

ISH4_Weds 1st March PT3

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FULL TRANSCRIPT (with timecode)

00:00:05:19 - 00:00:13:22

Okay. Thank you very much. Help us. And time to recommence. I just checked again with Mr. Stevens place. If the recordings recommenced.

00:00:15:24 - 00:00:16:09

Thank you.

00:00:18:00 - 00:00:24:21

Okay. So we'll restart with requirement nine to replacement of landscape.

00:00:27:08 - 00:00:55:22

So on this all, we note that the specified five year, five year timescale for replacement of landscape is stated to be a standard period for planting trees to leave or establish will file within that period. And that long term management of maintenance for landscaped areas around the substation would be agreed with DCC by the final LMP secured under DCI requirement 13. And we also note that DCC are in agreement with that in the statement of Common Ground at some deadline six.

00:01:00:21 - 00:01:20:04

I suppose our question was and this is a question we've asked before, whether and I could probably guess your answer, but do you consider this goes far enough? Certainly given the requirements of a DCO for similar types of consent for ten or 15 years of landscape maintenance, particularly around substation sites?

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So at least on behalf of the applicant, you can guess our answer to this. Yes, we do consider that five years is sufficient and it is important that that's been agreed with Denbighshire County Council. Ms. Thompson has been involved with some of the other projects that you've referred to in terms of the justification for that and the reason for those longer periods of landscaping maintenance. So she is going to address that in some more detail.

00:01:48:25 - 00:02:22:11

Thank you. Linda Thompson for the applicant. And I think you've referred in some of your questions to the desu and the requirement for longer term plant replacements. And I'll just focus on that for now, rather than talking about the longer term management, which is explicitly set out for the duration of the operation of the the onshore substation, rather than being limited to the five years I've been involved in the Norfolk Pine Garden Borealis on the East Anglia one, North and two.

00:02:22:26 - 00:02:44:07

And I am aware that for those projects, some longer term replacement requirements were set out and had some background to those projects right from the beginning of the planning stages within those projects. And concerns were raised by both the public and the landscape officers in those areas about the extreme weather patterns that have been

00:02:45:24 - 00:03:20:00

occurring in the south east of England. And that is documented through climate change, understanding by the Met Office and also forestry research. And so in those instances, the durations have been included for some areas of the landscape scheme to increase beyond the standard five, five years. And it seems that in those areas that it was justified by the predictions for climate change that are likely to be more extreme in those areas.

00:03:20:29 - 00:03:53:14

And this part of Wales, no comment has been made to that effect by any of the consultees. And there isn't the same evidence to suggest that climate change impacts would be as extreme in terms of long periods of drought, extreme weather incidences, in terms of flooding as they are experiencing and are considered to be increasing within the south east of England. And for that reason we don't suggest that that would be applicable within the landscape that we were proposing the mitigation.

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Okay. Thank you. That that's useful and it makes sense. My only other question, which is another way of looking at it, what if we had a longer time period secured by the DCI, provide some comfort to local residents that the proposed landscaping, which may help to mitigate some of the effects of the development, would be maintained for a longer period of time than just five years.

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Linda Thompson For the applicant, just to be clear that the the DCO requirement now is about the regime for plant replacement should they become dead or deceased. It it doesn't set out the time period for aftercare and the the, the limp on the further definition of the management regime for aftercare that would be set out in the lim as explicitly stated as being for the duration. So there's no shocking from that responsibility by the applicant who would be in control of the land and would therefore take on responsibility for the aftercare.

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And I think the distinction between maintenance and management and the requirement for plant replacements or for that time is

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just as set out in the DCO for the plant replacements and is applicable for the reasons I've explained. And already there is a commitment for longer term maintenance and management to be set out for the duration within the limp.

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Okay. Thank you. It's useful.

00:05:27:22 - 00:05:35:19

Okay, so we'll move on. Unless anyone. Yes, Mr.. Mr. Davis, Just bear with me. Bear with us one second, Mr. Davis. It will be turned off.

00:05:39:16 - 00:05:40:04

Okay. Thank you.

00:05:41:18 - 00:05:44:08

I'm the hero of you. You on the weather and additional

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techniques going on cheerily in your in your person in there. Is that to

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give them an even more. Yeah of their career. Linear and has a vertical pull my word narrows approach here I'm always so my yeah how about.

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Thank you, Mr. Davis.

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Mrs. Dunn, did you want to come back?

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And if

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so, let's start on behalf of the applicant. We were discussing the sort of duration of the landscaping and clearly the the construction of the substation and the landscaping will be done in accordance with the details approved by the county council, both in respect of the substation itself and the landscaping. And that will include areas of reinstatement that need to be reinstated post consent. So the the the way that the consent and those documents operate will be to ensure that as as as construction is complete, then the agreed landscape planting and ecological management is put in place and then any areas that can be restored are then restored.

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It's it's part of the overall design of the project.

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Thank you for that. Okay. So if we can move on now to requirement 12

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archaeology.

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And it's just one very minor point on on this requirement, because earlier on, you mentioned a communication clause, which is my first question. So thank you for that. The other part of the requirement is a very, as I said, a very minor or just a typo. In part two,

00:07:38:28 - 00:07:45:17

there's just a missing word with before the applicable details right at the end of line two.

00:07:46:21 - 00:07:48:02

Thank you, sir. That's very helpful.

00:07:49:21 - 00:07:53:21

Okay. Thank you very much. I'll now pass over to Dr. Morgan again.

00:07:55:18 - 00:08:30:21

Thank you. Turning now to schedule two requirement 15 construction hours. So we know from the applicant's latest statement of common Ground with Denbighshire County Council Rep six and zero 44 providing deadline six that the authority has now agreed the applicant's approach to construction hours. I'd be grateful if the applicant would explain why and the three bits to this. Firstly, limiting significant noise generating construction activities at landfall to between 800 and 800 hours has not been included in the requirement itself.

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But the latest version of the outline construction outline code of construction practice. Brent five zero 16. Secondly, why it was decided not to apply this restriction to other onshore locations. And three, why it was decided not to restrict working hours on the Saturday. We know with respect to the latter that similar projects, for instance, East Anglia to have limited work on Saturday East to between 700 and 1300 hours.

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Thank you, sir. Liz Dunn. On behalf of the applicant, I'll take the first part of that and then hand over to Mr. Faulkner. So why those limited hours at the landfill or the reduced working hours at the landfill between eight and six were not in the draft ratio. The reason they aren't in the draft eco is that they. They. Are better located within the construction methods statement. The construction methods statement is something or the code of construction practice is a document that that needs to be agreed by the local authority prior to works taking place.

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And as I explained at the beginning, the those outline documents work in conjunction with the requirements to effectively set how the scheme will be operated. The parameters of 7 to 7 are those that will apply across the whole scheme. And if we were to start redrafting this requirement to deal with all sorts of eventualities that may or may not come in respect of different areas. That creates a high degree of complexity in respect of the.

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Of the DCO and would suggest is not particularly helpful. So the approach we've taken and it's one that has been followed on other projects, is to use those outline documents to really flesh out the detail and

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where it's possible to describe in more detail the circumstances in which something might occur or might not occur. And then how those. Those how any

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any variations to the sort of framework set within the requirements in the DCO would then take effect. So that and

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so we did they are set out in the code of construction practice and therefore as they as that code of construction practice is detailed, if there needs to be any variation to that, that can then be done rather than fixing within the DCO something that actually doesn't then provide for that degree of flexibility. So it's, it's, it's felt to be the appropriate place in which to put that sort of modification to the way in which that that requirement would operate.

