:09 - 01:17:18:27

To impossible for the applicant. I think I'm dealing with the first three and she

01:17:21:14 - 01:17:24:01

is going to deal with the rest.

01:17:25:15 - 01:17:37:18

Okay. So in terms of the first three agenda item nine one, we've dealt with already in agenda item three two. So unless you have anything else to add, I was going to skip over that one, you.

01:17:38:18 - 01:17:39:19

Know, fine with that.

01:17:39:25 - 01:17:45:10

Yeah. Okay. Agenda item nine two and three to article five.

01:17:47:27 - 01:18:22:05

And basically I just wondered if this relates to a concern that's come up by the memo from the memo in their relevant trip. And I just wanted the applicant's response on what what risks they might see with regards to collaboration between two different asset holders working in the same area if transfer benefits were to happen. And this is, of course, relating to, as it stated in the agenda item for the generation assets and to two sets of generation assets and two transmission assets.

01:18:23:23 - 01:18:38:06

So first of all, what are the risks that you see that could emerge if transfer benefits to happen? And also what your thoughts are on the collaboration condition that marine management organization have asked for.

01:18:39:24 - 01:18:58:21

Julian Puzzle. Yeah. And as things stand at the moment, we have two projects which have a common shareholder equity and collaboration agreements in place. And Aquanaut is the development needs for those projects. So the

01:19:00:20 - 01:19:33:29

whilst the transfer benefit provisions are there and whilst in theory they could be used to transfer to a completely separate entity, one of the projects I would just like to emphasize, and I will address that scenario in a minute. I would just like to emphasize that by far and away, the most likely scenario going forward is that the two projects will continue to to work in tandem in the way that they have with agreements between them such that.

01:19:35:08 - 01:19:42:09

Yeah. For what it's worth, the team that you see is a completely single team. There aren't two teams, so

01:19:43:28 - 01:20:18:04

there are obviously different shareholders that are ultimately looking out for the interests of each each project. But the project made a big decision back in 2019 to work closely together with the preferred solution. As you know from the scenarios being to deliver an integrated project and a single build out phase. And as we've explained in the scenario statement, there are various things that might

mean we can't do that which are beyond our control. Hopefully they are heading in the right direction, but it's taking a while because it does have that type of regulatory change.

01:20:18:20 - 01:20:36:00

So in that context, in the current context, which is by far and away the most likely scenario that will continue, there are existing arrangements between the projects that mean that they will they have a massive vested interest in working together in a collaborative way. Obviously,

01:20:37:20 - 01:21:27:21

if you get this scenario where one project is building out ahead of the other, we then have the joint working scenario. That would be a less a least preferred scenario, most likely happening because one project got a CFD and the other didn't and wanted to press on. That would be the most likely reason for that, for that happening. If you come on to the much less likely scenario where for reasons that aren't obvious, Equinor and the other partners decided to split the projects completely contrary to everything I've been doing for the last four years, so that there was a new entity that was complete with a completely fresh set of faces or the existing faces were completely separated in a way that suddenly they were having to, they were on a true arm's length basis and, and having to be concerned about that.

01:21:28:08 - 01:22:10:09

Then what would happen in the run up to that is that before that was put into place, a whole extra layer of commercial agreements would be put into place to ensure that the existing partners could protect themselves in that situation, but also puts in whoever was buying the project one of the projects which would in effect be what was happening there with themselves, want to protect themselves against existing partners. So there would be extensive arrangements, commercial arrangements that would be put in place where I think where the MMO is coming from as as we we would have an identity of interest with the MMO in terms of ensuring that appropriate collaboration was was taking place.

01:22:11:24 - 01:22:13:09

And that there were mechanisms for that.

01:22:14:21 - 01:22:17:12

So I suppose my question is, what would those mechanisms be?

01:22:18:04 - 01:22:26:23

Well, they would be building on the kind of things that we already have that commercial agreements between projects in the same way that that

01:22:28:15 - 01:22:36:28

reference was made earlier by Orsted's representative to having, you know, an agreement as between two projects working in the same area. What?

01:22:39:10 - 01:22:46:09

The guts of those arrangements in those types of situations tend to be are normally private commercial agreements.

