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FULL TRANSCRIPT (with timecode)

00:00:05:06 - 00:00:10:21

So we've had a few people joining us late on line and

00:00:13:27 - 00:00:15:03

and in person.

00:00:17:02 - 00:00:30:10

So at 1146, I am resuming session two of this first of issue specific hearing one and I will take introductions from the people who joined us late, I believe.

00:00:37:06 - 00:00:38:12

The point is, you spent with me.

00:00:40:05 - 00:00:41:24

Eastern Inshore Fisheries.

00:00:45:23 - 00:00:48:05

Do we have attendees from Eastern and Fisheries?

00:00:51:27 - 00:01:06:06

Yes. Morning. Please introduce yourself. Good morning. My name is Judith Stout and I am a senior marine science officer with Eastern Inshore Fisheries and Conservation Authority. Thank you. Thank you.

00:01:07:21 - 00:01:17:20

Morning. I'm a homebody. And I'm also a marine science officer at Eastern Inshore Fisheries and Conservation Authority. Thank you. Thank you.

00:01:19:24 - 00:01:21:01

Mr.. Until I believe

00:01:22:17 - 00:01:27:09

you've had somebody join you as well. Would you like to introduce yourself?

00:01:28:19 - 00:01:31:16

James Arthur I'm his brother, and we're all in this together.

00:01:32:10 - 00:01:35:03

Thank you. Anybody else?

00:01:38:05 - 00:01:41:06

Okay. So I'll hand back to Mr. Wallace. Thank you.

00:01:42:12 - 00:01:55:29

Thank you very much. Welcome back, everybody. I hope you're over suitably refreshed. We'll move on now to agenda item four. So if a question for one, in terms of the scope of the marine mammal mitigation protocol,

00:01:57:23 - 00:02:31:22

I would turn to the applicant and say that the natural England have raised significant concern regarding this document on the grounds that it doesn't provide any mitigation for disturbance and disturbance, of course, to the memories seals and porpoises and whatnot. Do you have any examples of these protocols that do provide mitigation for disturbance, or what content in particular do you think you need to provide, if any, to this document?

00:02:34:07 - 00:02:49:02

Junior Moser for the applicant. I've got two new colleagues on my left, as you may have noticed. So as they speak, I'm I'll ask them to introduce themselves and I'm going to pass this one over to to my left. Okay.

00:02:51:11 - 00:03:00:05

Hi, everyone. My name. My name's Paul Morgan. I'm senior environmental consultant and often take the lead role of screen BHP

00:03:01:24 - 00:03:49:01

in relation to that comment. And just to clarify, the purpose of the draft plan is to reduce the risk of injury to marine mammals, which includes permanent or injury or a permanent change in hearing sensitivity, which is their threshold or PTSD. They have the triple the moment protocol, which is eat it doesn't the disturbance and also the assessments within chapter ten of Jane, which is 809, six and ten for assessment, which is 8059 and do not rely on the template as vacation to just start disturbance.

00:03:51:26 - 00:04:35:14

It's the principle site integrity plan for the southern North Sea special ed conservation, or the set, which is attributed in Zulu as to reduce a significant disturbance of power place within the North Sea and from in combination effects and any measures to just that significant disturbance of hydrocarbons from incoming effects would also suggest effects on other marine species. However, as I write and the natural and relevant references are three, the mitigation within the set would not just the overall disturbance at the level of the reference population for any marine mammal species.

00:04:36:05 - 00:04:50:10

But just I guess just to clarify your point. As far as I'm aware. So purpose of this is to reduce the risk of injury. No problem. Is that seen just the risk of disturbance.

00:04:53:10 - 00:05:16:25

Excellent. Thank you. Will. Come on to the set in the moment. But yes, that's this hope for that. You've not seen one that has addressed disturbance and that disturbances effectively sought to be dealt with elsewhere in the document. Now, that's that's a helpful clarification on that. So if we just touch base on the on the set, the site integrity plan for the southern North Sea,

00:05:18:29 - 00:05:50:09

that there is the allegation that it only relates to harbor porpoise and not onto to other species, would you effectively is that an error or would you expect it to cover all species of what's the issue here and

all in for that again. So no that isn't this is the set was essentially an adaptive management to which is to ensure that the most adequate effective forms of evacuation are proposed.

00:05:50:14 - 00:06:04:12

But because the southern North Sea and it's specifically to address the risk of disturbance and southern North Sea sea which of which the only qualifying feature as our report points. However

00:06:06:21 - 00:06:07:18

in terms of.

00:06:10:08 - 00:06:24:19

If you're looking at the approach to the implementation of the final. Sorry, go back to the keynote. It will all depend on the selection of the translation type which will be undertaken at the detailed design stage.

00:06:26:20 - 00:07:00:04

So yes, the current options are there's a number of options, but predictions have gone one £2 or £10 or the wind turbines and jackets for the substation platforms, which are obviously the worst case scenario for underwater noise. However, there are there are other options of conditions considered within Springfields or maybe some nations. So if pilots and agents from wind turbines are always or offshore substation platforms are required, then the method of installation will be determined at that time.

00:07:00:18 - 00:07:41:09

And that could include either failing or other methods, which may mean just that the noise and could be available with construction. So I guess that's the approach that has been taken for other offshore wind farms, including and for our ongoing work. I live in the north too as well. Okay. This several subsidiary questions that come out of that. But going back to the original question about it being just related to Harbour porpoise is is the position that you do not need to look at other mammals and disturbance upon them in the city because it only relates to harbour porpoise.