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Thank you, ma'am. About half of the applicants in terms of why that that reduction in hours is only at the landfill and not for the remainder of the onshore project. It was through discussion with between Butler County Council. During examination, it highlighted the the the concern that the council had raised about working hours within the local impact report. Related to the coastal area. And it was specifically relating to a concern that residents would have disruption as a result of a number of schemes in the area namely that the Central Rail Coast Defense scheme, the East Rail Coast Defense Scheme and the Central Prestatyn Coastal Defense Scheme.

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So through those discussions we highlighted that it was that specific area that was of concern, which is why we suggested the reduction that that's been incorporated and membership is less concerned about works in the more rural areas of the. The remainder of the onshore project

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in terms of. Why doesn't supply on a Saturday as well? It was once we discussed and suggested the weekday reduction. So just to cut in the question about the Saturday was why not half a day working on the Saturday? And as we noted know similar projects offshore wind projects they. Date had a half day working outside the day basically where obviously with this project you're proposing a full day on Saturday.

00:13:05:04 - 00:13:41:21

Yes but yes, that's correct. And it is a full day on a Saturday that's been assessed in the environmental impact assessments. So whether a threshold, for example, noise thresholds that are relevant to a Saturday afternoon, those have been used and the respective impacts have been identified. It was through the discussions with them this year about the reduction in hours for noisy activities and was suggested that that was done through a weekday but appeared to alleviate that which is concern, which is why we've got the agreement and the statement of common ground.

00:13:42:04 - 00:13:55:22

And Jerry, I'm talking about them shows a lot at the moment, but so happy to. Okay, Thank you. I was very helpful. WITNESS Miss Parrish on behalf of Denver, share if she has any comments while she serves on the applicant.

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I think. Thank you. And what I would say is I've only had limited involvement to date. And if there's anything specific, I can go back to consult with the environmental health officer. But from the discussions I've had with the statement of Common Ground, those those latter points were agreed and the comfort was provided within the code of construction practice that would be agreed at each stage of the development. And as the applicant has stated, those would be different depending on each phase of that development, and then she would have the ability to assess those those schemes at that time.

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Okay. Thank you, Ms.. Parrish.

00:14:43:19 - 00:15:13:24

Sorry. Moving on to something that's associated to that. And would you please clarify this? The applicant, whether the intention is for Denbighshire County Council to agree or instances of 24 hour working for trench installation techniques or simply notifying the authority of that because the wording of the latest outline, construction and code of construction practice just the former. While the latest version of the draft DCO states the latter.

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So it's a point of clarification that.

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It's always done on behalf of the applicant. The intention is that it should be as within the draft development consent order, so it would be notified rather than consented so there wouldn't be an approval mechanism. It's a fact, effectively a notification. And that is because 24 hour working has been assessed for the purposes of trenchless techniques throughout the project. So where there are where we're committing to trench this works. Those have been assumed to be on a 24 hour basis and therefore that doesn't meet.

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It's considered that doesn't need to be an approval process. It would effectively just be notifying Denbighshire County Council that those works are taking place rather than needing to approve that as being somehow outside of the of the requirement.

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Okay. That does mean that the code of construction practice, whoever it's referenced, does need to be amended because that does say approval at the moment. And that isn't correct.

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Thank you, Professor Cross. Ms.. Parrish, again, it's a very specific point. You might not have any views on, but hardly anything to comment on that.

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Thank you. Well, again, I'll take this back to the the show to ensure that that they are comfortable with that. But I have, having heard the applicants state that this was part and parcel of the assessment on the face of a face of that, that would seem reasonable. And also in terms of practicalities of seeking approval for something that has already been assessed, you know, whether that would be necessary.

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I want to thought say, well, I will take that back to the HOA and get back to you on that point and also the point of the Saturday working as well.

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Thank you, Ms.. Parrish. Okay.

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And

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I don't think you need to respond to that unless you'd like to respond.

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So nothing further.

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Okay. So if I just throw it open to the floor, any other comments about construction hours? Mr. Davis.

00:17:27:16 - 00:18:12:26

Yeah, go out the richness. It looks great at a cheer heavy demand call then and got it. Figured we'd give Metropolitan for an elevator if Araghchi atom our CFR scope they know proper are Ramos Cobar with I know what it or that our mail this has gone the shotgun quite this ill I have it correct that a no nor do we hospital are within a roll call your phone line shortly afterwards our subway crew knows and when it all we hear was in South New York alone.

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Thank you for that, Mr. Davis. The clothes we're discussing actually sets the hours that the construction can take place on the project. And there's been reached an agreement with demolition on those hours. And there between seven and 7 p.m. Monday to Saturday, but excluding some days and bank holidays except of the landfall where the cable comes in shore where because of of the number of projects, noisy projects they had in that area and it's been agreed that the construction hours will be slightly less they'll be eight till six.

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So the other concern tonight, as they relate to the whole of the rest of the of the construction.

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Yeah. And perhaps if I can go back to that and perhaps you could say something on the lighting issue.

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Matt Faulkner, on behalf of the of the applicant, a couple of things from that. First, I confirm that there are two proposals to work a on a Sunday in terms of lighting during construction. There will be there is an outline plan for the management of that lighting, but that will be finalized and approved by demolition before construction starts. So that's how that will be managed and during operation. There's a similar there's a T-shirt requirements around operational lighting.

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So a scheme will need to be approved by Dan Bishop in advance. It's also worth noting the substation once is operational in terms of the Manning requirements. There'll be a handful of visits a week to it. It's not something that's going to be permanently manned by a big team of staff or anything like that. So that will also affect the lighting business that will be put out in a scheme that will be approved.

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Thank you for that clarification and information.

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Like just I'm sorry, Mr. Davis.

00:20:26:12 - 00:20:45:04

I told him I want to know on the sky your when you see him there. No, no. We thought that he knew. He saw I'm done the way me report because I felt I was sorry. Doc, I got to say more. Correct. You got got them. You got Bateman with the Captain Dawkins Happy Meal. Possible. Dan Donovan. Yeah. Hello.

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Yeah, we we think the best way to address that, Mr. Davis, is if you consult the statement of Common Ground, which is the latest agreement between the applicant and Derbyshire County Council,

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and perhaps the applicant could provide you with the reference to that.

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So we can actually do two and actually six. Okay, so that's Rep 604 for.

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So if you look at that document that sets out what's been agreed with regard to construction hours for the project with Demolition County Council.

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I'll pass back now to Mr. Duncan. Oh, sorry. Excuse me.

00:21:50:12 - 00:22:38:12

Thank you, Dr. Morgan. Now, turning to requirement 16, which deals with surface and foul water drainage. And Ms.. Don't you come in, study that you can talk. Reference to Pre-commencement works in the construction methods statement. Is that correct? Yes, ma'am, that's correct. And can you

can you just further expand on why that's considered appropriate, Although I suspect it might be a similar explanation you gave to when we talking about requirement 15. Yes, ma'am. So in respect of requirement 16, requirement 16 is designed to ensure that the permanent surface water drainage so it's the surface water and foul water drainage plan for effectively the substation itself.

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That those details have been approved by the local authority in consultation with natural resources Wales before work start effectively on on the above ground infrastructure for the purposes of the substation. And that has regard to the outline drainage strategy which is around which is a document that deals with the permanent permanent drainage and

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to introduce into that requirement something around Pre-commencement works we think would actually confuse the purpose of that requirement and why it's there. And therefore the pre construction pre-commencement drainage would be part of site set up and therefore it sits much better within the control documents that are around. Actually those elements of the works that will be will be done prior to construction because they won't they may not ultimately end up being the permanent surface water drainage details.

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Thank you. I've just got one other question on requirement 16. Can you explain why requirement 16 applies to work number 31 A but not work number 31? And the reason for the question is the description of work. Number 31 includes the following wording bullet A It says drainage works, including connections to existing drainage and creation of use. Sustainable drainage including attenuation ponds should. Requirement 16 relate to that.