01:22:46:18 - 01:23:07:19

But what we rely on to insure to assure ourselves that with the provisions that are currently there in Article five and the fact that the there there could be well, there are two undertakers in this particular case, and they could be building separately, but in order to

01:23:10:11 - 01:23:17:10

to mitigate any risks. What what's before us to satisfy us that that collaboration would continue.

01:23:21:08 - 01:23:44:26

Well, for example, in relation to compulsory powers onshore, we can't. What? Neither party can use compulsory powers without the agreements of the other. That that means that that agreement isn't going to be forthcoming unless they have satisfied themselves that their interests are protected to ensure that there is a collaborative delivery.

01:23:51:08 - 01:23:53:15

But you said this is compulsory. I was unsure.

01:23:53:23 - 01:23:57:10

On, I said, but I gave you an example on the show. Yeah.

01:23:57:28 - 01:24:00:19

So. But what about the assets that are offshore?

01:24:03:12 - 01:24:24:29

Well, it depends what reliance we're prepared to place on, on an overriding promotion imperative to cooperate between two parties that have already been cooperating for four years. There are various sort of situations where, in effect, a consenting body is relying on the commercial actions and imperatives that are already taking place.

01:24:26:16 - 01:25:00:05

But I'll just give you an example with with Boreas, Vanguard and Hornsea Project three, working in a very similar area, the examining authority can't just rely on these three bodies because of the commercial benefits that they have in working together. Just rely on them doing the best for the three projects. There was really something in front of us in order to be able to satisfy the Secretary of State to say, Yes, we've got this, this is secured in the decree.

01:25:01:00 - 01:25:13:10

And if it's not secured in the DCO, we have this piece of evidence before us which we can rely on and satisfy you, Secretary of State, that this collaboration will take place given that there is a provision in the DCO.

01:25:17:24 - 01:26:01:04

Yes, I understand. I think just one other point, if I may. I think in the different plans that will be approved for the individual projects, it will inevitably be the case of what else is happening at the same time would be part of those plans. And so I think that would be a degree of consideration in relation to that. I think where your ultimate coming from is can we consider some of the provisions that have been put in some of the other agreements or sorry, other discos in relation to collaboration? And so since you pressed me as much as you have and you're clearly not going to stop, we will give that further consideration and and take, take, take a further position on it.

01:26:03:16 - 01:26:06:04

Okay. So we put this as opposed to having action,

01:26:09:05 - 01:26:09:20

but.

01:26:17:12 - 01:26:17:27

Okay.

01:26:18:08 - 01:26:18:23

So.

01:26:20:19 - 01:26:30:18

You still not told me what you're going to give to us, but I'll put a pin on that. You're going to give it further consideration and you're going to come back to us and tell us.

01:26:32:02 - 01:26:59:22

I think the other thing I would say, if I may, is obviously the MMO put in quite a lot of comments, so we had a meeting with them last week already in relation to that relevant threat. And so I'm not saying we're going to agree with everything, but we are obviously making sure that we understand where they're coming from on different points, including that the next one that's coming up and to ensure that where we can we can we can reach agreement with them.

01:27:00:09 - 01:27:03:18

So actually, that does give me one point to think about.

01:27:05:10 - 01:27:19:23

So many of the DCO provisions ask for memos approval or that the secretary state before consenting something is going to seek memos, will consult with the animal and seek approval. And likewise on onshore matters with other consenting

01:27:22:05 - 01:27:33:18

with other discharging bodies that good discharge requirements. Is there a way for the DCO, for instance, to seek to require.

01:27:35:10 - 01:27:42:29

One. Undertake to seek approval or consult with the other. Undertake in certain scenarios.

01:27:45:13 - 01:27:49:10

Would that be a way of making sure that that collaboration takes place?

01:27:52:18 - 01:28:00:02

I've been asked my colleague, Laura Fuller, to come in and see if she has any observations on that. Okay. Laura.

01:28:04:12 - 01:28:06:07

Nor for the above.

01:28:11:17 - 01:28:16:28

And then what you're probably referring to is the there are, as I understand it,

01:28:18:18 - 01:28:22:24

issues that you might be referring to in other projects that have

01:28:24:15 - 01:28:40:22

used cooperation conditions and then deemed green licenses. And they do have wording. Along those lines, as I understand it, that that requires that kind of. Consultation process between the two projects.

