

SADEP_ISH7_21 JUNE PT3_REDACTED

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FULL TRANSCRIPT (with timecode)

00:00:05:03 - 00:00:20:15

Good afternoon and welcome back, everybody. The time is now, 2:15 p.m. and I'm resuming for session three of this issue specific hearing. Can I just check with case team that everyone who wishes to be here has joined back?

00:00:23:12 - 00:00:32:08

And given what happened this morning, you can all hear me. Thank you. Okay. So I'm going to move on to agenda item.

00:00:34:10 - 00:00:34:27

Five.

00:00:37:12 - 00:00:42:10

Um. So the removal of trees and hedgerows, replanting and management

00:00:43:25 - 00:01:21:20

coming to the applicants to begin with, please. And I'd like to acknowledge the applicant's helpful answer to the Examining Authority's written question. 3.17 .3.1 and ask please, for the for the benefit of those who may not be so familiar with that response. To give a brief summary of the approach taken and particularly concentrating on the justification for the for that approach and make it an overview as much as as possible, please.

00:01:23:07 - 00:01:35:08

Julian Boswell for the applicant. Just to explain that, we've got two new faces up at the table and they will be dealing with these points and they'll introduce themselves. Suggest they introduce themselves now.

00:01:38:01 - 00:01:41:04

Two reactions. Onshore consents. Manager for Equinor.

00:01:45:04 - 00:01:48:07

Justin Parry, ecologist for Frontier Ecology.

00:01:57:24 - 00:02:21:26

Justin Parry for the applicant. So the applicant has committed to a minimum financing ratio of 1 to 1 for the replacement of trees and hedgerows. So in other words, for every individual tree lost, at least one tree will be planted. South Norfolk and Broadland District Council have, however, requested to find the refinancing ratio of 3 to 1 instead.

00:02:23:15 - 00:02:46:23

However, the primary mechanism through which habitat losses and gains will be quantified, including for trees and hedgerows, will be through DEFRA biodiversity net gain metric. The metric considers

not only quantitative data, such as number of trees and length of hedgerows, but also qualitative data such as habitats, features, distinctiveness, condition and strategic significance.

00:02:48:16 - 00:03:24:00

As a brief example, the metric does not allow for the loss of an ancient oak within a county wildlife site to be compensated for by the planting of a of three non-native trees. Or as another example, the loss of a length of established species rich hedgerow with trees to be compensated for by the planting of a greater length of single species. Hedgerow. So the applicant has committed to using this more robust and detailed approach to evaluate habitat losses and gains rather than a simple count of ecological features, because the basic count is unlikely to capture the more nuanced changes in ecological function.

00:03:25:27 - 00:03:57:15

In conjunction with biodiversity net gain. The applicant has also committed to a minimum 1 to 1 replanting regime for all trees and hedgerows. This is because the geometric value values ecological features based partially on quantitative data and partially on qualitative data, as I've stated. And so it would be mathematically feasible for there to be a loss in the number of trees or length of hedgerows. It also to achieve a biodiversity net gain in the different metric calculator.

00:03:58:06 - 00:04:28:14

For example, this could be achieved by enhancing the condition of existing trees and hedgerows. So the aim of this dual commitment is to ensure that A, there is an overall improvement in habitat. And B that there is no net loss in the number of trees and lengths of hedgerows. In summary, the commitment to a minimum 1 to 1 planting ratio for trees and hedgerows is not an isolated mitigation strategy. Rather, a backup measure to be applied in conjunction with biodiversity net gain. Thank you.

00:04:32:12 - 00:05:05:05

Thank you, Mr. Parry. More specifically, I think you touched on this already in in your statement there, but, um, can you flesh out and clarify a little further how how the position that you take responds to what think is one of the primary concerns raised by the local authorities that a replanting ratio of accepting that there's more than a replanting ratio of of 1 to 1 and can't mitigate for the loss of a mature tree either in terms of carbon sequestration or ecological value.

00:05:05:07 - 00:05:10:24

But could you just go into a little bit more detail about how the metric that you're applying deals with that specific concern?

00:05:12:23 - 00:05:33:29

Justin Parry for the applicant. Um, so the metric takes into consideration a number of features of a particular tree. So it'll consider whether the tree is native, for example, its age. Um, and, and these factors will go into the metric, um.

00:05:41:07 - 00:05:49:20

Sorry. This will this will be inputted into the metric to provide a score, an overall score for for trees. Um.

00:05:51:10 - 00:05:51:25

Thank you.

00:05:54:22 - 00:06:08:18

Okay. Thank you. I'll come on now to the local authorities believe we've been joined by Mrs. Curtis on behalf of South Norfolk District Council. Can I come over to you, Mrs. Curtis, please?

00:06:11:05 - 00:06:31:17

Good afternoon, sir. It's Claire Curtis on behalf of Broadland, South Norfolk Councils. We've had discussions with the applicant following the additional information that you have you had today in front of you. And we would no longer wish to raise a concern. We are satisfied with their explanation and how they and and the.

00:06:33:20 - 00:06:37:06

Okay. The explanation they have given us. So we are happy now.

00:06:39:15 - 00:06:47:27

Thank you, Mr. Curtis. And just for the purposes of clarity, that's the position of both South Norfolk District Council and Broadland District Council.

00:06:48:13 - 00:06:49:14

Yes. Thank you, sir.

00:06:50:13 - 00:07:20:20

Thank you very much. And I will also at this point notes the response received from North Norfolk District Council received in lieu of attendance at today's hearing, which has examination library reference 066 and which also states their broad agreement, the applicants approach. And we also note the recommendation that the applicant demonstrate that replacement planting will be placed as close as reasonably possible excuse me, to the site of any removed vegetation. Um,

00:07:22:06 - 00:07:25:24

anything that you further wish to add at this point?

00:07:28:20 - 00:07:30:27

Mr. Barry For the applicant? No.

00:07:33:12 - 00:07:35:05

Thank you. I'll move on then to

00:07:36:21 - 00:08:14:28

looking in a little little bit more detail at biodiversity. Biodiversity metric principles. And in in response to the examining authorities those written questions specifically. Question 3.17 .3.2. The applicant notes that it is unable to commit to any habitat enhancement outside of the order limits. Nevertheless, the outline biodiversity Net Gain Strategy Examination Library Reference App 306, Section 1.4.1.1 notes that and I'm going to quote some of it back to you here.

00:08:15:00 - 00:08:50:25

For the purposes of biodiversity, net gain compensation measures can include offsite measures, standalone ecological enhancements, which do not compensate for an impact, such as planting a new hedgerow where no hedgerow habitat has been impacted, are considered separately from the mitigation hierarchy. But these two can be done off site. And can can therefore clarify the position in terms of seeking biodiversity net gain compensation measures off site. Is it the case that although the applicant can't commit to any habitat enhancement outside of the order limits at this stage that the approach would be considered in future?

00:08:52:18 - 00:09:34:06

Sherri Atkins for the applicant. So think it's quite important to distinguish between what's required in terms of mitigation for the scheme itself and that's all erm items that will be considered within the order limits. We're not discounting any enhancement measures which will be provided as part of an evolving biodiversity net gain strategy outside of the order limit and that that strategy will evolve as

time progresses and subject to consultation with landowners as we are able to establish what land might be available for biodiversity net gain perhaps.

00:09:34:08 - 00:09:56:02

So it is something that we're actively pursuing. We are engaging with landowners and it's something that will continue throughout the duration. But what we've been very careful to do is to ensure that we have land within the order limits which is required for mitigation, and we've got sufficient land within the order limits for mitigation purposes.

00:09:57:19 - 00:10:01:09

Thank you. So. Just to be clear, it.

00:10:03:04 - 00:10:10:06

It remains a possibility that that mitigation or enhancement might be sought off sites outside of the order limits.