00:07:41:11 - 00:07:46:00

Is that in a nutshell? There's something I'm arguing for that. Yes, that's correct.

00:07:48:21 - 00:08:00:27

But as I said in response to the first question, it would be just the staffing, the measures that would be implemented through the set with the just start on other species. That's not the purpose of it.

00:08:03:28 - 00:08:41:02

Is there an equivalent document that does its its only purpose, if you like, is to look at the other mammal species? Is that those that you referred to earlier? No, no, there's not. But, but one thing that we are proposing to include within the project Environmental Management Plan as provision for further assessment be conducted prior to construction, which would be based on the foundation type and selection method, and then determine whether it's best to disturbance to marine mammals.

00:08:41:12 - 00:09:18:06

And then that will then be used to determine if further mitigation measures. Which which is an obligation are required and then they are required to be conducted to determine what's the most appropriate and effective method based on the latest patents and methods of construction. And then I will also propose and that will also include a review of home light abatement measures. Okay. Now there are five different types of foundations available to you from, I understand, from the documents, and the worst case is piling it effectively.

00:09:18:08 - 00:09:25:17

Now I'm aware from the public documents provided to it that four Hornsea Project four

00:09:27:02 - 00:10:03:03

and Rep 7004 it suggested that of the 180 turbines being provided there, that 110 of them would be committed to have gravity based structures. Now, obviously we don't know the outcome of that as of yet, and so we can't necessarily assess that per say. But is it likely, though, for this proposed scheme that you could commit to gravity based foundations or another foundation type? Is enough known at this stage to be able to commit to that?

00:10:05:06 - 00:10:46:01

Sarah Chandler for the applicant. So, yes, we know that on the agenda you've got an item that covers this in terms of the process and timing for arriving at a final foundation selection. And the short answer is no, we won't be able to conclude that within the time frames of the examination and ultimately the selection of a foundation type is dependent on a number of factors, including further detailed offshore geotechnical survey. So a campaign looking at the details and locations of where we're proposing to put the turbines and so that would need to be completed and also the information and data from that process and reported on.

00:10:46:25 - 00:11:08:26

But it's also influenced by conditions in the market and supply in terms of the turbine size itself and what that will yeah, how that will be concluded prior to then selecting an appropriate foundation. So and those kind of design decisions are very much for the detailed design phase and post this examination process in place.

00:11:10:23 - 00:11:26:21

Okay. Just to two points from that. You mentioned that it would also be influenced by conditions in the market and the size of the turbine. Just dealing with the size of the turbine first. Are we saying that the the larger the turbine in future provide?

00:11:29:03 - 00:11:36:07

That the largest turbine available to you, that it would go without the ability to use certain foundation types.

00:11:38:07 - 00:12:02:08

They they're trying to fit the applicant. I'm not the engineering manager for this project. And based on what we've got the agenda today, that person isn't here with us and we can certainly look to provide more detailed technical explanation as to how the turbine size relates to the selection of foundation and also the process for arriving at that foundation selection in writing at that time. One that's acceptable to the panel.

00:12:02:28 - 00:12:26:15

Okay. And just in terms of the the conditions in the market, that sounds to me more like a commercial decision. I just wonder how the market conditions interrelate with the need to reduce the impacts on the environment as much as possible. And which is, if you like, being given priority in those kinds of decisions.

00:12:28:03 - 00:12:59:08

And so a child can think. The question you're asking there is quite complex in the sense of there's a number of things at play here. So clearly, the onwards development of this project and going out to market through procurement processes and what's available to us and from certain suppliers and in fact the detailed design process itself will be undertaken within the bounds of what is consented through this process at the moment.

00:12:59:10 - 00:13:07:05

So again, I suggest that if it's helpful to the panel, we can put something to you in writing in response to a direct question on that.

00:13:09:02 - 00:13:22:10

Mr.. Um, that that's helpful. We do have a number of questions relating to that in the written questions. So probably hearing action is probably going to be a bit more nuanced. I think what we're concerned about is

00:13:25:02 - 00:13:59:13

the level of unknowns at the moment to the panel, and I appreciate that you've assessed for the worst case and the. Yes, but nonetheless, it would be helpful for us to understand why you feel you can't determine something during the course of the examination and how the conditions were different for perhaps and give us precedence here and some examples for other offshore wind farms who did determine at the foundation type, because clearly that has an impact on the adverse effects of marine mammals

00:14:01:12 - 00:14:33:27

and so and benthic ecology. So, you know, it would I think we need more the technical information, but hang tight on that till you see our written questions. But we need the justification, more importantly, supported by examples certain of that. Yes, we can certainly look to provide that. And I take the point you're making in terms of then tying that back to any precedent for retaining flexibility or not as other projects may have chosen to do.

00:14:33:29 - 00:15:07:06

So. Yeah, and this is just a general comment, Mr. Wallace, if I may. That is something that I've picked up so far, is that there whenever you tell us that there's something that's going to happen, it would be very helpful for the panel to know whether it's going to happen during the course of the examination, because if it is not determined during the course of the examination and not tied back to the development consent order, it's not something that we can give weight in our planning exercise and indeed in our recommendation to the Secretary of State.