01:28:42:20 - 01:28:56:03

As my colleague Student Boswell has already said, we will certainly take that away as part of our further considerations on this point and look at the specific. Those specific drafting examples.

01:29:10:10 - 01:29:12:00

Okay. Mr. Fuller, um,

01:29:13:19 - 01:29:17:03

I have a question this as well in terms of drafting examples, but.

01:29:19:16 - 01:29:25:19

Because I haven't don't have it in front of me. I'm not going to bring it up, but maybe I'll put a question

01:29:27:13 - 01:29:28:20

with respect to.

01:29:31:14 - 01:29:42:14

Something quite specific that. We might ask you to consider. Okay. Yeah. No, that seems fine. That seems fine. Can we put that down as a catering action?

01:29:43:24 - 01:29:44:09

Okay.

01:29:49:00 - 01:30:01:15

So the next part of my question, and you've kind of taken this way, is that what could a collaboration condition be? So you talked about that drafting example and with precedents if possible. So you've already got that. So that's fine.

01:30:04:00 - 01:30:06:01

Now, in Article five,

01:30:07:24 - 01:30:46:12

and I've got this question today and I've got it tomorrow as well. So paragraph seven B provides that consent is not required to transfer the benefit order to a company that's either wholly owned or by a subsidiary of Sell or and or Dell. And just to clarify for others in the room, so is the undertaker for Seth sharing. And Dell is the undertaker for such an. And could you just highlight the risks and where the duty of due diligence lies with regard to the offshore components of the proposed development with respect to this provision? Seven B in Article five.

01:30:53:26 - 01:31:00:16

When you say sorry, Junior muzzle for the applicant. Welcome. When you say the risks.

01:31:02:24 - 01:31:16:17

At the risk of not requiring entry, states consent to transfer the benefit of the order to a company that's wholly owned or a subsidiary of these two undertakers. And I'm just thinking, where is that due diligence?

01:31:18:29 - 01:31:44:29

Okay, I suppose that's the starting point is what due diligence is done in the first place. I guess it's fair to say. Well, you don't. Yes, you do have to have a generation license to be an entity in practice, because if you're above 100 megawatts, you have to have a generation license. So the but but the.

01:31:46:28 - 01:32:27:03

Set, sew and sell and sell. Both have of generation license. If you look at if you look at how easy it is to get a general license, it's extraordinarily easy to get an artist license south of the border. It's much

harder. The border for reasons that aren't very clear in either direction, if you know what I mean. So there is there is that. What we're saying, I think, is that. If we have this arrangement, then it would be within an entity that would have already been or will be a related entity within a group that an entity that has already been given consent.

01:32:27:28 - 01:32:39:25

It's about the main reason we've asked for this. As we've indicated in the explanatory memorandum is to is to facilitate a possible so-called gridco scenario where we move all of the assets into

01:32:41:10 - 01:32:51:22

the company that holds the grid assets in anticipation of the transfer to the offshore transmission owner, the OFTO which necessarily takes place after part of construction.

01:32:53:24 - 01:32:55:19

In practice, the.

01:32:57:23 - 01:33:58:25

That generation company will always have an electricity license anyway, so will have had whatever due diligence is takes place by Biogen in that respect. Anyway, the grid code would ultimately have a transmission license when it's the opto, so it's probably fair to say that that's. And we've acknowledged that this is novel wording that we we are making an assumption that in a regime that has always been relatively they say fair about the transfer of of consents that within an existing corporate structure where it's going to be a subsidiary, as we've indicated, that that that in effect provided an implicit level of comfort that I accept that there isn't a specific due diligence process.

01:33:58:27 - 01:34:12:05

The other the other example we've got there is now for many years now has been standard is that if you're transferring to an entity that has an electricity license, that that doesn't require consent.

01:34:12:21 - 01:34:13:08

That's right.

01:34:15:15 - 01:34:21:00

But what you're saying is that. Which is fine. So the wording.

01:34:22:27 - 01:34:25:07

So I'm just trying to get.

01:34:36:10 - 01:34:42:15

I don't. Can you signpost the wording within Article five, which says that the.

01:34:51:00 - 01:34:57:24

30%. Sorry, I'm going through paragraph seven

01:34:59:13 - 01:35:06:02

A where the transfer your lessees a holder of a license under section six of the 1989 Act.