00:10:11:02 - 00:10:16:24

Sherri Atkins for the applicant, Yes, enhancement would be outside of the order limits. Yeah.

00:10:17:23 - 00:10:18:11

And

00:10:20:06 - 00:10:27:19

in that eventuality, how far away from the order limits with the applicant consider it to be reasonable to provide such enhancement.

00:10:29:11 - 00:11:03:08

Sherri Atkins for the applicant. I mean, I'd say it depends. What the biodiversity metric does do is it considers the mitigation hierarchy. So one of the one of the aspects is to try and ensure that mitigation and enhancement is as close to the as close to the development as possible. That's always the first principle. And it doesn't mean that we are going to discount. An enhancement at a further distance from the from the development.

00:11:03:15 - 00:11:13:24

And we don't have defined distances at this stage. But the first principles will be looking for opportunities within and within the vicinity of the development itself.

00:11:15:20 - 00:11:29:10

Thank you. Is it? I'm going to veer off into fantasy slightly now. It. Does that mean that Suffolk would be considered reasonable? Or Kent, Scotland.

00:11:31:02 - 00:11:46:24

I'm at this stage, the biodiversity net gain strategy hasn't it hasn't advanced to to to that level of detail yet. I wouldn't want to discount it, but the first principle is to try and identify opportunities close to the site itself within Norfolk.

00:11:48:00 - 00:11:48:15

Okay.

00:11:50:22 - 00:12:08:02

Hope you understand where I'm going. Mean if if the replanting of some once native forests in Sutherland and Scotland was was genuinely considered. I will seek the local authority's view on that in a moment, but it's really not off the table.

00:12:22:09 - 00:12:46:27

I mean, the strategy is it's it's an evolving strategy. It's it's at the early, early stages. And the principles, as I said, is fighting enhancement close to the site. And it's worthwhile noting that. And the biodiversity net gainers strategy is secured under the outline ecological management plan. So it is something that the local authorities would need to sign up to.

00:12:48:03 - 00:12:58:28

Thank you. That that leads me neatly on to to the next question that I have, which is really how how the the ultimate proximate proximity of any enhancement might be secured.

00:13:04:06 - 00:13:12:27

Um, yes. So through the outline ecological management plan, which is secured by requirement 13 of the draft eco.

00:13:14:03 - 00:13:14:19

Thank you.

00:13:16:05 - 00:13:23:18

I'll come back to. To Mrs. Curtis now. Do you have anything to further to add? On that matter.

00:13:25:28 - 00:14:09:22

Um. I Curtis, on behalf of Broadland District Council and South Norfolk Council. I would say from the council's point of view, would expect it to the enhancement to be close to the development cable, you know, the cable routes and substations, etcetera. And I think you've picked up a point is. With with requirements as in conditions. Are they solely within the confines of the order, the order limits? Or can they actually be put Can they actually go outside of those in terms of legally or would that have to be done through another mechanism?

00:14:12:07 - 00:14:32:26

So so I would I would like to understand how how what mechanisms will be put into place if they are outside of the order limits to how they would be secured through a requirement, that is. Which which covers the actual, as I would call it, the red line or the order limits itself.

00:14:34:19 - 00:14:39:04

Thank you, Mr. Curtis. Do the local authorities that you represent.

00:14:41:06 - 00:14:56:00

Would you be able to to provide or suggest an outline for the type of mechanism that that that local authorities would wish to see in place? Um, assuming that the order limits would not be adjusted to include additional areas for enhancement.

00:14:57:17 - 00:15:04:03

Uh, to, to ensure full compliance. Successful establishment and long term management of any enhancement measures.

00:15:05:06 - 00:15:39:02

Um, Claire Curtis on behalf of Broadland District Council, South Norfolk Council. Um. Through our own planning applications, we are securing contributions to recreation and bio enhancement, and they are done through a unilateral undertaking with the developers. So that's how we are managing to secure enhancements outside of the application sites that we that we are dealing with.

00:15:43:18 - 00:15:52:14

Thank you, Mrs. Curtis. Back. Back to the applicant. Is. Is something along the lines of a unilateral undertaking? Something that.

00:15:54:07 - 00:15:55:07

Would be considered.

00:15:59:08 - 00:16:29:20

Um, it's something that we can consider in discussions with the local authority as the biodiversity net gain strategy evolves. Um, I would just like to remind, um. Um, the hearing that the net gain strategy itself is a voluntary undertaking. Um, so any enhancement outside of the order limit is, um, is, is exactly that.

00:16:29:22 - 00:16:50:07

It's enhancement, it's not mitigation required directly for the development itself. So this is something that we we we are absolutely willing to take forward. We will be in discussions with the local authority, South Norfolk, Broadland and North Norfolk District Council, and the strategy will evolve and develop over time.

00:16:51:18 - 00:17:01:19

That's noted. But it does. It does remain the case, does it not, that without. Without that voluntary commitment, the local authority's objections would stand.

00:17:03:17 - 00:17:36:23

I'm sure for the applicant. So think the the concern is in relation to replanting ratios. Think that's that's why this item is on the agenda and how we will mitigate any vegetation, hedgerows, trees lost as a result of the the development itself. So in that context, we've got this minimum 1 to 1 replanting ratio plus any biodiversity net gain that will be considered within the order limits itself. And then anything outside of the order limits is, is in addition to that, so to speak.

00:17:36:25 - 00:17:40:22

And that's a voluntary, um, that's the voluntary commitment.

00:17:42:08 - 00:17:58:22

Okay, so. So just so that I'm clear, then the voluntary additions are not, in the applicant's view, necessary to, to meet the or to satisfy the objections that they look forward to raised in terms of replacement ratios.

00:17:59:10 - 00:18:27:00

The sorry, Sherri Atkins, the applicant. They are they are exactly that. They're enhancements. They're not required directly to directly mitigate the impact of the scheme. So any mitigation will be within the order limits and will be approved as part of both the outline landscape management plan and outline ecological management plan and was submitted for approval to the local planning authorities. And then the biodiversity net gain strategy is in addition to that.

00:18:27:22 - 00:18:36:20

Okay. Thank you. That's clarified things for me. Certainly. I will go back to to Mrs. Curtis to see if she has anything further to add at this point.

00:18:37:15 - 00:18:43:25

Um, Claire Curtis on behalf of Broadland District Council, South Norfolk Council. No, I haven't got anything further to add. Thank you.

00:18:46:03 - 00:18:52:10

Thank you very much. Is there anything else that anybody else would wish to raise on this topic at this point?

00:18:59:06 - 00:19:11:14

I'm seeing no hands in the room or on screen. So in that case, I will move on. Thank you very much. Coming on then to historic environments onshore and offshore and.

00:19:13:07 - 00:19:32:24

Uh, I will put it to the applicant at this stage. The question. Really? Is it reasonable for the examining authority to be concerned that we have now reached deadline six? In examination, the little over three weeks remaining of examination time and there is still no statement of common ground in place with historic England.

00:19:33:24 - 00:19:54:26

Sherrri Atkins with the applicant. We had a meeting on Monday, the 19th of June with historic England with both their offshore and onshore teams regarding the statement of common Ground. And I can confirm that both parties, so both Equinor and historic England are working towards submitting a statement of common ground at deadline seven.

00:19:57:27 - 00:19:59:19

Thank you. That's answered my next question.

00:20:03:05 - 00:20:16:06

I will just revert back to the first question. We are concerned that we are at deadline six, noting that you have committed that at the next no next deadline there will be one.

00:20:18:05 - 00:20:30:22

Until there is one, we'll still be concerned. In a worst case scenario where Statement of Common Ground is not completed and signed between the applicant and historic England before the close of the examination.

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Well, what might the examining authority reasonably conclude in that case?