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Thank you, ma'am. I suspect it should. It it is designed, as I said, to ensure that the drainage that's approved as part of the sub's the permanent drainage, is agreed before then. So yes, I think it should refer to work number 31 and probably 31 I. To make sure that that's clear. It relates to both of those. Thank you. Can you take that as an action, please? Yes, ma'am. Okay. If we move on to requirement 20, which deals with the proposed skills and employment strategy, you've already confirmed that an implementation clause is going to be added.

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Thank you for doing that. Do you have a couple of other questions? The first of which that is in the updated schedule of mitigation monitoring document, which is four zero 21 Road 487 in the Mitigation Monitoring Compensation Enhancement column. Requirement 20 stated is not to be inapplicable.

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Can you explain to me why that requirement is in schedule of mitigation monitoring and that column is not applicable? Please, ma'am. I'll have to check. I suspect it is because it isn't the. The provision of the skills and employment strategy is not something that is directly mitigating an effect that is as a result of the scheme. It was added.

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And so it isn't that that that you can correspond an effect or the potential for an effect such as we were talking about the marine mammal management plan this morning.

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Although.

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Excepting that said the marine licence, but okay, the outline landscape environmental management plan. So there's a document there which clearly is addressing is providing necessary mitigation in respect of, of landscaping and ecology, where that is being relied on by the applicant for the purposes of, of the determination of the project. Therefore, it's in that schedule in respect to the skills and employment strategy, It's it's been put in at the request of the local authorities. I'm not sure anybody would be saying that without it, the consent shouldn't be granted because there would be an effect on skills and employment as a result of this project.

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So that's why it has we will we will review it. But I suspect that that's why it's been indicated as not as having an eight, because it doesn't link to a specific impact or assessment as being necessary as a result of that. Thank you. Which leads me on to my next question is, can you confirm that all requirement to know complies with the tests regarding planning conditions or in this instance, requirements? And just for those people in the room who may not be familiar with the tests conditions or in this instance, requirements should only be used where they satisfy the following tests that they are necessary relevant planning relevant to the development to be permitted and possible precise and reasonable in all other respects.

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Thank you, ma'am. Please don't. On health napkin. I suspect if you spoke to the local authorities, they would say that this requirement is necessary. And there is certainly precedent for it in other development consent orders. In terms of securing some form of skills and employment strategy. It is considered in the circumstances to be reasonable. It's not considered to be a requirement that is overly onerous or placing an obligation on the on the applicant that it wouldn't otherwise be.

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They are happy to comply with. So it it.

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I accept that based on what I've said previously, it's not necessary to mitigate the effects of the scheme, but it is there to ensure that.

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Some of the benefits that the scheme has identified as potentially arising from the scheme would be secured through that Scratchpad strategy. Thank you. And the final question on this requirement is, I think paragraph 40 of the outline statement states it remains separate from the planning process.

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How I suppose it how can the opportunities, the opportunities that the opportunities they've been outlined in the skills strategy be separate from the planning process if there's a requirement in relation to the strategy?

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Novelist. On behalf of the applicant, I think we probably need to review the wording of that in terms of I think I think the. It goes back to the point around is it necessary to mitigate an effect that has been identified? And we would say, no, it isn't.

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And therefore it was noted as being effectively outside of the process in that.

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It.

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It's.

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Try to work this in the right way. I think the points noted, and we will look at it in terms of the relevance. I think I think it does I think it does have relevance and I think it is acceptable as a as a requirement on the basis that it would secure the benefit that the.

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That's referencing the community benefit package. Oh is that.

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Yeah. Which is separate to that.

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This is about the cumulative impact.

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Thank you. Paragraph 40 of that statement in respect of the relevance that's in relation to the community benefit package that's being promoted, not skills. And in that case, my, my apologies,

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but could you, could we just check because I am sure that I have seen that this has been stated that it sits on both sides. And if we could just confirm that, Ma'am, Thank you. Thank you.

00:30:22:01 - 00:30:25:28

Mr. Parish, on behalf of Denbighshire Council, do you have anything you wish to add?

00:30:29:00 - 00:30:48:29

Hello, Hannah Parrish. On behalf of Denbighshire. I can't comment on this element because it's something I'm not familiar with, but I assume it's not being based within. If it's not been raised within the local impact report as an issue, and it's not been something that I've been made aware of in the statement of Common Ground. So I can't take that back if you wish me to.

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If it's something you could have a look at and just said, Look, I do think your colleagues, the previous colleague, has been involved, but maybe just for one final. Yeah.

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Certainly. Yeah. So that's client 20.

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Yes, please. Thank you. I'm Liz Dunn. On behalf of the applicant, I think the driving authority behind this was Anglesey Council. They they with the authority that were very keen to see this this, this put forward. And I think if we roll back through their representations and I don't think they they did a local impact report and then but I think they made submissions and I think this is included, this was very much part of of Anglesey Council's submissions in this regard. It was at the outset yet.

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Thank you. I don't have any further questions on that requirement. The hand back to Mr. Hockley.

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Thank you very much, Mr. Casini.

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Next question was regarding aviation radar

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and the possible need for an aviation requirement. Has there been any further progress on the radar mitigation contract with that?

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Thank you, sir. Lewis Dunham I'm delighted to be able to say, yes, there has We have an agreed form of contract with Nats. Unfortunately not. Unfortunately, there is a condition or there is the wording of a condition that's included within that contract which had been agreed, but it needs to be modified in order to fit within the DCO context and this context. So we're just getting the final approval from Nats to those minor changes to the requirement.

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Effectively, it was a requirement that related to onshore wind farms rather than offshore wind farms. So there were various. In substance, it's no different. There were just some some amendments that needed to be made. So those are with Nats at the moment. We're hoping they will be signed through. So we're expecting that that contract will be agreed and we will be putting in the requirement at the next version of the DCO. Just to flag, I know that it's slightly different to the wording that was proposed as part of the examining authorities.

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In substance, it's the same, but it is very much around not preferred wording which the applicant doesn't have any issue with.

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Okay, thank you. That's very useful

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and that negates a lot of my questions coming after that. So that's good. So then if we move on to the next section, which is a potential new requirement concerning design guide, this

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I suppose arises from the Design Principles document submitted at deadline five, but the document was revised at deadline four to include an overview of the process of creating a design guide, which is this is welcomed, but would a requirement requiring the production of that design guide assist in that regard and give interested parties more confidence over the process?

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So I list on on behalf of the applicant?

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No, we don't think so. We think it's covered within the design guide, I'm sorry, within the design principles document and effectively it's part of the process of of it's clearly set out the process that needs to be followed and I'm sure we'll need to make sure that is followed in terms of then signing off the design principles.

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Okay. Thank you.

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Okay. And then the final bullet point I had on that was about schedule 11

00:34:36:06 - 00:34:46:17

approval of matters specified in requirements. And this is relate to fees. So it's a question really about a scenario where fees are paid to discharge requirements.

00:34:48:15 - 00:35:17:09

So when a requirement is in more than one path, should the discharge of requirement schedule be altered to account for when requirements to discharge in pass? So for example, requirement ten, which covers code construction practice, could have numerous submissions for different stages of the onshore works. So should a fee and the provisions of Schedule 11 apply to each commission? I'll tell you where this is arose from. Essentially

00:35:18:26 - 00:35:49:19

tracks carbon capture, which is currently going through examination. They've recently updated their DCO to reflect that so that each time they've effectively put new interpretation back in their schedule 11, which says that in the schedule, application means an application for a new consent agreement or approval required by requirement. Whether or not the application seeks to discharge a requirement in whole or in part. And I think that probably brings it in line more with a Section 78 planning regime.

00:35:49:21 - 00:35:51:03

But I'll be interested in your thoughts.