01:35:08:24 - 01:35:14:11

Which I understand, but it's seven B, which does not say anywhere that the.

01:35:15:27 - 01:35:23:26

The entity which is entirely owned or a subsidiary of the Undertaker, would have any such license holder.

01:35:25:02 - 01:35:26:12

Now, I agree. It doesn't say that.

01:35:26:17 - 01:35:27:12

No, it doesn't say.

01:35:28:01 - 01:35:28:20

All I.

01:35:31:01 - 01:36:04:26

What I was. I guess I was trying to get there in stages by. So you've asked an interesting question, which is what due diligence takes place. And I suppose and I was sort of going back to first principles and I was saying, Well, in practice you don't actually have to. We do have a generation license. Actually, that's not a requirement of making a DCO application itself. It does at some point in the process of building an offshore wind farm about 100 megawatts. You do have to have a generation licence at some point in the regulatory process. There are always advantages of getting one early anyway, which I won't go into.

01:36:06:06 - 01:36:13:14

So I was saying to myself what due diligence, the only other form of due diligence that takes place in practice.

01:36:15:23 - 01:36:19:12

Is the limitation on.

01:36:21:06 - 01:36:51:15

The use of compulsory powers. So if you have an entity which is an SPV type entity, which we have here that is not doesn't have a large asset base. It's become an established practice in discos that you don't get given your compulsory powers unless you both satisfy the Secretary state that you've got security in place. So you get four for the compensation and that sort of see what the funding and the funding statement explains the nature of the entity.

01:36:51:29 - 01:37:03:07

And so that that that control would exist here still. So that that, that, that due diligence as it were, would exist.

01:37:05:20 - 01:37:21:12

And so the as for the in this scenario under seven B so transfer your lessee is a company which shares are entirely owned by the undertaker or subsidiary of the undertaker the undertaker will have.

01:37:23:06 - 01:38:00:28

They'll have passed whatever due diligence one wants to characterize this process as producing, and then we'll be transferring the the shares to to an entity that is that its own. So I guess that we would say that provides a degree of comfort in relation because it's because it's owned in a way that is not just I'll just read out that if you're saying to me, is there any form of specific due diligence of that entity beyond the fact that it satisfies that test, the strict answer would be no.

01:38:01:05 - 01:38:14:09

Save that at some point that entity would have to have a either a generation license or a transmission license and would have to the Commonwealth and been granted that.

01:38:21:20 - 01:38:22:05

Okay.

01:38:26:12 - 01:38:33:12

Okay. I think we will need to discuss that. And if you have any follow up questions, we'll put that in written questions.

01:38:53:04 - 01:38:53:19

Right.

01:38:55:24 - 01:38:57:01

Nine three.

01:39:03:03 - 01:39:06:18

I'm referring to Article 31.

01:39:08:29 - 01:39:15:29

Which makes provision for separate ownership of demo one and three and demo two and four.

01:39:17:24 - 01:39:23:21

And once again, I'm referring to a concern raised by animal.

01:39:25:22 - 01:39:58:25

Basically, if the applicant can give us an overview of the types of joint project works and post consent submissions that the two undertakers would need to take to take two to do while delivering the proposed development and then outline the provisions in place to ensure joint working. I think we've covered bits of this in the previous agenda item, but if this is anything else, and particularly the point about the types of post consent submissions and joint working project that we need, that collaboration will go.

01:40:01:09 - 01:40:44:09

Julian Bosworth I wasn't at meeting the Imam personally, but I got a response, which I'm going to read out, if that's okay. And then on that joint working point, I'm going to look around for somebody that may be better placed to answer that specific point myself. So in response to the ten agenda item, the applicant is currently working through the points raised with the memo. It's relevant that we met with the memo last week and we understand that their key concern on this issue is that they want to know which deliver which scenario is being delivered when they discharge conditions and they don't want to be in a position where the consent plans cover multiple scenarios.

01:40:44:23 - 01:40:58:22

We have provided reassurance to the end of May that this would not be the case and we are considering whether or not any amendment is required to the relevant conditions in The Dalles and Schedules 10 to 13 of the draft. DC

01:41:00:12 - 01:41:23:27

is continuing to engage with the MMO and will provide responses to all points raised by the MMO at that point. So I'm going to ask my colleague. So I'm still getting used to this blended thing. I'm going to ask my colleague Laura whether she's got any anything.