00:20:52:10 - 00:21:24:12

But Sherrri Atkins for the applicant say two points to hopefully reassure you. And the first one is that historic England have been engaged throughout the process. I'm aware that they have responded to your written questions requests, and we have been addressing concerns that have been that have arisen as we go through the process. And so it's really positive that there has been engagement between us and historic England in that regard. And they haven't actually made many written representations throughout the process.

00:21:24:14 - 00:21:27:18

The second point just to raise.

00:21:29:10 - 00:21:47:17

You weren't privy to the meeting on Monday, but a lot of the items within the statement of common ground should be submitted back to you. As green. We've agreed the majority, if not all the items, and there are no issues of substance in our view that are outstanding.

00:21:48:25 - 00:22:15:11

Thank you. That that's helpful. And and again you've this is you've dealt with what essentially my next question. Just just then for for final clarity and a bit of underlining. It's am I right in saying that

it's the applicant's view that there really are no substantial matters relating to either onshore or offshore historic environment that might result in an assessment of adverse effects to the historic environment.

00:22:16:20 - 00:22:18:24

Sherry For the applicant, That's correct.

00:22:19:22 - 00:22:25:10

Thank you very much. Is there anything that anybody else would like to raise on this matter at this time?

00:22:29:28 - 00:22:32:27

Again, I'm seeing no hands online or in the room.

00:22:34:22 - 00:22:38:20

We will wait with bated breath for deadline seven.

00:22:40:05 - 00:22:44:21

Thank you very much. I'll pass you back over to my colleague, Mr. Renee.

00:22:50:00 - 00:22:58:15

Okay. Um, good afternoon. Um, so wanted to move on to talk about helicopter access and take off from the Waveney platform.

00:22:58:19 - 00:23:07:28

Mr. Rennie, if I may. Sorry. Sarah Chandler for the applicant. Oh, sorry. We're going to need to do a bit of musical chairs on our side before we start this agenda item. So if you could. Just two minutes. Thank you.

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

Hey, maybe it's a good idea. Now, obviously, we've changed around a little bit. If we could have any introductions from the applicants team who haven't introduced so far today.

00:24:28:12 - 00:24:30:24

Good afternoon, Laura. For the applicant.

00:24:33:13 - 00:24:37:19

And Mark Pryor, aviation specialist for the applicant.

00:24:39:12 - 00:24:44:28

And could we request that the microphones volume just be turned up a little bit?

00:24:55:14 - 00:24:58:23

Okay. Thank you. And from Perenchio.

00:25:01:05 - 00:25:06:21

Andrew Saunders from Branco. And we have Adrian Fletcher and Dave Farrow on teams.

00:25:08:23 - 00:25:10:16

All right, Agent Fletcher from here.

00:25:15:25 - 00:25:17:16

And was there anyone else? Oh, yeah.

00:25:19:20 - 00:25:23:27

Yeah. Good afternoon. Dale Fryer from Paringa. Commercial.

00:25:27:24 - 00:25:32:12

Very much. And you all three representing Franco today? Yes.

00:25:33:20 - 00:25:36:09

Yes. Unfortunately, our specialists were unavailable today.

00:25:42:27 - 00:25:46:08

Okay. Thank you. Um. So

00:25:47:25 - 00:25:59:04

similar to the discussions about for a ship in this morning. And what want to do is is just have an update on progress with negotiations. Um.

00:26:00:23 - 00:26:18:18

Which I believe have been ongoing behind the scenes. Which is good, of course. So in these first set of questions, I'm going to concentrate on this negotiation, not the detailed issues of the mitigation. So firstly, can I have an update from Perico on the negotiations from your perspective?

00:26:22:20 - 00:26:27:18

We'll say that we have good clarity on on the applicant's position versus on.

00:26:30:03 - 00:26:58:18

Um, access to the Waverly platform, the percentages of downtime, etcetera. Think they have a very good idea of our position. It seems clear that the calculation methodology is very similar and consistent. It's the starting point that causes the main difference between our positions. If we were to change our starting point to their starting point or vice versa, we would end up with very similar numbers.

00:26:59:18 - 00:27:03:09

So do you feel there's been progress made in Think?

00:27:03:11 - 00:27:06:20

We would say we've crystallized what the difference is? Yes.

00:27:06:27 - 00:27:12:18

Okay. Understand. And so just come across the application. So you you think that's.

00:27:15:28 - 00:27:16:24

Your perspective.

00:27:17:19 - 00:27:20:14

At Laura Filler for the applicant. Just wanted to make one.

00:27:20:16 - 00:27:54:08

Preliminary point, just noting your comments earlier about deadline six submissions. Just to flag that since deadline five, there has been a meeting between Franco and the applicant and there has been some sharing of further information by Perenchio, which we understand is or has been submitted for

deadline six. So that has moved the position on in terms of, you know, the status of the negotiations so that in order to be accurate, that will be a will reflect some of the update that Mr.

00:27:54:10 - 00:27:55:26

Morris is about to give you.

00:27:56:19 - 00:27:57:27

Okay. Thank you.

00:27:59:08 - 00:28:37:00

Some or some half the applicants are just to answer the question that you just put forward about the progress. So I agree with what Mr. Sanders just said and that there's been progress on crystallizing where the difference is. I would say we've got broad agreement on categorizing the met conditions from the historical data and we both broadly agree on access in daylight between 90 to 95%. We both agree that the likely impact will be that it is lost, which leaves what Mr.

00:28:37:02 - 00:28:51:20

Sanders was saying. The key difference is the starting point of the obstacle free buffer and the difference there of being either 1.01, which we have been basing our calculations from, or 1.26, which I think

00:28:53:09 - 00:28:57:18

we've been using in the comparative tables that they've put forward, which you.

00:29:00:09 - 00:29:27:24

So that's that's the where the numbers differ. Um. We've also received an economic assessment from Franco. Just yesterday afternoon, again, which was what the applicant saw as the next stage in that negotiation process, which you I'm not sure if you've seen that or been able to see that, but see move the situation forward a little bit than where we at with deadline five.

00:29:30:19 - 00:29:48:25

Okay. I mean, haven't seen anything that might come in to a deadline six. So. And yes, that that wouldn't have been published as yet either. Um, and just returned to Mr. Sanders. Is that fair? What the applicant said is sort of summary of where we are.

00:29:48:27 - 00:29:51:02

Yes, I'd agree with Mr. Morris. Yeah.

00:29:51:08 - 00:30:14:18

Okay. Thank you. Um, so, um, without discussion of mitigation and detail, again, is there a realistic potential negotiated agreement between both the applicant and Franco which could be reached by the end of examination? And how could such a negotiated agreement be secured through the development consent order? Um, maybe if I come to the applicant first on this one.

00:30:17:14 - 00:30:57:05

Tom Morris on behalf of the applicant. So acknowledging that the economic assessment we receive was only provided to us yesterday, but reluctant to analyze that in detail and talk about the appropriateness of some of the points put forward in that. I do think there is a good chance of coming to agreement by the end of examination and think hopefully today will explore one of the key differences, which I think we've both just articulated and that will certainly help us move forward towards agreement.

00:30:57:18 - 00:31:11:07

Obviously, the economic assessment does raise some questions. I won't go through them now, But yeah, there are still some items to be resolved. Before I could confidently say a

00:31:13:02 - 00:31:17:12

negotiated agreement is is most likely.

00:31:18:18 - 00:31:22:20

And so does the economic assessment relate to a potential commercial agreement?

00:31:25:06 - 00:31:43:21

Uh, yes. Yes, it does. Well, it's I wouldn't go as far to say it talks about an agreement. It talks about what coast is the manifestation of the of the impacts, the access and the economic impact that that has on their operations.