00:35:51:05 - 00:36:06:29

So it's done on behalf of the applicant. It was certainly the intention that this would apply to effectively every application that's made to Denbighshire Council to discharge anything, whether that's in part or in whole. So I think I'm very happy to look at that wording in the the draft clause and to add that in.

00:36:08:02 - 00:36:15:07

Okay. Thank you for that. It was submitted last week. I think it was that deadline, too. So it'll be on the national infrastructure website.

00:36:20:23 - 00:36:39:06

And that's the end of the questions I had in this section. And we had, I should say, in the agenda item three. Does anyone have any further issues that they wish to raise on articles and schedules, including requirements of the draft development consent order?

00:36:42:27 - 00:36:45:21

Yes, sir. Mr. Davis. Thank you.

00:36:47:18 - 00:36:50:12

Opinion in Hollywood on ethical take

00:36:51:28 - 00:37:04:15

Clear mandate st The requisite narrative of donation lives really enough for class Skylight are connected easily. Hello.

00:37:07:25 - 00:37:15:07

Thank you, Mr. Davis. You're quite correct. You did we? We did say that we come back to that. I wonder if Mrs. Dunn, if the applicant could respond to that point.

00:37:17:15 - 00:37:33:17

Matt Faulkner. On behalf of the applicant. Yeah, I think it would be helpful to pull a plan up. So I think the works plan shows that particular area. So if we can if we can get that applicant to answer the screen and if it's possible to zoom down into the area around class court road.

00:37:37:20 - 00:37:38:09

Thank you.

00:37:39:27 - 00:38:14:08

Here we go. And what we're looking at here is there are, um, there are a number of different access points on this drawing, the access into the substation site. So from Glasgow Road to the north, there will be a construction access and a permanent access. And those will be located within that area of, I think it's red, sort of a dark red vertical hatch pattern. So somewhere within that area will be the construction and the permanent access point into the site.

00:38:14:28 - 00:38:50:01

There will also be a temporary access into the temporary construction area, which is on the southern side of Glass College Road. And then there's also an operational access, which is just to the west of the crematorium. And I'm highlighting each of these just to see how we pick out the the access point that Mr. Davis was concerned about in terms of the operational access. That's something that would be used very infrequently a handful of times per year for sort of inspection and maintenance.

00:38:50:20 - 00:39:46:22

It's it's an existing agricultural access. And arguably, the agricultural use will be greater than the operational use in terms of being a limited number of vehicles accessing from from that point in terms of the other construction accesses and the permanent access into the substation. The zones have been drawn. Mean you can you can see it is a straight piece of glass court road. We've discussed the areas, the maximum areas for visibility splays which are some of the red lines along Gascoyne Road, but the sort that the zones have been drawn to ensure that any access within that can meet the relevant standards from DMP and the proposals for access have been part of the submission and part of the discussions with Denbighshire.

00:39:47:18 - 00:40:25:01

And they've been assessed with an environmental impact assessment Division has confirmed that it's happy with the assessment that's done within the environmental impact assessment, which is in the statement of common Ground. I think you have the reference for earlier and it's also in the ambitious local impact report, which is REC 1056, paragraph 19.4 of that document says the council would agree with the conclusions of the traffic and transport section in the environmental statement and agree that subject to imposition of mitigation adverse effects, the highway network would be limited to the construction phase and would not be significant.

00:40:26:07 - 00:40:27:25

So I hope that that's helpful.

00:40:32:09 - 00:40:41:18

Do you consider I mean, do you think I need to go on the UK and what not say indiscriminately to ensure with a positive sense? And in your state report yesterday,

00:40:43:07 - 00:41:01:21

a day of they won't take it a decade and go then it commercially high cover detriment run or will take the hand that comes it better to go ahead with across seem quite the narrow fault. Yeah well.

00:41:07:18 - 00:41:10:09

Thank you, Mr. Davis. Mr. Faulkner.

00:41:11:27 - 00:41:12:14

Thank you, sir.

00:41:14:04 - 00:41:40:00

Yes. We can certainly provide a written directions about how to how to get to these these document locations. That's fine. And in terms of proposals for any speed reduction, that's something that would be discussed and agreed with Denbighshire in the future. It is possible, but the precise sort of management measures that might be needed will probably come to ease once, once we know whereabouts in the area, the exact access points going to go.

00:41:44:16 - 00:41:54:09

Can I just ask one further questions? Would you possibly just try and explain what the RB acronym means just for. Yeah.

00:41:57:11 - 00:42:09:01

Yes, I just took a minute there. It's the design manual for roads and bridges, which is that in general terms is that it sets the design standards that the highways need to follow.

00:42:11:22 - 00:42:12:07

Thank you, sir.

00:42:13:25 - 00:42:14:16

Thank you, Mr. Holder.

00:42:17:04 - 00:42:23:22

Before we move on to anyone else, have any and if you may wish to rise on this agenda item here in the room or online.

00:42:28:19 - 00:43:01:21

Nope, Not in any hands. So thank you for that. So move on now to agenda item four, which concerned protective provisions. Many of these we obviously discussed yesterday in the compulsory acquisition hearing and I stated the agenda. We don't intend to duplicate or repeat discussions that were heard yesterday. So the only question I had really, what if you could possibly talk us through the new protective provision, Part eight for the benefit of Comrie County Borough Council? Obviously we've touched upon it earlier, but if you could talk us through that provision, please.

00:43:02:21 - 00:43:07:08

Thank you, sir. It is done on behalf and I will find that provision.

00:43:12:06 - 00:43:13:11

I just know if that helps.

00:43:14:14 - 00:43:46:03

Because I do have it here. So as I explained earlier, the reason for including this protective provision for Conway County Borough Council is because there is no land within Conway County Borough Council's area and therefore, for the purposes of the Planning Act, it isn't a relevant authority that can then enforce the conditions under the planning permission. So so a way of ensuring that there were there was a

00:43:49:01 - 00:44:20:27

there was the securing of a noise monitoring plan. And the adherence to that plan was through the protective provisions that we've drafted for Conway County Borough Council. So essentially, as you said, those are in part eight of the latest version of the DCO. And they require that prior to the commencement of any offshore piling as part of the authorized development, they undertake must submit to and have approved in writing by Conway an outline piling noise monitoring plan.

00:44:21:10 - 00:44:36:00

And there is a draft outline. Piling noise monitoring plan. Yes, that has been agreed with the council. So there is an outline effectively for that document, any outline plan under

00:44:38:02 - 00:44:39:22

under paragraph.

00:44:42:25 - 00:45:16:17

Three. So there's the requirement to submit under paragraph three to any plan submitted must be in accordance with the outline plan. Under paragraph four, there is an ability to approve a revised plan with Convar, which provides some flexibility. And then again any revised plan must be in accordance with the outline plan. Any revised plan wouldn't take effect unless and until approved by Conway. And then effectively if there is a revised plan agreed, any previous plan would cease to have effect.

00:45:16:19 - 00:45:33:12

So that's just that's providing the ability to agree a plan. And then if there are changes that need to be made as a result of the effect of piling activity, either to either to increase or decrease in terms of what's there, there is that flexibility to be able to do that.

00:45:35:06 - 00:46:11:12

The paragraph six, the undertaker, is to give to accommodate not less than it does, say seven in brackets at the moment. And I think that's probably still under discussion as to the working days notice, which is why that's been and square brackets, if that's been agreed, those square brackets could be removed. The start date for piling works so effectively as well as that plan being in place come, we would be aware before any piling starts so that if there are any representations made by residents or whatever, then we are aware nothing in the plan may conflict with requirement for schedule two to this order.

00:46:11:14 - 00:46:22:18

So that is the noise, the noise requirement that we were referring to earlier in respect of the noise limits that that we had identified.