01:41:25:17 - 01:41:34:17

Well, particularly on the question that inspectors raised about examples of joint working in this scenario. Can you help with that?

01:41:36:04 - 01:41:36:21

This is for them.

01:41:38:15 - 01:42:03:23

Lawyer for the applicant. And I think in terms of the drafting in the DMS, it's worth highlighting here that there is a key condition in all four of the marine licences. That's condition for in the brain licences and schedules ten and 11 and condition three and schedules 12 and 13 of the draft DCA.

01:42:05:18 - 01:42:25:22

That condition I think is the starting point here because that is the one that requires the undertakers to give notification of the chosen scenario and for the submission of a facing plan.

01:42:29:23 - 01:43:02:16

Just to sort of set that process out with a bit more explanation. The determination of scenario to progress under is explained in the scenario statement. It is it is very much a commercial decision that will be made by \$47 the Joint Ventures. And as we've heard, there are existing commercial arrangements and commercial arrangements in place within which framework set framework within which that decision will be taken.

01:43:03:20 - 01:43:23:18

So the requirements, the conditions and the DMEs have therefore got an obligation on both the companies to notify the MMO of the chosen scenario, which would ensure transparency in the approach to everybody, the full structure and can commence.

01:43:25:06 - 01:43:28:14

And then. Added on to that with the.

01:43:30:00 - 01:43:52:08

The mission of phasing plans, which is required under the AML, and that they will reflect the relevant scenario that has been identified and would identify, for example, opportunities or joint working as appropriate within the chosen scenario in certain circumstances.

01:43:53:27 - 01:44:17:03

For example, in scenario four, where that would be the case, there is the potential for the integrated, highest level integrated solution. I'm sure that there is an opportunity for those phasing plans to be made as joint phasing plans, which could then be used to us for the MMO to discharge the conditions

01:44:18:23 - 01:44:19:29

into marine licence.

01:44:23:15 - 01:44:38:01

The noise quality is not great. So there are bits of that. What you just said that I lost, and especially the point you started talking about giving me. The example is the bit where I lost a lot of what you were saying. So.

01:44:39:29 - 01:44:41:21

Could you bear to repeat that for me?

01:44:44:26 - 01:45:16:15

So sorry is not going right back. Explanation of what's in the conditions. No, no, no. I got what you said about the condition and the fact that you have to give notice to em. And while we've picked that up, I think. I think there's two things here. One is the statement that Mr. Boswell just read that the concern what the concern of animal was when they last came to the meeting, which it appears is about the scenarios. That's one thing, and I think you've responded to that.

01:45:17:00 - 01:46:13:06

But the second thing is about the examples where the joint working might be required and you just literally the last thing you said was you gave us an example of what that joint working might be, and that's the bit that I lost. I do have questions about the rest of what you've said, but just to clarify, what was that example that you just gave us? So that's for the applicant. So just to clarify, I was referring there to an example of if scenario four was the chosen scenario that I did in that situation, being that that is the highest level of integrated solution that would be offshore onshore integration of the grid connection, there is an opportunity there that those phasing plans that are required under the relevant conditions.

01:46:13:08 - 01:46:44:25

So conditions for conditions three tend to be that they would be joint basing plans, as I understand it. And then that that is a very good example of where that demonstrate the joint working. And then. Be a platform for lodging further conditions for the MMO to understand how that would work going forwards and in other scenarios where there are different levels of potential collaboration.

01:46:46:25 - 01:46:58:15

The phasing plans would reflect that those that scenario would identify. Attention being that they would identify those opportunities for joint work.

01:47:00:21 - 01:47:12:23

Okay. So you said the phasing plan would have to be jointly produced. Now, just given that you have the D.C. Open in front of you, can you read out the drafting which. Requires that.

01:47:18:02 - 01:47:18:17

Let's

01:47:20:26 - 01:47:24:09

say I'm referring to

01:47:26:23 - 01:47:51:24

the condition for its condition for in schedule ten, and that is port to where the authorized project must not be commenced until a written scheme setting out with regards to the relevant scenario notified under sub paragraph one. The phases of construction of the authorized project have been submitted to and approved in writing by the MMO.