00:31:44:09 - 00:31:48:06

Understand. And, um. Okay. Mr.. Sanders.

00:31:50:08 - 00:32:12:22

Under someone's prank. I would agree with Mr. Morris there. We have provided various scenarios which hopefully will be able to provide a basis of negotiation and settlement. In past examinations with wind farms, we've come to an agreed settlement agreement outside the examination process.

00:32:12:24 - 00:32:25:21

I understand. Okay. Thank you. Do you mind just if you could put a bit closer to the microphone. Got the air conditioning in one year year. So it's like a wind howling against the better. That's. That's fine. Yes. Thank you very much.

00:32:27:15 - 00:32:33:21

Okay. So. As per the national policy statement. Three.

00:32:35:10 - 00:32:53:18

I suppose, first of all, do you feel that you're moving towards a place where the proposed development would minimise negative impacts and reduce risks to as low as reasonably practicable and would avoid or minimise disruption, economic loss and adverse effects on safety to yourself as an offshore industry?

00:32:54:16 - 00:33:00:01

Anderson Branco. Subject to agreement. On. On. On.

00:33:04:00 - 00:33:07:00

Settlement numbers would be sufficient. Yes.

00:33:07:28 - 00:33:08:14

Okay.

00:33:10:08 - 00:33:12:07

I mean, of course the applicant on this.

00:33:36:14 - 00:33:58:04

But what I was going to mention as well is do you feel, based on the mitigation you've proposed at the moment, which is the one nautical mile buffer? Do you feel that is sufficient to meet with these requirements or do you feel that there might be some sort of negotiating position to get to to to to reach that point?

00:33:59:01 - 00:34:22:13

Tom Morris, on behalf of the applicant, say yes. First of all, we do believe that the mitigation in place currently is sufficient to meet the tests in the which you've just referenced. That's not withstanding and the discussions were having. And clearly we would like to come to agreement with them as well on that on that position.

00:34:24:27 - 00:34:37:16

Okay. So what would you what would be the likely implications then, do you think, for us considering as an examining authority, if the objection from Franco still remained at the end of examination?

00:34:40:08 - 00:35:38:20

So I guess a point that should raise, first of all, is that the applicant is making a concession at this point to move our mitigation from one nautical mile to 1.0, one nautical mile. That's based on the calculations of the two yes experts, and that will be secured. I think my colleague talk about how that's secure, but through anomaly through the works plans and. We as just mentioned, I think we believe that we are meeting the tests at the and therefore, you know, on that basis, um, we consider that the examining authority can be satisfied that the site selection site design proposed offshore wind farm has been made with a view to avoiding or minimizing the economic loss and any adverse impact on safety to offshore industries.

00:35:39:05 - 00:36:09:19

Um, further mitigation in terms of moving turbines away from the distances I think we're going to talk about today. Both parties agree and have are in agreement that access will be lost and neither party can identify mitigation to regain that. Um, so we're. The mitigation that's available to us, the applicant we have applied.

00:36:10:03 - 00:36:20:04

Notwithstanding the discussion about the starting point of that, which we'll get into in point. So yes, we feel like we have applied the mitigation that that's available to us.

00:36:21:00 - 00:36:31:28

Okay. Um, let's is anything Mr. Sanders wants to comment on that. I was going to move on to talk about the civil aviation authorities. New regulations. Is there anything else you want to add first or.

00:36:33:28 - 00:36:35:06

But on this prank, No.

00:36:35:14 - 00:37:08:17

Okay. Well, maybe if I do get this question to you, first of all, then, is there's been a lot of talk in the correspondence so far, but the CIA's anticipated new regulations in relation to aviation in the vicinity of wind farms. Um, could you give me a bit of an update or maybe you've got some information about that, including maybe any time frames, any possible changes to the anticipated regulations and also whether you are in agreement that that these, these regs will be coming in and therefore should be factored.

00:37:11:12 - 00:37:32:25

Didn't have any specific prank. I don't have any specific information on the coming publication of these data. I think the advice we have from our helicopter operators, they are highly likely to come in. And that they may affect night flying. Yeah.

00:37:36:24 - 00:37:40:25

But we are hopeful that since there's one a minimal.

00:37:42:13 - 00:37:47:08

Impact of one turbine at the moment that there will be a dispensation from the regulations potentially.

00:37:48:06 - 00:37:56:27

Yes, we'll get to that as well. Okay. Um, and anything from the applicant on that, have you any updates possible?

00:37:58:03 - 00:38:39:25

Uh, Mark Pryor for the applicant. Um, the update I have is that it will come in in force, but we do not have a time as yet. There are, there is a backlog of changes to the law. So we're looking at 3 to 4 years at least. It will involve a slight change to the cloud base, slight change to the visibility. We have taken those into account because it is a worst case and we see the impact as being a very small delta on on the current assessment that we've done.

00:38:41:08 - 00:39:06:19

Okay. Thank you. Um, but you both parties seem to be quite happy enough that we. That this is going to happen. It's going to come forward. And what we've been told now about those extra restrictions is probably what's going to be the case. So I think from that point of view, Mr. Sanders, as well, you're you're happy for us to consider that as part of our assessment.

00:39:07:14 - 00:39:10:15

Andre Sommers. Branco. Yes. Yeah. Please consider it.

00:39:10:28 - 00:39:41:10

Okay. Thank you. Um. Okay, Moving on. What I'd like to do is, first of all, try to split the two issues of take off and approach. Um, so the first thing I want to do is, is to concentrate on the issue of, of basically taking off from the waveney platform. Um. Franco suggests that the takeoff distance thus one end, one engine inoperable. Distance depends on the separation between the wind turbines and the evening platform.

00:39:41:16 - 00:40:16:06

The applicant has suggested this can be overcome by the final layout of the turbines, but the supplied layouts that were provided to are only indicative and cannot be relied on for the final turbine placement. As such, the indicative layout is not necessarily the worst case scenario. And so for the applicant, is there any way of securing a layout which would allow for minimal restrictions for takeoff from Waveney, especially in these takeoff circumstances? So the examiner is examining authority, cannot take this into consideration.

00:40:21:25 - 00:40:57:03

That. Tom Morris on behalf of the applicant. So it's correct that we shared two indicative layouts with the aid of discussions. These indicative layouts are actually from different chapters of the environment statement. One was from the Seascape visual assessment and one was from the navigational risk assessment. The them because they represented two ends of the development envelope that you're correct in saying that they don't necessarily represent a worst case for access at Waveney.

00:40:58:01 - 00:41:46:06

It's important to say though that. As well as those layouts. There was other features on the chart, such as the one nautical mile buffer around existing sites, but critically, implementation of a one kilometre wide corridor, 500m either side of the wave needs Durango pipeline, which obviously originates at Waveney, which is an area which will be free of surface infrastructure. Um, and in the context of that and of the layout commitments you've made, such as the minimum spacing between turbines, which is 1.05km sent to center and what, 700 meter tip to tip.

00:41:47:27 - 00:42:10:02

They are already embedded in the environmental statement and should give sufficient confidence that the layouts available to us within those parameters should not impact the take off. And I'd have to hand over to my colleague Mr. prior to describe why that's the case. Okay. Thank you.

00:42:10:21 - 00:42:44:06

Mark Pryor for the applicant. In looking at the distance, it's worth taking into account current practice as well. So if we go just ten miles south, there is the Blythe platform, which currently has a jack up working over Blythe. There are several turbines within 1200 meters. They are flying there safely within the current day rules. There are flights into wind farms under exactly the same rules.

00:42:44:08 - 00:42:44:23

Okay.