00:46:24:07 - 00:46:35:20

Paragraph eight includes any approval required must be written. It must not be unreasonably withheld or delayed. That's a pretty standard provision. And then paragraph nine has provisions for arbitration.

00:46:38:02 - 00:46:49:24

Thank you. Mrs. Dunn. Mr. Thomas, obviously, notwithstanding your your comments earlier about your issues around the noise in general, but is there anything you want to raise about the protective provision?

00:46:50:23 - 00:46:51:10

Thank you.

00:46:52:11 - 00:47:02:22

We haven't seen the text of a protective provision, but we are comfortable with the overall approach of the noise monitoring plan and securing it by means of a protective provision.

00:47:05:06 - 00:47:06:10

Okay. Thank you, Mr. Thomas.

00:47:09:10 - 00:47:15:04

Okay. In terms of protective provisions, are there any other issues relating to this agenda item that no one wishes to raise?

00:47:19:06 - 00:47:28:07

Okay. Not seeing any hands anywhere, either here or online. So we'll move on then to agenda item five, which is contents, licenses and other agreements

00:47:29:28 - 00:47:47:14

for this item. Could I have an outline and update for an applicant on the progress of other content and licenses? And specifically, if we could start with an update on the progress of the Marine license. A summary of your submission DEADLINE six would be filing this respected Rep six zero 15.

00:47:48:29 - 00:48:10:09

Thank you so much is done on the outcome and I hope the examining authority is aware that we have been making significant progress with Natural Resources Wales on the on the marine licence and are very grateful to them for their engagement with us on this and engagement in respect of the DCO application.

00:48:12:08 - 00:48:53:27

So as as the examining authority and others are aware, the application for the marine licence was submitted to Natural Resources Wales shortly after the development consent order application had been accepted by the by the Plan Inspectorate and through the process of examination. So far we've been liaising with Natural Resources Wales in order to align those two processes as far as possible to make sure that information that is relevant to both processes has been effectively being passed between the two because they don't naturally sit together terribly well in terms of of the way the processes work.

00:48:54:26 - 00:49:43:26

And we also came up with the idea of the marine licence principles document as a way of being able to provide comfort and discussion with in terms of the DCO application around what the marine licence would, would, would deal with, what it would cover, what the conditions would likely to likely be on the basis that we are in a different situation, I think, to, to other offshore wind farms in England where you can have a deemed marine licence within within your DCO and therefore these issues are all considered together and recognising, I think, the examining authorities concerns around how those key

00:49:45:16 - 00:50:01:19

mitigation measures within the marine environment would be secured because effectively they'll be secured to the marine licence rather than through the DCO. So in terms of an update on where we are, there have been, as I said, we've had regular meetings with

00:50:03:08 - 00:50:43:01

with the Marine licensing team and have been effectively putting documents across between the two. So at the end of January, DCO deadline for the applicant submitted the updated Marine licence principles document, which has been very useful in terms of sort of managing the interface between the two projects and the draft consents that the outline plans that the examining authority had requested. So, so the outline Marine plans that have been requested in the Regulation seven, Regulation seven request were then provided to and I'll tell you so we met with A.W.

00:50:44:03 - 00:51:21:00

on the 3rd of February and. There's been through the marine licensing process that there was an initial round of consultation and then you requested some further information and there was an addition to the Marine licence to add to the marine licence application to include the River Clwyd crossing, which hadn't been included in the original. So the marine licence application has been updated. So it now includes four marine licences, so one for the offshore generation, one for offshore transmission.

00:51:21:10 - 00:51:49:03

One for the potential connection to the more project and one for the River Clwyd Licence for the River Clwyd crossing. So and we had done some further consultation and that closed on the 26th of January. Those representations have been considered and responded to by the applicant. There has been some further transfer of information between

00:51:50:18 - 00:52:24:12

the applicant and notably with information from the from the DCO process, including that they'd asked for completed statements of common ground with the RSPB and Isle of Man, but where that information is clearly relevant to them? And are we then them again in February? And our understanding at the moment is that and RW are happy with the information that they've received. They're not anticipating any further consultation in respect of not only not making any further requests for information from the applicant.

00:52:25:13 - 00:53:01:18

And there was an opportunity to respond to the recent consultation representations, which we will do in early March. So that will be put in and we'll put those representations into the examination as well so that they're there in case that's of interest. The two things that have been taken a little bit of time to sort out is there have been some the representations from Trinity House and the Mackay. There's been a little bit of tweaking of the Marine licence principles document to do to ensure that Trinity House and NCA are comfortable with those.

00:53:01:20 - 00:53:42:05

But given, as I say, it's a principles document and ultimately it will be for you to decide the conditions that need to go in the marine licence that will be there. But I think we've I think we've made some further amendments to the Marine licence principles document to pick up the MCI points and I'm hoping that will lead to them being satisfied in respect to that document. So in terms of progress, I think we've made significant progress. I think if Mr. Morrison's still on, he'll be able to confirm where things are from his side and would say that actually I think the processes work quite well in terms of being able to align information and hope it's been useful to the examining authority as well.

00:53:43:25 - 00:53:50:27

Thank you for that. Mr. Dunne. Very useful. Mr. Morrison certainly wants to respond to on that point.

00:53:53:03 - 00:53:59:00

No, I think Lisa's correctly summarized where we are with that.

00:54:02:02 - 00:54:03:04

Okay. Thank you for that.

00:54:05:07 - 00:54:13:15

If we could move on then to the proposed landscape enhancement Section 1 to 6 agreement place. What's the latest progress on this document, please?

00:54:15:00 - 00:54:51:06

Thank you, Counsel. Gail, On behalf of the applicant, further to the matters discussed issue specific hearing to seascape landscape and related matters, the applicant has been liaising with Natural Resource Wales. Every national park formerly known as Snowdonia National Park, Isle of Anglesey County Council and Comrie Borough County Council, Denbighshire County Council and other interested parties and are collectively referred to as what is the North Wales LPA. Regarding a potential landscape Enhancement fund, the applicant provided the North Wales LPA with a set of key principles for a fund on the 15th of December.

00:54:51:22 - 00:55:27:22

The principles set out a proposal for 1 to 6 agreement to be agreed between the applicant and Denbighshire County Council with the approval of the other parties providing funds through the operational lifetime of the Project for Landscape Enhancement projects within the areas of Anglesey. Area of outstanding natural beauty, every national park and the great Warm Heritage Coast, while landscape related significant impacts from the project may occur. The applicant and the North Wales LPA met on the 11th of January to discuss the proposed key principles and there was broad agreement reached on the 24th of January.

00:55:27:24 - 00:56:07:24

The applicant provided a draft Section 26 agreement for review by the North Wales Outpace. The applicant understands that the draft is under review by legal representatives of the North Wales LPA. It's not currently clear when comments on this will be provided. Commercial discussions are ongoing between the applicant and the North Wales LPA and whilst values for the fund have been proposed, it's fair to say there is some distance between the amount the local authorities have suggested and what the applicant can provide. The applicant will be going back to the local authorities to confirm its final offer in relation to the value of the fund and will continue to make progress with the Section 26 agreement.

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Whilst the applicant would like to resolve this matter before the close of the examination. If this is not possible, it will continue to work with the local authorities and report to the Secretary of State prior to any decision being made. It is also worth considering whether the fund principles and values can be agreed and secured. The completion of the agreement could be secured through a requirement of the and and the completion of this agreement could be secured through the requirement of the DCO.

00:56:39:09 - 00:56:44:29

So I can probably and probably anticipate what your next question is for you in respect of the fund.