01:47:53:28 - 01:48:06:26

That that condition is replicated throughout all four. And and it's it's it is it has been done on other projects where there have been

01:48:08:12 - 01:48:22:04

for example I'm aware that on on some of the other joint decisions that the MMO has accepted even though there are two separate. They've accepted a joint document to just discharge the conditions,

01:48:23:23 - 01:48:39:18

the amount that would be the working assumption as to how that would be taken forward here in the same. Yes. Okay. Okay. Let me just process some of the stuff that you said before. I because I did have a few questions.

01:48:51:21 - 01:49:00:10

Okay, here's what I think. I think I'm satisfied with that for now, for this hearing. We wait to see what

01:49:02:15 - 01:49:08:13

and responses to some of our written questions in order to take take forward

01:49:09:29 - 01:49:12:06

of further queries that we might have.

01:49:32:06 - 01:50:04:01

I do have one question. You said in terms of the preferred scenario, and I appreciate that this is it was a slightly outside the question as it's frame. And because you've brought it up, you said that the preferred scenario would happen would be a commercial decision. And my reading of the application documents is that it would be a decision based on statutory processes because of the contract, the difference process and the timescales for that.

01:50:04:11 - 01:50:07:29

Just tell me how the commerciality fits into that.

01:50:10:20 - 01:50:11:21

Lawful for the applicant.

01:50:13:13 - 01:50:20:26

I feel that I probably, um, better to defer to others on the the table. Who are that person?

01:50:22:12 - 01:50:40:07

The place to answer that particular question around the commerciality. There are lots of factors in play, and they have been set out in the scenario statement. But if I could just refer back to, to do the impossible, to refer that across to the appropriate person in the applicant's team and.

01:50:43:18 - 01:50:51:23

To impossible for the applicant. Thank you. Just to be clear, I think you were asking what commercial considerations are that feed into the scenario decision?

01:50:53:04 - 01:50:55:24

They are actually possible, just for one thing.

01:51:15:11 - 01:51:15:26

Just.

01:51:18:12 - 01:51:19:23

Yes, Mr. Rosenbaum, please.

01:51:24:01 - 01:51:24:28

Could you give us a moment?

01:51:25:09 - 01:51:26:28

Yeah. And.

01:51:27:29 - 01:51:29:18

Because so much.

01:51:35:15 - 01:51:37:03

I'm sure.

01:51:44:00 - 01:51:44:15

Depends.

01:52:06:21 - 01:52:07:06

So.

01:52:11:04 - 01:52:11:19

Under.

01:52:20:06 - 01:52:21:13

Julian possible for the applicant.

01:52:23:16 - 01:52:42:26

One of the questions on the onshore agenda for Friday relates to scenarios, and we've been preparing a response for that. So if it's okay to defer it till then, we would prefer. Also, we think we've put a lot of what goes to the question your answering, your asking in the scenario statements itself.

01:52:44:11 - 01:53:15:10

Oh, actually, you have. But. And I am referring back to the scenario statement where. Yes. Okay, let's just do it this way. You have we have put a question in the agenda that I was just actually speak to Mr. Manning about whether we want to bring it up today. But because it was raised by your colleague, Mr. Wood, I thought we might. Coverage of today just because it's a no fly. That's very. But yeah, let's cover it. Let's cover it then.

01:53:16:15 - 01:53:17:00

Let's.

01:53:20:07 - 01:53:21:00

Yeah. Okay.

01:53:33:16 - 01:53:41:14

Okay. I'm happy to move on from nine three. Was there anything that you wanted to add, Either Mr. Buswell or Mr. Fuller on agenda item line three?

01:53:45:03 - 01:53:46:05

I'm okay.

01:53:49:21 - 01:53:50:09

Okay.

01:53:54:28 - 01:54:14:20

Yes, this is just a few things that I've picked up from a couple of relevant trips and just seeking assurance from examining authority, seeking assurance from the applicant regarding the coordinates in the draft development consent order checked and correct. How can you provide that reassurance?

01:54:15:11 - 01:54:16:21

Julian Bosworth, the applicant.