00:42:45:13 - 00:43:02:24

And can just switch down to the to to Mr. Sanders for. Um. So putting the indicative plans to one side. What the applicant is describing is the fact that you've got this embedded mitigation. You've got the one kilometer

00:43:05:22 - 00:43:27:06

strip basically with no because of the thing, because the pipeline that runs underneath and you've got this the minimum space in between turbines in terms of take off in those sorts of situations. Do you still think that would be sufficient or are you looking for a more detailed layer before you could commit to that?

00:43:28:24 - 00:43:44:15

Mean in this, I'm advised by my contracted company, Bond, obviously. Who are the people that do all the flights and they would be looking for. A better idea of where the sites would be. We have proposed.

00:43:47:27 - 00:43:50:04

A layout where we might be able to.

00:43:52:24 - 00:44:03:15

Live with one turbine closer than than we would like. But at the moment the applicant has said that they cannot guarantee that position.

00:44:04:22 - 00:44:18:00

So think saw something on the lines of 1.32 nautical miles. But when one turbine within that 1.01 to that 1.32 is. Is that the sort of a position?

00:44:18:02 - 00:44:28:25

Is everything outside 1.32? Or if there is to be one turbine at 1.01 miles, the buffer has to be 1.5, right?

00:44:30:12 - 00:44:34:12

Right. Okay. And just return to the applicant on that point.

00:44:44:01 - 00:45:26:11

So first of all, just just picking up on a point on the distances. The 1.71 nautical miles is a distance to the turbine tip rotor tip. And the 1.3 number is, I understand it, to be to the turbine base. So think just to align those. We're talking about 1.01 and 1.26 nautical miles. Um, I think my colleague just, just

gave the justification for the for the takeoff conditions under those under those parameters, taking into account, um, the layout restrictions we have in have in place.

00:45:26:13 - 00:45:26:28

Um.

00:45:31:18 - 00:45:39:18

It may be helpful to refer back to some of the statements that Mr. Harlow made at the previous hearing. So.

00:45:41:04 - 00:45:45:26

086 think at 34 minutes, he said.

00:45:47:17 - 00:46:19:03

Um, if the installation is at the centroid of the lane, then it becomes much easier and they think, well, there is a lane. And that's, um, with the, the pipeline. It also made some statements about, um, kind of take off directions as well, saying how they'd be taking off into the heart of the wind farm at 220 degrees, which actually in that direction, that's the narrowest segment of depth north.

00:46:19:05 - 00:46:38:06

So don't think it would be true to say that is taking off into the heart of the wind farm. So I think that context is relevant. And I think it's it's obviously following that meeting we had following that hearing, we had the meeting where we showed these charts to clarify some of those points or misconceptions, basically. Um.

00:46:39:21 - 00:46:50:05

Yeah, I'm not sure in terms of the actual aircraft behavior, that's far out of my remit and think I might be able to talk more about that.

00:46:52:24 - 00:47:24:26

Well mean. That's what we're suppose. We at this point, obviously this might have moved on a slightly, but we've we've got this idea of these indicative plans and it seems that there was some progress with these with these plans. Um, but as per Inco in think the deadline five statement pointed out is, you know, there's no assurances with these plans. And what you're sort of suggesting now is, well there's, there's just the, the space in between.

00:47:24:28 - 00:48:09:04

There's this the pipeline which is going to create some like a channel basically running through DEP north. Um, but it's as examining authority. We've got to be pretty confident that this is going to be a sufficient solution at the moment. You know, we haven't got much of this in front of us in terms of something to look at. And obviously, you know, we haven't got a final layout, but it's just whether that embedded mitigation is is enough from Pericles perspective as well for, as I said, just focusing on the take off as much as anything else, because there was a lot a lot of information to do with these this take off distance and what was needed from that perspective.

00:48:09:13 - 00:48:24:15

Um, is there anything else Mr. Saunders wants to comment on, on in terms of particularly this the take off from Waveney and this this use of these these parameters and what you might see in terms of the layout?

00:48:26:11 - 00:49:13:14

Anderson's breakout think was just comment on the offer of the one turbine which allows on various wind directions for the aircraft to either go to port or starboard and just maybe reiterate some

comments that we made in the past on the Blythe platform, which was a platform which was installed with full knowledge of what they were entering into when they installed that platform. Um, in terms of access to wind farms, obviously the flying conditions are slightly different and slightly different aircraft, so we don't consider those to be particularly relevant for the Waveney platform itself because we're using in general different airframes and different loads.

00:49:15:26 - 00:49:43:13

So it's kind of just clarify with you, um, what sort of minimum distance in terms of takeoff in particular that sea bond helicopters would wish to see to be able to achieve these take off take offs from Waveney? What's the sort of it is? Obviously, the applicant has put forward 1.21. Would that be acceptable to Branco or are you looking for a greater distance with take offs?

00:49:44:11 - 00:49:49:26

I think I'd like to refer to my. My contractor for that number, just to be absolutely certain.

00:49:51:04 - 00:49:53:25

Okay. Is that one of your colleagues here, or.

00:49:53:27 - 00:49:55:26

No, I'm afraid not. Mr. Harley.

00:49:56:01 - 00:50:04:16

Okay. Right. Well, yeah. Okay. Well, um, what we'll do, we'll move on and then see where we get to with the rest of information. But that could.

00:50:04:18 - 00:50:05:06

Be just.

00:50:05:08 - 00:50:13:13

Possibly think Mr. Pryor was going to add some points after Mr. Morris spoke, and we'd like to do that now. And. Yeah, sure. Onto that. Thank you.

00:50:13:27 - 00:50:48:07

Mark Pryor for the applicant. Just to pick up on one of the points about a different type of aircraft being used inside a wind farm. That is incorrect. It is the same, same sort. And physics of flight doesn't really vary with the size of the air of the aircraft a lot. It might be worth briefly talking about the meeting that Mr. Harlow and I had. Yeah, we were very much aligned on the distance we need for the approach.

00:50:48:16 - 00:51:21:03

The only difference we have is what point the approach becomes stable, that is to say, during an approach and this applies to large air liners as well, a point is picked at which you've got to be pointing at the point where you plan to land. Yes. At the correct speed on the correct flight path with all checks complete. Now, the guidance says that should be 0.5 of a mile. The incumbent for Perenchio, that is Bristow, used 0.5 of a mile.

00:51:21:23 - 00:51:55:17

Bond is choosing to use 0.7 of a mile because they have picked the baseline radar for their air aircraft, which has a large minimum range. So inside 0.7 of a mile, they can't see where they're going. However, I do not believe that that should be a factor because the approach is being done in good visual conditions. So you do not need the radar to see obstacles in your path.

00:51:55:21 - 00:52:25:27

Second point is you can use the radar if there are many places at which you could land. In this case, there's just one. So the radar should not be a factor. Current practice is 0.5 of a mile. This leads to a distance of 1.01 of a mile. What Mr. Harlow then did was to add on the point to five. So to get to 1.26. Yes.

00:52:26:25 - 00:52:27:16

I understand.

00:52:27:18 - 00:52:55:26

And then we talked about the take off. The difference we have there is that he chose an extreme case which, looking through the comet data, occurred for ten minutes during the three years of a very low pressure, a very hot day. The aircraft had maximum weight and that gave him a figure of 1.3, four miles whilst my figure was just short of a mile.

00:52:56:26 - 00:53:00:03

0.97. Yeah. Yeah. Okay. Understand?

00:53:00:05 - 00:53:02:16

So that is how we differ.

00:53:02:21 - 00:53:43:19

So that those are the main two points of difference at the moment. It's the parameters for the takeoff to think about things like air pressure and such like. And then you've got that the, the, the stabilization point, 0.75 or 0.5, that seems to be the two smaller, say small points, but the key points. Yes. Correct. Yes. Okay. Thank you. Well, turn it back to that again. Is it possible that an exception to the normal procedure could be made for bond helicopters with regards to the stabilization point of 0.5 rather than 0.75 nautical miles? Um, would this be possible in these circumstances, do you think?