00:15:07:20 - 00:15:37:23

So there are several things that we completely appreciate in the examination of the six month period starting only today. So, you know, we've got time in front of us, but we will require some assurances from you about what those timescales are and what you what your what you propose relying on. Should that time scale you you not be confident that that timescale be within the next six months of this examination.

00:15:37:25 - 00:15:39:16

So I'm referring to

00:15:41:03 - 00:16:04:12

the evidence given by Mr. Morgan just now, but I'm also referring to the previous session where we talked about some of the ongoing negotiations about nesting sites and so on. So this is just a general comment and I think you will find us probing you a bit more on some of those assurances. And time timescales.

00:16:08:11 - 00:16:17:11

Okay. Thank you. There's just one more question I wanted to ask you in relation to the protocol and the sip and the underwater noise in general.

00:16:18:28 - 00:16:58:10

We've seen that the worst case scenario for noise would be piling a single pile going in at Sheringham at the same time as a single pile going in for dredge. So basically two concurrent operations. I'm just wondering if there's a third potential there in terms of if Dutch and North and Dutch and South were taken forward as part of the scheme, whether there could be three concurrent proposals, one in DEP South, one in depth, north one and set ongoing at the same time.

00:16:58:12 - 00:17:08:02

And that would be a different or potential worst case scenario that's not yet been sort of considered and Germany views on that. Pull

00:17:10:02 - 00:17:18:21

over again for that. Good. So, no, there is currently no potential for that. That's not been assessed the best. Is there have been any.

00:17:19:21 - 00:17:31:03

Is there no potential for that or it's not been assessed in the. Yes. And if there's no potential for that, where where can you show us? Is that set out in the. Yes. Somewhere. That's a good thing.

00:17:32:26 - 00:17:42:13

So as was assessed assessments and two simultaneous planning operations and that would be the maximum.

00:17:43:22 - 00:17:44:07

That would be.

00:17:59:01 - 00:18:00:13

Okay. Thank you very much.

00:18:02:03 - 00:18:34:08

Okay. Um, we're still within the agenda item four. We'll move on to the last point about Dayton Marine licensing and additional conditions within that. Now, obviously, we don't have the hearing management organization, but nonetheless, I believe the applicant can provide me some some comment on this. It's been suggested that a vessel code of conduct is secured via a license condition in the deemed ring licenses to reduce effects of conflicts with marine mammal was is there.

00:18:36:15 - 00:18:39:04

Is there any comment on this from the applicant's perspective?

00:18:40:21 - 00:19:13:10

Julian possible for the applicant? Yes, we've considered that. And we're going to be putting a proposal to the MMO which will come in. That's a that's a that's a future deadline. And the essential point is that there is a vessel, good practice and code of conduct to avoid marine mammal collisions, which at the moment applies where there is timing, I want to put them all in.

00:19:13:12 - 00:19:27:00

I think we're proposing to relocate, but in terms of the documentation, said that it would apply in all scenarios. We can put that in our written summary and you'll see it elsewhere as we go forward.

00:19:28:18 - 00:19:42:04

Okay. Thank you very much. We're coming to the end of agenda item four. That's finished My questions. I'll just look around the room. Does anyone have anything to write on marine mammal with some basis what we've heard so far?

00:19:44:29 - 00:19:47:19

Look online. Yes. This project.

00:19:50:07 - 00:20:51:12

Our project for Orsted Hornsea Project three. Just wanted to flag for the examining. Authorities notes that Orsted three is currently reviewing the further information that forms part of the application relating to marine mammals. Just to better understand any potential interactions between the extension projects and Hornsea three and that the only three is hoping to liaise further with the applicant just in respect of those interactions and any potential issues relating to overlapping construction work and mitigation measures that being put in place for Hornsea three Hornsea three is developing its detailed design and construction programme at the moment, so we'll have a much better understanding of whether any interactions are likely to occur and will provide further information on this point in our written representation at DEADLINE.

00:20:51:14 - 00:20:54:19

One. But I just wanted to bring that to your attention. Thinking.

00:20:56:01 - 00:21:06:15

Thank you very much. And whilst we look forward to your representation and deadline one. Just are there any headline issues that are standing out for you at the moment as the potential areas of conflict or concern?

00:21:09:29 - 00:21:11:22

That project for Hornsea three.

00:21:13:11 - 00:21:43:15

Nothing that I can refer to at the moment. I think it's it's really just a trying to understand better whether there is the potential for construction activities to overlap and that the applicant is looking to liaise further at the wanted to is going to liaise further with the applicant on that. At the moment the feeling is that any potential issues could be adequately addressed by a protective provisions or a more detailed cooperation agreement. So at the moment it is fully anticipated that any potential issues could be resolved.

00:21:46:12 - 00:21:51:10

Thank you very much for that. Is there anyone else in line who wanted to comment?

00:21:55:02 - 00:21:57:03

I see none. In which case, we will.

00:22:02:24 - 00:22:07:12

So I should have come back. Just say the applicant identified this thing to say what we just had.

00:22:10:10 - 00:22:20:28

Julian, both of them. And we're very keen to have and have a constructive engagement with Orsted in relation to offshore matters and generally.