01:54:19:02 - 01:54:55:13

All that's happened here is that we had the correct coordinates and they weren't fully can correctly transpose into the DCO. And so the MMO has helpfully picked up some discrepancies we have that has made us realize that they weren't fully transparent and we are now addressing that. If it's helped, I mean, in terms of how we know those, the correct coordinates are correct and there's a whole GIS

system that I've got. So I could read out something that I've got prepared here about how the guys, you know, the quality of the system, in fact, if that would help.

01:54:55:27 - 01:55:06:04

But all that all that I think has triggered you asking this question Is the MMO helpfully picking up a discrepancy that was apparent to them that's caused us to double check?

01:55:06:12 - 01:55:12:15

Yeah. The system, if you can just tell us a bit about the system that you're using and what.

01:55:14:09 - 01:55:46:24

And again, I've got something prepared which I will read out both. And the main consultants, contractors working on this project use the. Comes America, the world's most advanced and improved geographical information system, namely arc giants. So that's an assertion made by yes, I it includes, among other functions, an advance system for conversion, which means according to preference systems, both techno and the bank consultants.

01:55:46:28 - 01:56:16:00

Contractors working on this project have dedicated professionals handling experience to handling the abovementioned JSF nations. Ecuador has issued a document's guideline Strict guidelines schedule that contractors working on the extension project to ensure that all involved use the same coordinate reference systems and transformations. So as I say, it was the glitch from that into the DCA that was responsible for this topic coming up to.

01:56:16:05 - 01:56:23:20

And Clay animal have arc a G. S as well and so that's what they're using to check your coordinates.

01:56:24:21 - 01:56:26:17

That would sound like it's okay.

01:56:26:21 - 01:56:57:19

Understood. All right. The next thing was the justification that for months timescales for the submission of discharge documents. And and I think what I'm looking for here is if you can just provide your rationale of how you arrived at the four month time scale, what MMO done helpfully is set out the times that they need two different stages to look over your documents and what was the rationale you used and the associated time scales.

01:56:59:03 - 01:57:07:07

And just to just perhaps outline the steps and the associated timescales, you anticipate each step would require arriving at the four month point.

01:57:10:07 - 01:57:13:29

Going to defer to Mrs. Fuller for this one.

01:57:17:00 - 01:57:18:07

Lawful if the applicant.

01:57:20:29 - 01:57:21:14

In.

01:57:22:23 - 01:57:26:19

It just having that mark in terms of.

01:57:28:22 - 01:57:33:26

How we arrived at the four month submission and approval timescales.

01:57:35:19 - 01:57:44:17

In terms of a pure drafting point, we we have obviously looked at what has been included as precedent in previous offshore wind farms.

01:57:46:16 - 01:58:07:04

There are there are a number of precedents for the four month timescales. We refer to those in the explanatory memorandum. So for example, in particular the North at Far North Vanguard and OSI Project three, the CEOs

01:58:08:26 - 01:58:17:14

and their reference that paragraph 222 of the Financial memorandum document refer someplace in library reference to that.

01:58:19:12 - 01:58:21:01

I can see very I want to

01:58:23:02 - 01:58:53:06

in terms of the discussions that then took place internally to. Around whether or not that is an appropriate time frame. The I was very much led by that in terms of the feedback from the team, the Aquanaut team that they have experience and. Of this constant experience of submitting and having documents approved within those those timescales.

01:58:53:15 - 01:58:57:21

And on that basis, it was felt appropriate to include those.

01:58:59:19 - 01:59:28:00

That include the drafting, as we have put it in the in the draft DCO. And I would just highlight as a as an extra point that the. The wording in the in the relevant conditions allows for those timescales to be amended by agreement with the MMO. So if there is in the future any need for the timescales to to change, then obviously that is something that can be accommodated.

01:59:35:03 - 01:59:49:09

I'd also just highlight that we have, as already mentioned by ITV and BUSTLE, been in discussions with the memo and there was a meeting last week around this particular issue on timescales.

01:59:51:23 - 01:59:57:26

The the applicant is committed to working through this with the MMO.

02:00:00:09 - 02:00:28:09

For example, at last week's meeting, I can confirm that we put forward to the amendment that we would amend the time scale full submission of the CIP, which is a concern for both natural England and the MMO to a six month timescale. And we are continuing the dialogue with the MMO to see if we can progress those discussions at any further.