00:53:46:03 - 00:54:19:28

I haven't asked them this specific question, but the general focus is for all their platforms to be approached in standard procedures. These are the bonds, standard procedures that like consistency without for the reasons of safety, that people don't have to say we're going to different platform. What are the rules for that platform? I'm going to another platform. What's the rules for that platform? So they want a consistent approach across the patch and therefore the general steer I have is that they should not be an exception just for different platforms.

00:54:20:12 - 00:54:20:28

Okay.

00:54:21:10 - 00:54:23:18

Good to respond on that. The applicant.

00:54:27:03 - 00:54:57:25

Uh, Mark Pryor for the applicant. Um, if you look at onshore airports, there are some where special cases are made, especially with difficult approaches or in the hills. So this is again, common practice within the industry as a whole. It just needs some extra training and the crew would brief it before they fly to that side.

00:55:07:22 - 00:55:15:03

And is there any possibility of some sort of agreement maybe between the parties on the issue of

00:55:16:27 - 00:55:33:07

setting the conditions for the calculations? I think. See, there's there's a suggestion from the applicant Branco that maybe what's been looked at is a bit too conservative. But what's your response to that?

00:55:37:25 - 00:56:02:27

Understand that Frank would say this would all enter into the into the into general discussion over the impact of the windfarm on on waveney. And obviously, depending on the progression of those discussions, we could talk about flexibility around various distances. Yeah.

00:56:04:15 - 00:56:05:00

Okay.

00:56:07:27 - 00:56:09:13

Yes. Do you want to come back on that?

00:56:10:04 - 00:56:30:27

Mark Pryor for the applicant. This has occurred before. For instance, for Hornsey, for we did have discussions with Franco and agreed to take off mass temperature and pressure based on their own data. So we looked at

00:56:32:14 - 00:56:58:27

the 90% case. Yes, So, so very much towards the worst case. We looked at their normal loads in terms of people. We looked at the payloads in terms of fuel and the short 20 minute trip back to Norwich. So that could be applied again. So we have an evidence based approach as opposed to squabbling as it were.

00:56:59:25 - 00:57:30:00

Okay. Thank you. Um, so for the applicant again, just for clarity, um, in terms of the impact to waveney, um, it seems that with the, um, if you're talking about 1.01 nautical mile buffer, um, and the new regs coming in, what will likely happen is there's going to be a loss of. Potential flights to Waveney due to or some potential flights to Waveney due to the anticipated rates coming in.

00:57:30:07 - 00:57:52:09

Being more restrictive for wind farms think is within three nautical miles. Um and also the loss of any possible day usable approach. Um, is that correct? Is that that's essentially the difference between what you've got now and what will be the case with this development that sorry.

00:57:52:17 - 00:58:18:17

Mark Prior for the applicant? That is broadly correct, yes. But what we did was with the help of of Perenchio, we used their data and their flight date data to to measure the historical impact on flights to waveney and three flights would have been affected. So it's a very, very small percentage of flights.

00:58:19:16 - 00:58:20:03

Okay.

00:58:22:01 - 00:58:23:13

Let's respond to that one, sir.

00:58:25:01 - 00:58:33:27

Sounds. Franco. Well, I would say is that we we get different numbers when when we apply our extra 0.25 than the applicant.

00:58:36:12 - 00:58:52:12

I mean this opposition that if if the. When farm was situated at 1.01 nautical miles with no mitigating circumstances, the platform would become uneconomic because we wouldn't have enough access.

00:58:52:15 - 00:58:57:15

If this was when you're talking about their assessment being an oversimplification.

00:58:59:03 - 00:59:28:24

I wouldn't say their assessments oversimplification. It's just the starting point again. It ends up with different different levels of impact. Obviously when you're talking about a relatively small, small. Uh, distance to the platform. 0.25 nautical miles is a very large percentage of the of the amount near the platform. I think I'd also like to make another point, which is that the applicant is always using the minimum requirements.

00:59:30:27 - 00:59:48:27

I don't think everyone would always say drive a car at 70 miles an hour because they can drive the car at 70 miles an hour. And therefore we would not and think our operator would not want to be flying consistently on the very edge of the minimum requirements. Yes, sir.

00:59:52:07 - 00:59:54:17

If you want to come back on those points. The applicant.

00:59:55:22 - 01:00:32:12

Tom Morris, on behalf of the applicant. So I'll hand over to my colleague Mr. Brian in a second, talk about some of the aviation details. Think. You understand you won't have seen the economic assessment Mr. Sanders just referred to or made the assertion that they would cease activities. Wind up activities at Waveney. If the buffer was 1.01 nautical miles and in their assessment, they put a cost against that.

01:00:32:14 - 01:00:41:18

Yeah. What they haven't put a cost against is looking into changing the flight.

01:00:43:04 - 01:01:06:15

Which Mr. Pryor go into. Looking at other mitigations they could do to bring that down to 1.01 from their side. Noting that their current operator, Bristow, uses a 0.5 nautical mile stabilized approach currently in that platform. So I'll hand over to Mr. prior to take you through that. Please do.

01:01:07:20 - 01:01:42:11

Mark Pryor for the applicant. Yes, I think it's worth, again, talking about current practice and the fact that there are platforms with turbines much, much closer than 1.01 of a mile, which do not shut down. So it seems if Franco's view is very much an outlier here. If they were to apply the current operators figures, then 1.01 of a mile is safe.

01:01:43:13 - 01:02:32:21

Um, the comment was made that some people like to add on buffers. Well, we have applied the current law, which is clearly safe. Pilots are trained to fly to it and there is a safety margin built in now. So is the plan to just add an extra margin onto that? It seems a bit odd to me. And of course, if the CAA implements its rule change in full because because there are turbines within three miles now then will have no impact on Inc and no impact on night flying because they will be stopped.

01:02:34:03 - 01:02:45:00

Okay, I'll come back to that a little bit more soon. Also, there's another point I wanted to raise from the deadline five submission from Perenchio which talks about.

01:02:46:20 - 01:03:00:29

That when you're looking at the calculations you were pointing out about the fact of the need for the return flight. And how that makes a difference. Could you maybe provide some more detail on that?

01:03:05:17 - 01:03:06:09

I just saw this.

01:03:10:03 - 01:03:36:04

A waving is a not normally manned platform and therefore practices to drop a crew off at the beginning of the day and drop a crew off at the end of the day. When you look at accessibility for the platform, I think you need to look at whether there are two windows within a reasonable period of time to make sure that access is made to and from the platform.

01:03:37:25 - 01:03:52:08

So when you're looking at planning some sort of maintenance job, you've got to look at not just like they can get there, you've got to look at whether you can achieve a flight back later in the day if the conditions are going to be suitable as well for that later flight. Correct.

01:03:52:15 - 01:04:03:16

Okay. And there's obviously a certain cut off in the day when you decide that you're not going to fly someone out there because the amount of time on the platform will be too short.

01:04:03:18 - 01:04:11:17

Yes, I understand. Um, do you not feel that the applicant has considered that sufficiently at this point?

01:04:13:29 - 01:04:25:03

My understanding is, is the windows that they've used are quite, quite narrow so that there are opportunities that we would consider would be opportunities to reach and return from the platform.

01:04:25:29 - 01:04:26:14

Okay.

01:04:27:04 - 01:04:28:26

I want to come back on those points.

01:04:29:04 - 01:05:03:04

Mark Pryor for the applicant. We try to again, take an evidence based approach. So using Franco's own flight data and their own data, we measured the impact we would have had on on their flights, and that showed the impact was small for the platform that is currently being used as Inui. The biggest impact, of course, will be if they have a jack up on site there because because they will need more flights.