00:22:23:09 - 00:23:07:08

Thank you very much. We'll move on now then to agenda item five. Now be filled in the first couple of points on this in relation to benthic ecology and specifically the marine conservation zone and the measures of equivalent environmental benefit. I don't intend to say that every time I refer to the awkward acronym ME, we refer to that as we go forward. So initially, should the applicant walk us through all the potential scenarios in terms of the without prejudice made and compensatory

measures? And in particular, what are the potential options for the Examiner going forward to his recommendation?

00:23:11:29 - 00:23:44:18

Oh, Morgan, for the record. So, yes, So we've undertaken extensive consultation through the evidence plan process on numerous potential options which are described in detail and in the annual meeting of the principal plan, which is 083. And these are also summarized in table one. One of the main for the appropriate measure that's been taken forward is the difference between the junk bonds and GZ

00:23:46:03 - 00:23:48:08

may have ICE events occurring sorry and

00:23:49:24 - 00:24:25:19

the and then other measures would be considered as part of that management. And if the measure was deemed not to be feasible with the planning that we surveyed within the wind farm sites finding that kids preferred backup measure F, these were then not to be feasible. Then again, through that management, the applicant would consider in consultation with the NEPA Steering group and following approval by the Secretary of State and following and should be considered, and that these are the removal of anthropogenic.

00:24:26:07 - 00:24:41:14

But then the answer is that that can either be in there or this infrastructure, the removal factors outside of the A.Z. and also the designation conversation feature and other location.

00:24:44:27 - 00:24:58:26

Those? Yeah, those are the measures that are remaining on the table. Okay. And in terms of the planting of an oyster bed, is that compatible with the conservation objectives of the message that.

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So, yes, our position would be that there is a Pole Morgan for that appendix for assessment of potential impacts on commercial truck brands and design features from voice bids, which is API 081, assesses the potential for the deposit of coach and label users to enter conservation objectives of the homes, he said. The assessment concludes that conservation objectives would not be hindered. However, we note that actually wouldn't request and there are even secretary to move the initial restoration site search area as it currently covers an area of mixed sediment and the northwest of the site.

00:25:47:06 - 00:26:02:03

And the natural request for that to cover a portion of the core segment feature is not. And the applicant proposes to amend the principle fund and the early stages of the examination to address this point.

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And so it just follow up that that assessment was made by this application just to streamline the approval process. And it was a consent period and then it was deemed to be required

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and related, but slightly not related to like would it be with the plant oyster bed in this location, be consistent with the overall marine ecology in that area, or would it introduce a different fish species, different predators and the like instead of location?

00:26:42:18 - 00:26:53:24



Omar. And for that I think it would offer increased biodiversity to the particular urban core segment in turn, and very likely the mix and the future as well.

00:26:58:16 - 00:27:02:14

Yeah, I guess it's likely to increase the biodiversity.

00:27:11:11 - 00:27:17:01

Okay. Just in relation to looking at a potentially more appropriate location,

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it doesn't actually suggest moving it to a course coarser sediment area.

00:27:26:18 - 00:27:38:26

Suppose more government consent order related question But would moving that constitute any type of non-material change or change request that. Mr.. Or in this instance.

00:27:47:21 - 00:27:51:20

I'm going to ask my colleague this veterans response.

00:27:53:20 - 00:28:17:24

General to the applicant, the DCI drafting. As we've indicated, the amendment requires the final measures to comply with the outline implementation plan. That plan isn't specific about location, in which case it wouldn't then require any changes to the current DCI drafting.

00:28:25:01 - 00:28:29:25

Okay that's. That's understood. In would.

00:28:31:12 - 00:28:41:10

Would come the end of the examination that I would make Plan B a bit more specific about the location so that we could give a bit more sort of credence to it.

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Bargain for that can.

00:28:49:04 - 00:28:49:19

I think

00:28:51:28 - 00:28:59:26

it's an initial restoration site search area so that it is the site. Then the

00:29:01:23 - 00:29:17:06

one kilometer squares and one kilometer square area. And within that we are proposing to plan ahead of 10,000 square. So that that's I think as far as as far as we could go in the course of the examination.

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Thank you for clarifying that.

00:29:35:22 - 00:29:38:02

Which sort of leads me on to the

00:29:40:00 - 00:30:09:24

kind of the next point on the on the agenda about the development consent order relation to this. Now, schedule 17 of the draft consent order refers to compensatory measures, but this to my reading and my belief relates to the habitats regulation assessment areas. That doesn't seem to be in a kin provision that relates to the delivery of the meat. Can you help explain this please?

00:30:14:22 - 00:30:45:01

Julian possible. The African Annex D of the ME document does contain the drafting that would govern into its proposed drafting if it went to DCO. If it wasn't, if it was accepted, what Secretary State decided it was required. I lost the argument on the without prejudice point and that follows essentially the same approach as the proposals that are in Schedule 17 already.

00:30:45:26 - 00:30:47:16

And those in turn reflect

00:30:49:04 - 00:31:42:12

the sea. In some respects they've been refined further. What was agreed, for example, in the Hornsea three approach? In other words, unless you have a steering group and then there are various procedures laid down that provide a mechanism for the delivery of an agreed plan with a suitable consultation and Secretary of State sign them. I think what may be helpful, particularly to us and maybe to the Secretary of State at the end of the day, is if a separate sort of sub document could be provided in closing all the various texts that could be inserted if the Secretary of State was minded and ultimately in different places, different documents to get that if there was purely this is a draft of a consent order and this is the supplementary text to be inserted.