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So looking as to the sort of

00:56:52:02 - 00:57:00:22

if in the event that it isn't possible to have secured that Section 1 to 6 agreement before the close of the examination, which

00:57:02:11 - 00:57:24:00

we would hope to have agreement to the, to the document in principle in terms of how it's structured and the amount that that will be covered, because those are kind of clearly key considerations and what it will cover. It is worth noting that the applicant will have an interest, a suitable interest in land with which to bind the agreement.

00:57:25:29 - 00:57:58:01

Certainly by the close of the examination I would be surprised at we may do by by the point at which the Secretary of State makes his or her decision. So the likelihood is that following the approach that

was taken by the Welsh Government on the more light transport, more exact order project that there was a transport that consent, there was a condition on that consent that effectively sought to secure a landscape enhancement fund.

00:57:59:00 - 00:58:31:24

And there had been a, there was a draft that had been agreed and then that was agreed that was sort of finalised post consent and the relevant interest was in the land. So that is our suggest is likely to be where we will get to on this project. So we will be proposing a requirement that would secure that fund as part of the DCO. If the question then is should it be secured as a requirement based on the the comments from Mr.

00:58:31:26 - 00:58:39:17

Casini earlier in terms of being relevant, where we talked about it in the context of the skills and employment strategy, the same would apply here, I would suggest,

00:58:41:11 - 00:59:06:18

and I think there is a difference, there is a difference in respect of this fund because the scheme is clearly proposed to compensate for adverse impacts of the proposal. So the intention is that by funding improvements to other. Landscape features that would be compensation for the adverse impact of the proposal.

00:59:10:10 - 00:59:34:02

Therefore, if that is accepted as a principle that the fund is necessary to compensate for those provisions, we would suggest it then is necessary for the purposes of the consent and suggest that it should be given weight in the planning balance in terms of providing compensation for those adverse impacts of the scheme.

00:59:41:29 - 00:59:43:04

Okay. Thank you. It.

00:59:45:23 - 01:00:19:18

I wonder if you could provide us with more details potentially in writing of the transport works out the the road scheme that you mentioned. I'm just mindful that the requirements or conditions requiring the applicant to enter into a planning obligation a fairly rare and basically for that the success in kind of enforceability and are not normally considered appropriate in the majority of cases. So any kind of assistance you can provide in that regard would be useful.

01:00:20:08 - 01:01:01:03

So I don't know if that can help you too. Just to be clear, the more light scheme is, the more like title stream scheme. So it's say it's a tidal stream project off the coast of Anglesey, similar to this project where it was considered there would be significant landscape impacts by the local authorities as a result of the project. And in order to compensate for those impacts, it was agreed that there would be a landscape enhancement scheme in order to provide effectively off site enhancement to compensate for the the impacts of that project.

01:01:01:14 - 01:01:34:00

That was the scheme that, as I say, was a Welsh Government Transport and Works Act order project, which was consented for about nine months ago, nine months or a year ago. Happy to to provide the details and the way that that was managed through the consenting process, as I say, was that they had the details effectively a draft section one of six agreement was agreed and because the applicant didn't have a suitable interest in the land at that stage, it was a transport and worked out which order also included compulsory purchase.

01:01:35:15 - 01:02:09:16

There was a requirement. It didn't talk about a fund value, it talked about a landscape enhancement scheme. And so it didn't require it didn't require a Section 126 agreement. What it required was a landscape enhancement scheme, but it was agreed that the best way to deal with that landscape enhancement scheme was through a Section 126 agreement. So it's that that's the wording. So happy to provide that that material. And I suspect if we are including a requirement in the DCO, it's likely to look quite similar to the condition that appeared on the MORALIZED Transport Act order.

01:02:10:10 - 01:02:11:00

Okay, Thank you.

01:02:16:28 - 01:02:20:16

Okay. Thank you for that excuse for it. Mr. Thomas Conway.

01:02:21:22 - 01:02:54:19

Thank you. Kelly Thomas. On behalf of Conway, Conservative counsel, I can confirm that we are in discussions with our legal representative over the draft section one of six agreements and constrained to some extent by legal privilege as to what I can say at this hearing. But I understand that our legal representative is in contact with the ambitious legal representative over the format of the agreement and of

01:02:57:09 - 01:03:38:18

whether as a part of the authorities need to be party to the agreement. I'm not in a position to indicate one way or the other at the moment whether that will be the case. And as Mrs. Holgate said, there is still some distance in terms of the some distance between the applicant and the local authorities in terms of the expectations of the fund. And discussions on that matter are still ongoing. And I note that we are to receive a further suggested amount in due course, which I will no doubt have to discuss in consultation with my colleagues in other authorities.

01:03:39:29 - 01:03:49:21

I'm not familiar with the model ICE scheme, so I'm not I'm not in a position to say whether we would be minded in principle to follow that approach. Thank you.

01:03:51:06 - 01:03:56:03

Thank you, Mr. Thomas. Do you have any more update on timings for your from your end, if you like?

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I'm

01:04:01:07 - 01:04:07:17

not really. I'd like to, but obviously I prefer to be in a position to give a timescale. But

01:04:09:25 - 01:04:15:08

as you appreciate, there's more than one local authority involved in this case. So I'm afraid I can't be more precise.

01:04:16:11 - 01:04:17:01

Okay. Thank you.

01:04:18:16 - 01:04:22:22

Ms.. Parish, on behalf of Denbighshire, is anything you wanted to raise on this point?

01:04:24:15 - 01:04:54:21

Hi, Hannah Parrish. On behalf of them, I only just concur with what Kari said with regards to the the discussions that are taking place. And I understand obviously membership is required to be party to this and this one I sex with and notwithstanding the landscaping works wouldn't actually fall within them this year for this particular issue. But yeah, these discussions are taking place.

01:04:54:23 - 01:04:58:25

That's you know that's that's as far as I'm I'm able to comment.

01:04:59:18 - 01:05:00:17

Okay. Thank you for that.

01:05:02:04 - 01:05:08:24

Just a final point on the I want to miss Dunn. If if in your

01:05:10:20 - 01:05:17:18

you'll note or reference that you refer to the that the transport marks Act to say, no, you can't pay for it. Wonder if it's worth

01:05:19:05 - 01:05:23:06

addressing the provisions of planning practice guidance in there.

01:05:24:21 - 01:05:43:00

There's a couple of sections in there about when can conditions for use relate to land don't control of the applicant. And also is it possible to use a condition to require an applicant to enter into a planning obligation or an agreement under other powers? So if you could address those in the same note, that would be very useful. Thank you.

01:05:43:18 - 01:05:44:13

We'll do so.

01:05:45:16 - 01:05:46:01

Thank you.

01:05:50:22 - 01:06:00:03

So we said just one point. Planning practice guidance doesn't apply in Wales. So we tend to look at it with relevant relevance to the relevant Welsh provisions.

01:06:00:19 - 01:06:02:03

That's very true and thank you for point.

01:06:02:05 - 01:06:02:22

That can.

01:06:03:00 - 01:06:03:28

Be useful. Thank you.

01:06:20:10 - 01:06:21:02

Okay. Thank you.

01:06:23:23 - 01:06:27:27

Does anyone else have anything else they want to raise on the landscape fund?

01:06:32:01 - 01:06:41:25

Okay. Thank you. So if we move on to the tourism fund and if we could have similar then please, on an update on the matter and how the latest update how the fund will be secured place.

01:06:42:21 - 01:07:14:17

So it don't on behalf that before missile gate does that I think it's worth drawing out here that there's a difference between the tourism fund and the Landscape enhancement fund and because no significant effects have been found in respect of tourism, there is it isn't necessary to provide the tourism fund and therefore there is nothing that's being proposed through the development consent order or through Section one of six.