01:05:03:09 - 01:05:27:08

But for that you do not need two flights. You just do one fly today and that flight can be varied depending upon the weather. So we think we have taken a a a robust approach. And in fact, at no time has Franco challenged what we have said in Annex A to the Access report.

01:05:31:03 - 01:05:32:16

Let's come back on any of those points.

01:05:34:25 - 01:05:35:18

Some of the snow.

01:05:36:18 - 01:05:37:03

Okay.

01:05:37:18 - 01:05:39:20

Um. Okay. Uh.

01:05:45:18 - 01:06:35:08

The other point I was going to raise is to do with well, from Perenchio you've explained that there would be insufficient space to turn into a stabilized final approach track and therefore flights would be restricted to either when the wind is blowing is broadly from the west or the east. And this is when there would be a buffer of less than 1.34 nautical miles. Um, is this correct, as this seems to be the primary factor in there being so few flights possible? Um, if this was the case from your conclusions, so is it is this again to do with that stabilization point and the .75 and if it's less than 0.75, um, then.

01:06:37:00 - 01:06:42:15

It's going to be more dependent. The access is going to be dependent on wind direction, more importantly.

01:06:45:21 - 01:07:00:26

If this was a prank, I'd need to take specific advice from my helicopter operator for that. But the statement of, of, of of the percentages affected are as provided by them, given their calculations. Yeah.

01:07:01:04 - 01:07:01:21

Okay.

01:07:02:10 - 01:07:26:11

Um, yeah, a lot of that seemed to be to do with the sort of wind direction. So maybe if we come back to the applicant on that, you've probably seen the information from Franco on that which shows the calculation and, and it says within 1.3, four nautical miles for the approach they would it would only be when the wind direction is from the east of the west. Could you provide some comment on that and whether that's been taken into account?

01:07:27:16 - 01:08:09:01

Um. Mark Pryor for the applicant. Um, I am slightly confused about those figures because I had the meeting with the expert, Mr. Harlow, but I believe a lot of the analysis has not been done by him. It's been done by Dr. Ro, who does not have an aviation background. So it's been done by a lay person, which is why at times, as we've made a comment on some of the terms used are not correct, the definitions are not correct, therefore some of the logic is not correct.

01:08:09:05 - 01:08:29:14

Plus he keeps using the figure 1.34. It was agreed that it was 1.26, which is the distance to the turbine tip. Yes. So a lot of that in that analysis seems a bit muddled. And I don't know where he got those figures from.

01:08:30:17 - 01:08:51:08

Yes. Mean this. This is from Franco's responses to written questions to so a little while ago. And it was calculation of acceptable wind direction for less than 1.3 nautical miles. The case. And there was a graph to go with it and it showed. We've never.

01:08:54:18 - 01:09:01:14

There within 1.34 nautical miles access only from east or west. So it looks like things might have been updated a bit since then.

01:09:03:19 - 01:09:27:21

A marker prior for the applicant? Yes. That is the document that confused me because it's clearly not been written by a pilot, because in other parts of it the definition of icing conditions is wrong. Terms like IFR are used instead of IMC and so on. So I think it could do with an update.

01:09:28:08 - 01:09:28:25

Okay.

01:09:29:04 - 01:09:44:01

Yeah. I mean, some of these percentages are obviously very low, so like 1%, 7%, etcetera. Um. So have you got any response to that from from yourself? Um. Doesn't have to go and check back on this.

01:09:44:12 - 01:10:15:12

I will go back and check out my understanding of the 1.26 and the 1.34 is basically the difference between the tip and the base. So essentially when people say one, two, 6 or 1.34, we are referring to the same number and think we are, we definitely need to hone in on which number. And I know that Equinor have a preferred one, which I think is to the tip rather than to the base. So if Mr. Morris would confirm that, we will make sure that we.

01:10:16:26 - 01:10:28:06

Think it was 1.34 to the base and assume 300 meter diameter, 150 meter radius, which would be about 0.08 nautical miles. So that would be the difference between the two. So yeah, Yeah.

01:10:28:17 - 01:10:38:00

So I, I would just comments on the. Dr. Rowan and Simon Harlow of the operator have been working together, so.

01:10:40:00 - 01:10:53:18

Pulled all the calculations and then have been done in tandem. It's not as though Doctorow has been outside doing his own calculations without consulting with with aviation experts.

01:10:53:23 - 01:10:54:09

Okay.

01:10:56:22 - 01:10:57:07

Thank you.

01:11:06:26 - 01:11:36:08

So just moving on, just to mention about what we're now looking for again. Don't know if things have quite moved on, but the most recent documents I saw talked about the need for a 1.5 nautical mile buffer that might be within with maybe one turbine within that sort of buffer area. Um. Is that still the position or are you looking for something maybe less than that now? Maybe the 1.26?

01:11:43:08 - 01:11:44:15

I say Microsoft.

01:11:46:02 - 01:12:01:06

Understands. Um. We've said that there are two alternatives. One is is better than 1.26 or 1.5 nautical miles with one turbine to be agreed within that radius.

01:12:01:19 - 01:12:02:05

Okay.

01:12:02:07 - 01:12:20:00

So that's the options put forward if it was. If it was the 1.01 nautical miles, you said, about the viability. I mean, what would be the overall impact to rank to to the Waveney platform and its operations if it was the 1.01? From your perspective?

01:12:21:27 - 01:12:29:11

And it's on us for the cake. Sorry. It's. The question is, if we had more than one turbine within.

01:12:29:21 - 01:12:38:18

If the buffer was just as proposed by the applicant 1.01 nautical mile and there was turbines within that area. Um,

01:12:40:04 - 01:12:46:24

are you suggesting then therefore that the sort of viability and functionality of, of the Waveney platform wouldn't be able to continue?

01:12:47:04 - 01:12:51:12

Yes. We our calculations have shown that, um.

01:12:53:00 - 01:13:00:18

The dramatic drop in accessibility of the platform and therefore we wouldn't be able to produce it economically.

01:13:01:20 - 01:13:24:26

And is that primarily to do with that difference, say, for the stabilization point that 0.5 or 0.75 seems to be quite key? I believe so, yeah. Okay. And sort of similar question flipped over for the applicant. What would be the impact of the proposed development if. The mitigation, as suggested by Perenchio, was was incorporated.

01:13:26:07 - 01:14:06:27

Uh, Tom Morris on behalf of the applicant. So just to pick a bit, possibly a few points that of of confusion which arose as positions have changed through the process. I think in the first hearing, Mr. Sanders referenced a distance of five nautical miles in the written representation from Branco, and there was discussion of three nautical miles and the 1.5 nautical miles, um, was a position that Perenchio put forward that they thought might be helpful to the applicant to provide flexibility with an additional turbine within 1.5 nautical miles.

01:14:07:02 - 01:14:40:14

And we have discussed that with Perenchio. Um, however, it does, um, it provides us quite a lot of difficulty into how that would be actually actioned and incorporated in. Um, and clearly we see that at 1.01 nautical miles, we think that is a suitable buffer that, that their routine access to waveney, um, should be impacted during ecmc and that will minimize the impact.

01:14:40:16 - 01:15:17:25

Obviously Perenchio will say that that distance should be 1.26 nautical miles owing to the difference in stabilization. So from our perspective, um, we would certainly third to get to a point where it was just a distance rather than a distance plus flexibility. Um, now that 1.5 nautical mile has kind of continued into a few subsequent, um, submissions. So the submission at Deadline five and Franco had the title of 1.5 nautical miles, but the calculations were done on 1.26.

01:15:17:27 - 01:15:34:09

So there's a bit of confusion there. But yes, it's, it's definitely our preference to have a. A distance which is suitable rather than that kind of point of flexibility. Um, in terms of the impact on the project.