00:31:42:23 - 00:31:56:21

If the Secretary of State was minded to say X and Y regarding this, I mean it it seems a good way of going forward. So we've got that there that of course you and your consternation are to.

00:31:59:26 - 00:32:29:29

Due to impossible for the applicant. It's fair to say that different things are in different places. It may be that just sort of that building on what you've just said, that we could produce a document that was almost a how to manual that said, if if the Secretary of State goes this way, then you would include this if it goes that way than the other. So I think we can we can we can pull that together. Perhaps that doesn't meet.

00:32:31:09 - 00:32:42:08

That's we don't have to commit to which deadline we do that for. Not that I think it's a huge bit of work, but clearly that's something that's perhaps more towards the end of the crisis. Then we won't leave it as long as that.

00:32:42:10 - 00:33:01:06

But Mr. Buswell, I would suggest that if it's not a huge amount of work, let's have it find one and then we can keep updating it during the course of the examination alongside the DCI. I would almost consider that to be something that sits alongside the DCO and indeed the explanatory memorandum.

00:33:03:24 - 00:33:14:03

Okay. As I've said, it's it's already there. It's just a case of putting that together and having a suitable introduction that explains that. And yes, I'm sure we can do that.

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Do you see any benefit with that being standalone document or something that sits with the explanatory memorandum as an appendix?

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So I think it's it could be an appendix to the explanatory memorandum or it could. I think it probably most naturally sits as a standalone document.

00:33:52:07 - 00:33:57:18

Let's have it as a standalone document and then perhaps you can have a discussion about it. For me, my.

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The reason I mention that is because, of course, the explanatory memorandum is a part of the documents, and so it just gives it a bit more status that way.

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Yes, but I think.

00:34:14:14 - 00:34:48:28

Not sure it would need to be certified because it's either going to be in the autism. So if it's in the DCI, it's in the DCO. But if it's so bad that its status will get resolved at the point in time, hopefully by tonight. So I think we're back to the conversation we had possibly yesterday about should there be a version of the DCI that has everything in it. So that was earlier today. So it may be. You might end up giving in on that and having an alternative version of the DCO.

00:34:49:10 - 00:35:22:09

I think for the purposes of the examination, we don't want, but we don't we're not very keen to have the version of the service. Being constantly considered through the examination with all the things in it that we don't think should be there. Equally, it's if we lose the argument, we don't want there to be any complications with the draft, such as about having to seek a correction order to avoided plea. So is it okay if we consider what is the method that will produce that standalone document anyway? Yes, that draws it all together.

00:35:23:02 - 00:35:29:09

And then we consider towards the end of the examination, I think whether it's helpful to have

00:35:31:15 - 00:35:52:12

a version of the DCO, as it were, is a separate version of the DCO. It just puts beyond doubt what it would look like if, if everything was in that practice. I don't think it's going to be too difficult because it's relatively compartmentalized in the in that in the schedules. But that's how I suggest we go forward.

00:35:52:17 - 00:36:11:26

Understood. And agreed. And I would just add that obviously we will produce recommended this DCO as well. So I think it would assist in that. So yeah, I think I'm happy with that. We could have that as a hearing action, perhaps that we could. Thank you.

00:36:13:26 - 00:36:21:05

Yes. Thank you very much for your your answers on there now. And over to my colleague Mr. Rennie, for the remainder of the questions in this agenda item.

00:36:23:20 - 00:36:42:01

Good afternoon. Yes, I've got some further questions on benthic ecology issues. First one, I know natural England is on Tuesday, but you might not be advanced this, but does the applicant have any information about the review by Natural England into their conservation advice and condition assessment for the agency that.

00:36:44:27 - 00:36:58:24

Boma again for the African. That? No, it's the Atkins understanding that the condition is not yet, if ever we are not showing. Well, in light of their comments and the relevant threat that that will be up to the.

00:37:06:01 - 00:37:35:05

Thanks for that. Next question for the applicants. Your proposed long horizontal directional drilling or HDD in order to bring the export cables ashore. Weybourne also appears to provide works in the intertidal area. It does place the study exhibits and their footprint within the MSC Z. Can you confirm how the exit pits in the M, she said would be backfilled or protected and what sort of implications that would have? Is that?

00:37:39:03 - 00:38:05:13

Omar again for that good. So there are currently two options for that which are described in the product description. The first one or one of them involves a construction of a cofferdam and where the cables would pop out. And then that would then be backfilled and if required, cable protection layered on top. And the other

00:38:07:00 - 00:38:13:17

I, I would need to take away the specifics of the engineering of it. But as it's.

00:38:15:12 - 00:38:38:12

It uses a different, slightly different method that doesn't. That's the engineers are confident. I wouldn't require cable protection and. But yeah, I would think to take that away in terms of the actual specifics of that or refer you to the section of the project description where it's described. So both would require protection and.

00:38:40:08 - 00:38:40:23

Version.

00:38:45:12 - 00:38:58:03

So not I think just one of them would require cable protection in the form of rock bags, which are removable. And the other one is a excavation and excavation type arrangement

00:38:59:28 - 00:39:12:12

without giving protection. And what sorts of impacts would these have when it comes to the area of dams? He said that they. Being constructed in. Especially the one was supposed to the cable protection.