02:00:31:21 - 02:00:39:17

And of course, we will provide full response to this point as it is a as you know, today point does come up. The.

02:00:42:03 - 02:00:56:21

Endorsed by both the MMO and Natural England, and we would be providing a more detailed response to that as per deadline. One Responses. As well as continuing the ongoing dialogue with both the MMO and natural England.

02:01:00:08 - 02:01:18:10

So you said that you're progressing discussions about increasing the time frame to six months for the site integrity plan and what would be the implications for that in terms of the project construction period? Or is there an implication for that that the time increase?

02:01:23:06 - 02:01:30:20

As I for the applicant, as I understand it, that it does not give an implication in terms of the construction.

02:01:32:27 - 02:01:43:17

There are. Various considerations when looking at timescales around making sure that submission is not, for example, too early

02:01:46:03 - 02:01:57:19

because things can change and then you just potentially could end up with amendments. So there is always a fine balance with choosing the appropriate time, which is why we are

02:01:59:09 - 02:02:05:13

continuing to discuss with the MMO and will look at

02:02:06:28 - 02:02:14:20

the condition that 13 in particular ten and 11 and condition 12 and schedules

02:02:16:21 - 02:02:23:04

12 and 13 closely with the MMO and continue working with them on that direction to.

02:02:23:15 - 02:02:24:00

See.

02:02:24:15 - 02:02:34:26

Whether there are any other points on timescales that we could reach agreement on. But certainly we have had a discussion so far on the CIP and both parties agree that the

02:02:36:12 - 02:02:46:29

six month timeframe is suitable as condition 14 in schedule, conditions 13 and schedules 12 and 13.

02:02:48:14 - 02:03:26:10

So just in terms of those discussion, it would be helpful to examine 30 to understand those wide implications. And I appreciate you said that there aren't wider implications of changing that timescales from four months to six months. First, we want to understand what was the rationale that you picked and you said that's the precedence, that's fine. And then the discussions that are happening, you're content to change it to the CIP, but you're continuing your discussion on certain other matters. But if you are going to do that, that would be good for us to understand If there is any implication on the wider programme for of the proposed development.

02:03:29:12 - 02:03:48:23

Lower some of the applicant. And yes, we will certainly provide that information as part of our responses. I'm not in a position to comment on that at this particular point, but we will include that as part of this is to confirm,

02:03:50:12 - 02:03:55:09

even if it is so to speak, to confirm that there is no impact or if there was an.

02:03:59:14 - 02:04:02:00

Just. Just because we've been talking about this.

02:04:03:15 - 02:04:36:10

Yes. Excuse me. Sorry. Search on that. And it's difficult when I don't law. I can see it. And if I can supplement that, if it's helpful, as though, as Mrs. Fuller has points out, yes, we have had that discussion around the second particular. We understand recognize the point the move is made.

Typically the you know, as you point out, bringing that forward by two months to the six months doesn't therefore push out the rest of the program. It simply means. So we must submit that that that plan earlier for some conditions.

02:04:36:27 - 02:05:07:06

You know, you can do that. But clearly that's important contract information that has to feed into a number of the plans and protocols of going in to discharge those conditions. So in terms of having certainty over information being submitted, clearly the closer that is to the commencement of construction, the more certain that is. So actually, in some cases, keeping a four month period is beneficial to both parties because it's less likely that there may need to be resubmission based on changing information.

02:05:08:01 - 02:05:09:23

Understood. And I do appreciate that.

02:05:12:11 - 02:05:16:20

Yeah. So yeah, that point is on me. Thank you. And.

02:05:22:15 - 02:05:35:07

Just as an aside, this meeting with Zimmerman last week. I'm I'm hoping that that will be reflected in the statement of common ground, the discussions that have have been had.

02:05:40:29 - 02:06:08:20

Tom Morris, the applicant? Yes. I attended the meeting last week and it was our first meeting on the state and the common ground points in that. So of course we reflected in that and yeah, hoping to continue agreement on the joint documents where possible, got a dialogue going back and forth about the specific requirements with some of the nuances about information like I'm trying to express through.

02:06:09:12 - 02:06:29:23

And so forth. Thank you. Okay, So I'm going to move on from this point and nine six. Now, the reason I put that agenda item in there is because I felt that we would have, if we had naturally didn't have any of the hearings, it would be this one.