01:15:35:24 - 01:16:14:14

Just. Get my notes on that. So at the stage we were consulting on a 500 meter buffer and we moved to one nautical mile submission based on the advice of our experts. And we did consult on with that as well. And we thought that was quite a large concession, a 16 fold increase in the conceded area for the Waverley platform. We thought we made that concession because we were determined to go into examination with a defensible position which thought was fair.

01:16:15:10 - 01:16:22:14

Now the increase is talked about here to 1.26 aren't inconsequential.

01:16:24:02 - 01:16:43:14

I don't have to tell you. But as you increase the radius of the circle, the area increase increases the quadratic. So it's not a trivial increase to go from 1 to 1.26. That takes us to a 25 fold increase in the area and kind of conceded from our initial position.

01:16:45:02 - 01:17:32:26

Against that backdrop is the efficacy of that concession is mitigation. And what we're talking about here is mitigating for pranks, change of helicopter operator and a change in the baseline that that they are introducing. And the reason for that, I think, you know, Mr. prior pick up in terms of the technicalities of why that is, but there would be more appropriate mitigation tools to bring that distance down, that kind of minimum that's stabilized approach distance down in our view, which wouldn't lead to the cessation of of the wave knee

01:17:34:22 - 01:17:41:03

activities. I think that's the answer. Napkins point of view. Do you have anything to add on the.

01:17:42:20 - 01:17:43:05

Okay.

01:17:43:09 - 01:17:45:17

Okay. Um.

01:17:47:12 - 01:17:50:14

Do you like to make a response to what you've just heard? Anything you want to raise?

01:17:54:24 - 01:17:55:15

Understand this.

01:17:57:00 - 01:18:07:10

Obviously, every helicopter operator has the right to establish its own procedures. My understanding is these procedures have not been changed for Franco.

01:18:09:00 - 01:18:21:23

My understanding is also that there are various numbers used across operators and that the 0.05 is not necessarily a consistent number used by all other operators.

01:18:24:20 - 01:18:57:09

Okay. Okay. Um. What? Want to just move on to is the point about the nighttime flights, particularly if there's a support in regard to waveney. Um, something that, um, Mr. Sanders sort of raised earlier is obviously the applicant has highlighted there's an existing wind turbine within 2.7 nautical miles of

the Dutch wind farm, which would result in restrictions to nighttime flights even before the proposed development has been considered.

01:18:57:23 - 01:19:26:12

Um, same for margin as well. However, for the applicant, as there is only a single wind turbine within that three nautical miles and it's 2.7 nautical miles away. So it was close to that three. Um, is it possible or even likely that would grant some form of dispensation to allow for night flights, um, or, you know, just basically some sort of relief on that basis for Waveney?

01:19:27:18 - 01:19:30:20

Mark Pryor For the applicant. Um.

01:19:33:22 - 01:19:59:13

I think it's worth saying that the CIA is becoming more and more risk averse. In the past, they would allow you to to bend and flex the rules to suit your case, providing it was backed up by a safe safety case. They are tending to take a more hardline view now. And why would they bring in a rule change and then say you can ignore that rule?

01:20:00:12 - 01:20:15:09

Yes. Even if it was maybe on a temporary basis, because I suppose the rig wouldn't be there long term. This is this would be something maybe for a month or so. You feel that they would they would still be unlikely that they would. Like dispensation.

01:20:16:29 - 01:20:47:05

I'll have to be careful what I say because I do some work for the CIA as well. But certainly based on another project, they tend to bring in their rules and try and stick to them. Even the guidance is now enforced, such as the Waveney, because they did not invest in up graded lights and automatic fire fighting.

01:20:47:07 - 01:21:02:18

They have a restriction on the number of flights they have and of course they cannot fly at night, so they are becoming more and more hardline. So they might do it, but I'm not convinced they will. Okay. Thank you.

01:21:03:25 - 01:21:05:23

But any comments on that point, sir?

01:21:06:26 - 01:21:29:17

Anderson Sprecher. It's interesting that Mr. Pryor suggests that the CIA are getting more hardline. So I would suggest that if there's going to be changes over the next 4 or 5 years in terms of visibility and take off distances, it's more likely to move away from the current point five nautical miles and closer or stay the same.

01:21:33:23 - 01:22:13:28

And the last question I got on the nighttime restrictions was to do with there was a lot of talk in the recent correspondence about Norwich Airport and the fact that, you know, this is going to be restricted in terms of the opening hours for Norwich Airport, if you like, if opening hours are like ten. Um, but I was also thinking about the fact that in winter you have a lot, much shorter days. So I know we think the applicant has provided like a sort of an average amount of hours lost, but I would imagine in November, December, January, that would be a lot of a significantly greater proportion of hours lost because the airport will still be open.

01:22:14:00 - 01:22:19:20

But it would it would be dark skies. Um, has that been considered by the applicant?

01:22:21:06 - 01:22:56:00

And prior for the applicant? Yes. Now, ISS takes a count of the daylight hours and how they change throughout the year. Um, of course it will have no real impact on waveney because they cannot night fly there, so it'll just be for an NPI. Again, those flights tend to occur during the middle of the daytime, so if the flights were planned in advance, there would be no need to night fly.

01:22:56:09 - 01:22:59:04

So that could be sort of overcome just by forward planning, basically.

01:22:59:21 - 01:23:01:09

I believe so, yes. Okay.

01:23:01:19 - 01:23:04:16

And, Frank, I like to respond on that one, sir.

01:23:05:26 - 01:23:24:26

Understand this, Branco? Yes. We've provided the statistics for the months on a on a on a on a on a monthly basis in our latest submissions. Obviously planning does does does does mitigate some of the circumstances. Obviously, some planning will involve.

01:23:27:20 - 01:23:28:05

Uh.

01:23:29:15 - 01:24:00:04

Moving around our other operations. So our helicopters are not dedicated just to flying to Waveney and the rigs. So they would have to be planned around our other production or other decommissioning operations. I think the only thing I would say is that. Because it's non-productive, obviously the impact on. On on cost is one of cost rather than profit element that comes from production. Operations.

01:24:06:10 - 01:24:14:06

Okay. Well that's, that's my main questions I've got today. Was anyone else wanted to ask any questions from the. No.

01:24:55:20 - 01:25:24:19

So just a point we just want to make. There was there was reference to documents for Hornsey for earlier and obviously this is a it's we haven't got a decision as yet for Hornsey for so we'll have to be quite careful with, with that information and especially if it's submitted on to us, if there's any evidence from that and obviously stripped of any sort of commercially sensitive information as well. Um, but yeah.

01:25:24:21 - 01:25:25:06

Yeah.

01:25:25:23 - 01:25:36:25

Um, is there any maybe final remarks that Mr. Sanders or anyone from Perenchio would like to make before we finish on this agenda item today?

01:25:39:08 - 01:25:58:01

There's some spunk. Now, just reiterate Mr. Morris's opening remarks that we have, I think. Bottom
diets are differences in terms of calculation provided information, which I believe should be a good
basis for negotiation of next few weeks. Yes.

01:25:58:12 - 01:26:01:24

That would be good. Thank you. And from yourselves, the applicant. Thank you.

01:26:02:05 - 01:26:21:06

Yeah. Tom Morris, on behalf of the applicant. So I'd like to echo that. And we plan to meet shortly
and resolve some of the differences we still have and note the submissions that have just come in
lately and we'd like to talk to Branko about those, so.

01:26:22:02 - 01:26:34:25

That'd be good. Thank you very much. Is anyone else want to raise a point before we move on to the
next agenda item? Continuing. Hands up online. No. Okay. Thank you very much.

01:26:38:04 - 01:26:52:14

Um, what we'll now do is just, um. We'll have another break. Um, it's 342, so just a short break till 4
p.m.. Um, and so they were doing the hearing at this point. Thank you.