01:07:14:19 - 01:07:50:28

However, it's done in respect of that fund, and we are not suggesting that weight should be placed on it by the examining authority in determining the application, because there is there's there's no adverse effect or no significant adverse effect been identified for which it would be justified. So we are discussing this on the basis of there being transparency, just so that the examining authority is aware. But we are not suggesting that this is something to which weight should be given and it's been provided effectively as a as a goodwill measure to me.

01:07:51:00 - 01:07:51:15

Counsel,

01:07:53:02 - 01:08:00:18

thank you for that. Can I just confirm that it's a commercial agreement that sits outside of examination? Absolutely, yes. And thank you.

01:08:02:12 - 01:08:02:27

Karen.

01:08:03:14 - 01:08:43:27

Okay. On behalf of the applicant, the applicant has been liaising with Comm we County Borough Council regarding a potential tourism fund. The applicant provided Conaway with a set of key principles on the night of January 2023. The proposal is to establish a contract between the applicant and Conway for tourism related activities in London and the Great Orme for the period of construction ending and operation commencing. Given the identification for the potential for short term impacts on tourism in these locations, the commercial agreement is under negotiation between the applicant and Conway County Borough Council.

01:08:47:17 - 01:08:48:03

Thank him.

01:08:48:29 - 01:08:49:14

Thank you.

01:08:53:03 - 01:08:58:09

Okay then if we could Now, any other items related to this agenda item wishes to. I sorry, Mr.. Tell us.

01:08:59:23 - 01:09:02:29

Thank you. Kerry Thomas Conway County Borough Council.

01:09:05:20 - 01:09:22:13

I would just like to confirm we are in discussions with our solicitor of the tourism fund over the of the wording of the agreement and also with our tourism officers in terms of the terms of the amount.

01:09:25:05 - 01:10:19:27

Conroy's position is that whilst the environmental statement predicts no long term effects arising from the construction of the old war wind farm on tourism, it is recognised that is a degree of uncertainty in that prediction and it is to address that uncertainty that the agreement is intended to achieve from our point of view. So we would still reserve the position that the agreement serves a relevant planning purpose, notwithstanding that we are in discussions with our solicitors to establish whether this, whether the agreement, whether the agreement needs to be secured through a Section one of six agreement or through other provisions as as a as a contractual agreement.

01:10:21:09 - 01:10:23:20

I'm not in a position to indicate either way

01:10:26:00 - 01:10:31:09

our conclusions on that, but just simply to state that discussions are ongoing on the matter

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and discussions are also ongoing over the

01:10:38:09 - 01:10:41:27

over the amount of the contribution and how it is to be secured.

01:10:43:18 - 01:10:44:03

Thank you.

01:10:45:11 - 01:10:48:02

Thank you, Mr. Thomas. Sit down. Did you wish to come back?

01:10:48:14 - 01:11:01:28

Sir, I don't have health that I can now. I think we've made our position clear in respect of the. The need for the agreement in planning terms, the way it should be given to it, and where we can sit and how we consider it should be secured.

01:11:03:05 - 01:11:03:20

Thank you.

01:11:05:06 - 01:11:09:11

Any other points on the agenda item before we move on?

01:11:11:20 - 01:11:35:15

Not saying any more than thank you or lie. So we'll move on to agenda item six, which is statements of common ground. So please, could the applicant provide an update on the requested statements of common ground? We've already read the statement of commonality for statements of common ground submitted at deadline 66048. But we'll be grateful for any further update and deadlines for the final versions are expected place.

01:11:37:24 - 01:12:12:17

Out of advance on behalf of the applicant. So yes, noting that you have seen the step of commonality, which was the deadline 6 a.m. and that was last week. So there's not a huge amount to update on since since that deadline. And in terms of final statement of common ground, we're obviously coming up to

the towards the close of examination now. And that deadline has been requested that we provide final statements of common ground where for all parties, where we haven't provided those to date.

01:12:13:15 - 01:12:26:04

So we do plan on providing final statements of common ground for all parties by by deadline eight and noting that some of those party discussions are still ongoing with some of these parties, some of them

01:12:27:25 - 01:12:46:02

are not coming back to us in a timely fashion, given the time pressures they're on as the closing points of examination. And were there any in particular you wanted to ask about or would you like me to just give an update? You know, go go through each one by one.

01:12:46:14 - 01:12:56:04

Thank you. I suppose the useful ones update would possibly be the RSPB and North Wales Wildlife Trust initially.

01:12:58:28 - 01:13:39:25

Say grant them some of the applicants and starting with the RSPB then. And that's the only common ground that we have not yet submitted to the examination. And we have been in recent contact with the RSPB and have been in contact to contact with them throughout the Pre-application process, during which the RSPB were a member of the Offshore Ornithology Expert Topic group as part of the evidence plan, and since then we've been in regular contact with them through the examination and including discussions about the Statement of Common Ground and provided several iterative drafts of the Statement of common ground to them throughout the course of the examination.

01:13:40:12 - 01:14:17:01

So we most recently met with the RSPB on the 8th of February, during which we discussed the matters that were raised in their responses to your second questions. And we've looked at those those recent discussions in our comments on their responses to those questions, which we submitted deadline six and we also discussed agreeing the statements, common grounds and the need to progress towards a final statement of common ground before the closer examination and provided a revised draft of the statement common ground to them shortly after that meeting and haven't heard back from them yet.

01:14:17:03 - 01:14:25:00

But we'll continue to days with them contact and I like that. Need to submit the final version.

01:14:28:06 - 01:14:44:26

And just in terms of where the the status of agreements on that are following that discussion with them on the eighth, I think it's it's understood that there are no major areas of disagreement. And we're just looking to confirm that in the final set to common ground.

01:14:46:14 - 01:14:47:18

Okay. Thank you for that.

01:14:49:08 - 01:15:04:10

There was a number of other ones where cases where you yourself, as the applicant considered a statement of some common ground was unnecessary and commercial discussions are ongoing. There is an update if on any of those if you could. There was

01:15:06:03 - 01:15:09:07

we had Diamond Transmission Corporation,

01:15:11:01 - 01:15:32:05

a grid which I believe both say they they they considered sticking to common ground. Not necessary but just to get your view as well. And also without going into the discussions from yesterday about real flats and no fly over or so, if you could update us on those potential statement of common grounds or not station statements of common ground.

01:15:33:21 - 01:15:43:11

Thank you, sir. Tristan, on behalf of the applicant and we agree with diamond transmission and I carried that statement of common ground aren't needed. We haven't had any interaction from them

01:15:45:15 - 01:15:58:14

given the examining authorities third questions and that you've effectively asked us and Will Flats, I think North Hoyle is slightly separate in terms of where things have gone with them

01:16:00:02 - 01:16:10:23

to set out effectively our positions. I'm not sure that there's much time or there's much value in trying to agree a statement of common ground. I think

01:16:12:15 - 01:16:42:24

you've heard from the submissions yesterday that I think we're very clear as to what we may be able to agree and what we are not going to be able to agree, and I suggest that will be reflected in those submissions. I think what was helpful yesterday and it was it was good to hear on both sides is that there is a desire to try and get the parts of the protected provisions that can be agreed, agreed so that effectively there is an agreed framework.

01:16:43:21 - 01:16:44:08

But

01:16:47:00 - 01:17:00:08

unless something extraordinary happens, to be honest, between now and the end of the examination, I'm not expecting there to be a position breached in respect of the White Cross matters that will flats have raised.

01:17:01:12 - 01:17:14:17

Okay. Thank you Mr.. And that's understood and noted just Mr. McManus potentially just to come back, there was the one issue of North Wales Wildlife Trust and update as it excludes onshore biodiversity.

01:17:15:09 - 01:17:52:06

Yeah, right. Glenis on behalf of the applicant. So yes, you are correct that the most recent version of that statement of common grounds submitted to the examination that deadline for was all offshore matters were agreed and there was no feedback in time for that submission from the Onshore Ecology Control Biodiversity Advisor within the Wildlife Trusts at the time, and since then we have been in contact with them again to to chase on that. There's still no update from from that particular department adviser within North Wales Wildlife Trust.