00:39:15:19 - 00:39:29:23

Paul Morgan for that. And so in terms of the cable protection, which is the key impact within the EMS, he said, and it's would be long term habitat loss because the applicant has committed to removing protection.

00:39:31:16 - 00:39:32:27

At the decommissioning stage.

00:39:34:18 - 00:39:44:26

So yeah, it's the long term habitat loss and that's that which are assessed in the stage one chromosome beds integrated assessment which is 80.

00:39:49:26 - 00:39:50:22

077.

00:39:53:24 - 00:40:02:10

And could this ask when when that scenario which which of those two scenarios are going to be chosen, Is that something that's going to come up with an examination period?

00:40:09:21 - 00:40:29:06

Sarah Chandler for the applicant. It's very similar also to what we were discussing earlier with regards to the foundations, the detailed design matter. We've included both options within the envelope and the assessment for that flexibility for now. So we can then at that time this to come back with a more concrete answer on timing. If that's helpful for the panel.

00:40:32:23 - 00:40:35:26

I'm just moving on to sort of next question, just

00:40:37:19 - 00:40:42:11

generally about cable protection, and that seems to be a particular concern with natural England

00:40:45:08 - 00:41:06:04

from the submitted information. I'd still like some clarification as to why there needs to be cable protection used within the Mcu's edge and whether there's there is an alternative to that being used and find some details as to maybe this or triggers that where you need some form of cable protection in that area.

00:41:09:18 - 00:41:43:14

Omar again for that. So a realistic worst case scenario of 1800 meter squared of external protection within the embassy that has been assessed for the duration of set and that. The court has sought to minimize the requirement for and and yet minimize the requirement for action. And as I said previously, maintenance and equipment protection is in stone. It's really just until we have the detailed design stage when we know the exact cable route and the exact

00:41:45:11 - 00:42:11:07

segment conditions, whether or not the cable can be bolted and through its entire extent. And the dredge offshore wind farm expert Cable, which runs parallel to this work, didn't require any protection, however. Obviously, we may not be encountering the exact same road conditions. So. That 1800 meter squared is assessed in order to prevent that flexibility.

00:42:13:24 - 00:42:23:14

And how much of a portion of that 1800s spread come from is that's the sort of majority capable protection then. That figure to be derived.

00:42:35:00 - 00:42:53:15

At all margin for the applicant. Yeah. It's based on one of the expert cable requiring conviction, of which there could be up to two cables. So and it's based on the width, I can't remember the exact width of the protection, but that's how it's been derived.

00:42:57:10 - 00:43:30:04

Thank you. Could I just supplement that by saying Julian was of the opinion that it's expensive? The applicant has a strong vested interest in minimising cable protection and well understands the sensitivities. But it's a trade off between protecting a very expensive and important set in the form of the cables. I'm against the fact that in certain situations they they can't be buried. And so there is actually an identity of interest between the developer and the ecological interests here in minimising it.

00:43:32:20 - 00:43:33:17

Understand. Thank you.

00:43:35:24 - 00:43:59:00

Just moving on. This was something I was maybe natural. England might be a bit a bit of a better position to respond to, but I'd be good to get the applicant's response on this. Natural England have stated that within the embassies that there is mixed settlement areas which within the civil corridor which have a more diverse ecological community.

00:44:01:00 - 00:44:07:24

Can you explain the likely impacts on these diverse communities if protection is used?

00:44:12:06 - 00:44:27:10

Omar again for that again. So I think I'd start the race and we obviously would know the true nature of the biological communities in that area until we undertake, say, specific surveys.

00:44:29:05 - 00:44:48:08

Which would determine what was there at that time. And so obviously, if you were to install cable protection, then there would be a change in the from a soft substrate to a hard substrate. There's obviously potential for that hard substrate to then be colonized by others in some cell species as we have been there previously.

00:44:50:06 - 00:45:13:14

And yeah, I think there is an assessment within the benthic Chapter ten benthic ecology, which assesses the potential for colonization of the installed infrastructure. And there is the conclusion of that assessment. So it would be the demeanor and the energy that is considered in that chapter as well.

00:45:17:03 - 00:45:23:13

Okay. Thank you. Also naturally stated that because of the impacts

00:45:25:01 - 00:45:44:18

lasting or long term, the site recovery wouldn't be assured if, in effect, protection is in place for 40 years, the length of the project duration. Can these ecological communities fully recover to the existing levels or maybe even above if the capable protection is then removed? Would that be able to be assured?

00:45:51:14 - 00:45:56:24

Paul Morgan for that. And I think it's difficult to say with any Sir Samsung tape.

00:45:59:04 - 00:46:03:27

Yes. If you if you were to remove that protection, then overtime.

00:46:06:11 - 00:46:10:19

You'd expect the environment to go back to baseline.

00:46:24:28 - 00:46:26:15

Oh, yeah. Sorry. If.

00:46:41:28 - 00:47:13:06

So I could just follow up on that. Question You mentioned about not being sure about the ecological communities at the moment within this sediment and others being samples, gram samples, etc.. Has that been able to provide any details as yet on terms in terms of what sort of ecological communities

you might have within those settlements sample? Paul Morgan For that applicant, Yes. So we've used the detailed and sediment crab samples and there have been a few and dropped them, but those was as well.