01:17:52:08 - 01:17:59:09

But yeah, we'll continue to engage with them and work towards a final step going round for the final deadline.

01:17:59:23 - 01:18:08:24

Okay. Thank you for that useful bit. Does anyone else have any comments or queries over this item on the agenda? Statements of common ground.

01:18:11:26 - 01:18:22:22

I'm not seeing any hands anywhere. Thank you for that. So I see this agenda item, and I'll hand over to Morgan for agenda item seven. Thank you.

01:18:23:06 - 01:18:38:02

Thank you. So I've got 12 actions for the applicant or by deadline seven and one for Denbighshire County Council by the same deadline. So if I just run through them. So the first one is to provide a commentary on the recently published and CIP action plan.

01:18:40:03 - 01:18:47:01

The second one then is provide a note on potential measures in the project that will deliver environmental enhancement.

01:18:49:14 - 01:18:50:08

The next one, then

01:18:52:06 - 01:19:04:18

provide a note on the Inspire modelling process, including initial parameters and actual wind turbine data and how this relates to the size and scale of our Alamo.

01:19:07:22 - 01:19:19:25

The next one then is confirm if the outline marine mammal mitigation protocol should be included in schedule 13 and the relevant reference there is. 6.4.7.2.

01:19:22:27 - 01:19:32:29

The next one then is highlight which document and specific paragraph defines the reasonable worst case scenario for unexploded ordnance.

01:19:36:25 - 01:19:46:05

Then we've got provided notes on Pre-commencement works defined in the offshore project description on their coverage in the marine licence.

01:19:48:11 - 01:20:04:12

The next one I have then is at work number 31 to requirement 16 in addition to work, number 31 A given the works involved as set out in the draft DCO include drainage and ponds.

01:20:08:29 - 01:20:09:24

The next one. Then

01:20:11:14 - 01:20:22:23

to confirm revised wording of the outline construction code of practice with respect to Saturday, working in 24 hour horizontal directional drilling with demolition.

01:20:26:07 - 01:20:35:21

Then we've got to review the schedule of mitigation in respect of requirement 20 and to confirm whether Role 487 needs to be updated.

01:20:38:13 - 01:20:46:01

The next one. Then to forward details of the assessment of proposed accesses to class Code Road to Mr. Davis.

01:20:49:02 - 01:20:56:26

Then to review Schedule 11 in respect of fees to account for when requirements are discharged in part.

01:21:00:04 - 01:21:28:04

And then the last one to the applicant I've got is to provide a copy of the wording of the mall's title scheme requirement in respect to the landscape Section 106, including consideration of the relevance and applicability of planning, practice guidance to the issue and relevant Welsh guidance if necessary. So just ask if there's any other actions anyone has for the applicant like Ms. that.

01:21:28:25 - 01:21:42:03

I think there was one about the outline skills and strategy confirmation as to where it's sitting in or out of the planning process and just provide some commentary, if possible, on that.

01:21:44:22 - 01:21:48:08

And other actions for the applicant that I missed.

01:21:49:25 - 01:22:01:21

Okay. Going on to the one action I've got recorded for Denbighshire County Council and that's for the Council to review proposed requirement 20. And confirm whether it's acceptable.

01:22:05:06 - 01:22:09:23

Any other actions that you think I've missed until.

01:22:12:25 - 01:22:17:20

Can't see him on the couch, huh? Yeah. Miss Parrish.

01:22:19:27 - 01:22:30:18

Thank you. On a parish representing Derbyshire. I have got notes with regards to Saturday, working in the 24 hour working which you have referred to the applicant as well.

01:22:32:19 - 01:22:33:23

As an action for yourself.

01:22:33:25 - 01:22:36:28

Is that something you want me to get back to you on, or are you happy with that?

01:22:37:00 - 01:22:42:00

I'm with Boxer. I think on that we'd be happy with the applicant going back.

01:22:42:24 - 01:22:49:19

Okay. And is this just for clarification? Is this to be submitted to you by deadline seven?

01:22:50:12 - 01:22:52:18

Sorry, I should have said that. Yes. DEADLINE seven.

01:22:53:12 - 01:23:10:09

Because with regards to requirement 20, this obviously I'll be just speaking on behalf of Denbighshire. And the point was raised by the applicant that this is something perhaps that was a concern of another local authority as opposed to Denbighshire who might not be sitting around the table today.

01:23:12:15 - 01:23:14:12

Reference was made to the Isle of Anglesey.

01:23:20:15 - 01:23:29:07

And now we'll leave the action as it is noted. Okay. Thank you. So that ends that agenda item.

01:23:31:26 - 01:23:55:18

Thank you, Dr. Morgan. And any other matters? I've had no other matters notified to me on this agenda item that people wish to raise at this meeting. There was one thing that cropped up potentially was that yesterday there was the question. There was a number of questions related to funding that you said you'd have a look at and you may come back to us today. So I wouldn't if there was any update on that now. Thank you.

01:23:57:07 - 01:24:38:24

Thank you, counsel. On behalf of the applicant, the at a glance table sets out the key figures from the RWA accounts. The net debt figure shown in the table compares only liquid assets to short term and long term debt. The €220 billion assets shown later on page 20 and included in our report refers to everything of value the RWA owns. We included assets in the funding statement as resource to the company that it expects future benefit from the sheer size of RWA total assets, in combination with its stable investment grade rating, show that RWA is financially stable and will have no problem financing within farm.

01:24:39:24 - 01:25:06:19

So let's turn on the help that we can. I think what what what we're seeking to draw out is that the at a glance table is is a snapshot of various elements that are drawn out as a result of the of the reporting on the accounts and the amount that was put into the into the actual funding statement itself is is a

01:25:08:09 - 01:25:14:10

is a representative of the it is the net assets. Is that right.

01:25:17:01 - 01:25:35:12

Hey sorry council I'm half the applicant. It's only the liquid assets. It compares only liquid assets to long term and short term debt. We're happy to provide a note on this to in order to clarify the position.

01:25:35:14 - 01:25:38:05

Thank you. I think that would be helpful if we tried.

01:25:41:16 - 01:25:42:13

Okay. Thank you for that.

01:25:44:06 - 01:25:47:11

Does anyone else have any items they wish to raise under this agenda item?

01:25:51:15 - 01:26:11:22

Saying any hands on idle dreams. If I keep in that case, I'll move to close closer meeting. So thank you very much for all contributes so fully and usefully to this meeting, both in the room and online. I remind you that a digital recording of the proceedings today will be made available as soon as practicable on the project page of the National Infrastructure website.

01:26:13:09 - 01:26:49:15

This is the last hearing of the examination, so we just remind you of the next stages of the process. Our third set of written questions have been published today. Responses to these are due back a week

today on the 8th of March. DEADLINE Seven deadlines eight follows a week later on Wednesday, the 50 for March. This is the deadline for written summaries of your presentations today. Comments on responses to that set of written questions and submission of various other final documents. The examination will close on March 20th, and our recommendation report will be submit to the Secretary of State within three months of that date.

01:26:51:01 - 01:27:03:09

As this is our last scheduled here, and I'd just like to thank all the participants for your assistance here in this event. Your patience and your assistance has helped us a great deal to this event. So thank you very much to everybody.

01:27:06:10 - 01:27:30:01

Gotten my Honey Crandall on. I said, Why do you need often, doc, about it? Come off on us. Don't dig, Woody. Our head. The time is now. 1457 and issue specific hearing for for more project is now closed. Malcolm Harvard Air Grant Howard matter Panadol on my album Chi. Thank you very much, Doc.