00:47:13:08 - 00:47:29:04

And from that we've been able to identify the biofilms present in the wind farm sites and an expert capable corridor. And that's what we've used to formulate assessment. However, at detailed design stage there will be.

00:47:31:16 - 00:47:47:00

A more detailed and, for example, underwater video of this specific cable, not just within the bay, not just across the whole cable corridor. So be the specific cable route will have a lot more and more.

00:47:47:17 - 00:48:14:14

Mr. Morgan. Mr. Morgan, is there a likelihood that during detailed design, then you discover that there is something that hasn't been assessed in the. Yes, because that but based on what you're telling me right now, that's the risk that I feel there might be that you don't know exactly the international community hostility to do detail design. And then you come to detailed design and you find that there's something that hasn't actually been assessed and that is.

00:48:19:08 - 00:48:19:23

Or that.

00:48:21:18 - 00:48:35:28

So I think there is a condition within the emails to avoidance. And for example, annex one reefs and sensitive benthic features. So in terms of. The

00:48:37:21 - 00:48:51:00

requirement to point. Avoid any unknown think or avoid specifically unexplored features. We are. We are secured that those will be avoided through procedure.

00:48:54:18 - 00:48:55:20

And I supplement that.

00:48:56:13 - 00:49:03:19

Before you do that. Mr. BOSWELL. Mr. Logan, I'm just going to have to ask you to repeat that. Just, just to clarify the whole point for me one more time.

00:49:05:21 - 00:49:13:27

So we have assessed, based on the information that the individuals that are within the given corridor.

00:49:15:18 - 00:49:23:16

And we have committed to avoid sensitive benthic and it's one features three and make receipt thing so.

00:49:25:08 - 00:49:45:24

Yes, we would. We wouldn't. And we believe everything has been everything that we are aware of has been assessed. And we're confident that there are no sensitive features within that area of the cable corridor that would hinder the ability to do that would go against what we've assessed in the year.

00:49:46:22 - 00:49:47:07

Okay.

00:49:48:07 - 00:49:51:17

And that will be confirmed by the preconstruction service.

00:49:52:01 - 00:50:01:08

That will be confirmed by the preconstruction service. Okay. I think we need to process that. It's likely we will have more questions on it. But Mr.. Possibly. Sorry for cutting you off. You had something to add?

00:50:01:24 - 00:50:36:14

Yes. Julian Boswell I suppose just to make the point that all surveys are imperfect and that that's part of it. Within the ranks and guidance. And so we have done surveys that would normally be expected of us and where everything about this project in this respect is, is business as usual in terms of how we have approached it. So I just I just wanted to emphasize that it's by definition a survey is it's not guaranteed to find literally everything.

00:50:39:26 - 00:50:48:15

Just just one more quick question. What would be the difference between these surveys and taken so far in the pre-construction surveys when it comes to finding the the details?

00:51:07:14 - 00:51:20:29

Call Morgan for that. Can I think of a similar scope? I would be more targeted and obviously it be closer to the time frame of the actual activity occurring so that there would be less chance for it to change temporarily.

00:51:24:17 - 00:51:26:22

Thank you. Okay, moving on.

00:51:28:12 - 00:51:50:28

You have set out in the benthic habitat chapter of the is that the cumulative impacts, the proposed development and under the projects would impact no more than I think is 0.701. 5% of the MSC said this sounds like a very small amount, but how would that translate when it comes to sort of potential tangible impacts on the conservation objectives of the NCC and that the cables are positioned around?

00:51:54:13 - 00:52:03:12

In other words, as well as it is the assessment of the masses that impacts based on a percentage of area. An effective and suitable method of assessment.

00:52:05:06 - 00:52:37:07

Paul Morgan for the that. So the proportion of the of the masses that would be impacted by the installation of cable protection as provided really just in order to contextualize that across the whole emphasis that whoever that assessment focuses on the broad scale have that feature. So some segment or segment and there are subtitles on and that is essentially what the assessment is streaming against those three broad scale habitat features.

00:52:37:09 - 00:52:39:23

Not not the full extent of the images that.

00:52:45:18 - 00:52:53:23

And just a couple of questions about micro siting, which I think has been referred to a number of times within the submitted information.

00:52:55:28 - 00:53:06:11



It just for our benefit, can you provide some details about how in practice microsites would be employed when it comes to looking for A to install infrastructure and make tables for these sensitive areas?

00:53:09:21 - 00:53:37:24

Paul Morgan for the applicant. So at the pre-construction stage, the applicant would consult with the animal and statutory nature conservation bodies to discuss the results of those pre-construction surveys and then agree that whether any sensitive features were required to be avoided and where that would be undertaken, by and large the deviation of the cable itself.

00:53:47:02 - 00:54:08:16

Thanks for that. I'm just sort of following on from there. Just one more question on Microsites is can you explain how you might how you might avoid chalk features within the AMC set, especially, as Natalie pointed out, some of them these subtitle chalk features by underneath this thin veneer of sand and sediment.

00:54:10:09 - 00:54:16:19

Could protection be avoided be cited to avoid those sort of features when it's when they're covered?

00:54:20:16 - 00:54:23:15

Paul Morgan for that. So I would just

00:54:25:02 - 00:54:32:14

firstly like to clarify that the applicant is committed to avoiding the outcropping chalk, so the subsurface stuff.

00:54:34:11 - 00:54:41:18

However, there are, as you mentioned, in some cropping chalk. So again, until

00:54:44:03 - 00:55:10:20

we undertook a study in 2019 which looked at the potential for the sediment to live within the expected protection and expose that layer of problem chalk and that concluded that soil as that as Appendix 6.2 of Chapter six Marine Geology, oceanography and physical processes.

00:55:21:24 - 00:55:23:25

Sorry. I'll get AP for that and take.

00:55:26:01 - 00:55:42:24

And so that that concluded that across the majority of the export capability that the potential for the subcontract and exposed would not occur other than actually in areas where there is subtitles done. So.

00:55:44:22 - 00:55:51:26

As far as. If you were to install cable protection and then area subtitles on then

00:55:53:15 - 00:56:09:03

sorry, is AP zero rated as you are to install that protection? On an area of some type of sand. I think it would be unlikely for the Suburban to then become exposed because it would be covered by the cable protection.

00:56:14:05 - 00:56:24:19

Okay. Thank you. And I just want to open this up to see if anyone else has any comments to make on the ecology issues, anything that you've heard so far. Anyone in the room?

00:56:26:26 - 00:56:28:20

Yes, sir. If you'd like to come forward to the microphone.

00:56:33:18 - 00:56:34:09

Pull lines.

00:56:38:06 - 00:56:58:17

I've been around a few years now and I've been around for the wind farm developments. I'm asking the panel are cumulative effects, the spatial squeaks of the actually ground taken away from the fishing industry, taken in context of what you decide. Because. Whatever happened.

00:57:00:14 - 00:57:31:07

That's a foregone conclusion from fisherman that you're going to grant that extension and that more ground to go. But what happens? These developers, these communities, they program money Evo. They bow that generations good will. But what they don't take into account that there's another generation of fishermen, fishermen in North Norfolk around now, but there's another generation taking their place.

00:57:32:03 - 00:57:34:28

But that don't bother me they're so they were inherit.

00:57:37:03 - 00:58:08:21

A P.C.C. Was taken over by people on all issues. You can't fish. Look, I don't know whether as the point of dialogue, I'll bring this up. We're just going to say be talking about fishing and fisheries. Maybe soon. So I was looking to focus on what we were told. I am not an agenda fellow. But a story is very different to mine. Is now not being able to say never will work again. Is he blown up by a bomb that's been pulled about in one of these sites that.

00:58:10:04 - 00:58:47:02

Do we cover this today? What's going to happen? And and reasonable disposal of these 80 year old bombs is odd. Never heard of fishermen blown up by bomb before, but he was working round the edges of the wind farm, so these vessels blown 20 feet in the air. And that was sort of constructive loss, but has been repaid. But that's these things that fishermen face by these developments are squeezed and squeezed and squeezed and then being squeezed into places where they shouldn't be fishing like shipping lines, because these developments, we're not against.

00:58:47:04 - 00:59:10:22

We all turn a light on. We all need energy in our lives. We're not against making energy. But that don't seem a collaboration. That's always enough. And then the development company, chamber lawyers, they're very clever people. But I'm not alone with fishermen trying to fight my corner with no money to do it with. I just have to tell you, it's all over now.

00:59:11:18 - 00:59:55:06

Mr. Lines, I'll just start with one thing. When you start saying you said it's a foregone conclusion. I just want to dispel that myth. It's not a foregone conclusion. The whole idea is starting today for the next six months, is that we examine authority, are looking at evidence being provided by parties around the table to understand the effects of this proposed development on other parties and whether they have been adequately mitigated. At the end of the day, what we have to do is provide a recommendation to the Secretary of State, whether we believe based on the evidence in front of us, whether we believe that the project is going to the benefits of the proposed development will outweigh the harm of the proposed development.

00:59:55:16 - 01:00:25:29

So it's not a foregone conclusion. The whole purpose of today is to invite evidence. So we welcome what you have to say. I think what might be happening here is because you've you've come to us today for the very first time. This seems to be perhaps you need a little bit of conversation with the case team to just understand what the process has been so far, what the process is going forward and how you can get engaged.

01:00:26:01 - 01:00:51:17

And we would welcome that engage. Thank you. That's one thing. Well, two things, actually. And then the third point to make is that the point, the specific point that you've made, the effect on the fishing community is a point in today's agenda item. We, Mr. Rennie, would like to focus on benthic ecology right now, but if you'd like to stay for after lunch, we will be talking about it with the.

01:00:53:25 - 01:00:54:10

Overflow.

01:00:55:20 - 01:00:56:06

Roughly.

01:00:56:08 - 01:00:57:02

Okay. Thank you very.

01:00:57:04 - 01:00:58:29

Much. Okay. Thank you.

01:01:00:09 - 01:01:08:09

Okay. Thank you. Is anyone else in the room who wants to mention anything about the defensive culture issues? Seeing anyone online?

01:01:12:13 - 01:01:22:19

No. Okay. Well, the time is now coming up to 10 to 1, and we shall take a break for lunch at this point. And I suggest we resume at exactly 2 p.m..

01:01:24:26 - 01:01:51:18

For attendees online. If you decide to leave the meeting during the break, then you can be joined using the same link provided in your invitation or email. If you're watching the livestream, then please refresh your browser to each subsequent session. If any attendees indicate that they would be joining only for sessions, three and four can Mackay-steven please inform them that we are running 50 minutes early or so. Thank you.