



Hearing Transcript

Project:	Five Estuaries Offshore Wind Farm
Hearing:	Issue Specific Hearing 1 (ISH1) - Part 2
Date:	18 September 2024

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Five Estuaries_Wivenhoe_18 Sept_ISH1_PT2

Created on: 2024-09-18 11:06:45

Project Length: 00:52:52

File Name: Five Estuaries_Wivenhoe_18 Sept_ISH1_PT2

File Length: 00:52:52

FULL TRANSCRIPT (with timecode)

00:00:05:03 - 00:00:14:22

Thank you. It is 1150. And now time to resume this hearing. So just moving to the last, uh, topic for offshore ecology.

00:00:17:03 - 00:00:42:26

So, Julian, the applicant, can I just quickly correct something that I said earlier about the Gateshead Tower, just so that they don't take on a life of its own? Um, the planning application was made in, in relation to RWA corporately. But the tower is owned by the Dogger Bank South project entity, and that's why there's a letter of support from that entity in the HRA information. Thank you.

00:00:48:09 - 00:00:48:25

Thank you.

00:00:53:21 - 00:01:06:12

Turning to benthic and marine mammal ecology, then, with regards to comments raised by Natural England to have some queries regarding how each maximum design, uh, scenario and worst case scenario was assessed for benthic ecological receptors

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

to avoid taking up a lot of time going through these orally, can I request that the applicant provides a technical note on how it established? Each MDS asks for the adverse effects to benthic ecological receptors screened in for likely significant effects, including any assumptions it made and the supporting information relied upon.

00:01:36:28 - 00:01:38:19

Sir Julian Boswell for the applicant,

00:01:40:04 - 00:01:59:27

we've obviously explained the worst case scenarios in the environmental statement. Are you able to indicate what what what further you would find helpful? Yes, I can um, the matters raised in our draft question M 1.19 in relation to cable protection.

00:02:01:18 - 00:02:21:06

Explanation of the MDS for cable crossings, including indirect effects arising from sediment disruption. For an explanation of the MDS for construction phase effects to seabed morphology, including from driller rising's older clearance, UXO clearance and relay grapple run.

00:02:25:21 - 00:02:32:09

And an explanation of the MDS for fluidized material ejected during cable trenching and why this is 50%.

00:02:39:04 - 00:02:45:06

Thank you. Are we able to have this? I know, I know, we requested a number of technical notes yesterday, but it's deadline one acceptable.

00:02:53:13 - 00:02:54:24

Yes, sir. Thank you.

00:02:58:11 - 00:03:20:23

In terms of decommissioning. The Schedule of Mitigation Route Map states that the decommissioning phase of the proposed development will be similar to the processes to the construction phase, but in reverse. Can the applicant explain how decommissioning activities will be similar to construction activity in terms of noise generation, noting that they will likely include things like the breaking of concrete, which I assume would not occur during construction.

00:03:29:21 - 00:03:42:24

Uh, Alice Maynard, engineering manager for the applicant. Uh, firstly, I'd like to note that the breaking of concrete is essentially onshore. Uh, would you prefer that we focus on offshore decommissioning as we're offshore ecology?

00:03:46:05 - 00:04:07:00

Really, this question is we're talking about offshore. At the end of the project, there will be, however, many wind turbines out in the the sea. what is decommissioning going to mean? Because if it's a full decommission, that potentially means taking down the turbines and removing their foundations where there will be concrete foundations, we presume.

00:04:09:20 - 00:04:46:23

I mean, not for the applicant. The the removal of the of the towers and the turbine structures is done by a boats. It's largely erection in reverse. You know, we take the blades off, we take the nacelle off, take down the towers. If we move on to the foundations, there are various methods for removal. Um, we have to assess these at the time. If we have a steel monopoles, then the typical method is to, uh, or remove the transition piece, then cut off the monopole below the seabed and then remove it.

00:04:47:28 - 00:05:21:29

Um, then there was this some steel left in the bottom in the seabed for the long term. Uh, this is the same process for jacket piles, and it doesn't emit significant noise. It's a lot less noisy than, say, piling, uh, for the removal of concrete gravity based foundations offshore. Uh, we these tend to be well assessed. At the time. The decommissioning would essentially float them and remove them. There will not be concrete breaking there. Not any grouting to the seabed.

00:05:22:01 - 00:05:46:06

Uh, will be minimal. Um, and there won't be large sort of breaking. But it's also worth noting that we, we have removed, uh, concrete gravity based foundations from the, uh, from going to remove the concrete gravity based foundations from the MDS and from the DCO. So it will only be steel foundations offshore.

00:05:48:25 - 00:06:04:25

Would it possible, uh, be possible to again have a technical note just explaining Or supplementary notes explaining the various activities that will be, or the nature of activities that would take place in comparison to construction, and why these will be similar but in reverse in terms of knowledge generation.

00:06:06:02 - 00:06:19:26

Yes, the applicant can provide a technical note for that. Can we? Is this just in relation to the foundations, or will a similar technical note be requested in relation to the subsea cables?

00:06:19:28 - 00:06:41:21

What we're really trying to understand is in decommissioning. Will anything be left out on any below seabed level or is everything being removed? If everything is being removed? Um, will those activities create a different set of noise effects compared to the installation process?

00:06:43:07 - 00:07:14:25

This will depend on the technology available at the time. There are advances being made in the removal of subsea piles, um, for example vibro extraction. These this vibro extraction is suitable in some soils at the moment. It may they may increase the ability to, you know, different types of soils which would, you know, increase the amount that you can remove from different sites. Um, in the future this may be possible. The type of noise that that that we, it's possible to foresee would be a different type of noise.

00:07:14:27 - 00:07:23:00

It would be a higher frequency low, lower decibel noise, significantly lower decibel noise than is in the maximum design scenario for installation.

00:07:27:14 - 00:08:02:10

So that sounds like as we sit here today, whatever means of extraction was would be the worst case. It's likely going forward that technology will advance and potentially find a less intrusive way for removal. So it might be worth, for the purposes of this, now working on the basis of what would be used today. Um, now, depending on on the design of the foundation, you might need to work through different scenarios to explain what the worst case might be.

00:08:02:12 - 00:08:08:21

But I think we do need to understand, um, what the worst case in terms of a decommissioning would be.

00:08:11:18 - 00:08:24:24

Understood. Um, I mean, the worst the worst case currently given the ground conditions at the site. Current technology wouldn't allow us to remove piles from the site given the ground conditions.

00:08:26:11 - 00:08:37:26

In the future, technology might be available to do that. Um, and we can provide an estimation of what we think that would be. But it's going to be fairly speculative because I'm guessing.

00:08:38:10 - 00:09:13:21

What do you understand, per se? What we're looking for is clarity. As as you sit here today, what you expect might have to be left behind and what would clearly be capable of being removed because certainly, having looked at what was said about decommissioning. Uh, when I saw was written, if all the decommissioning was taking place and there were concrete foundations, it didn't seem possible that the reverse process would be quieter than perhaps laying the concrete in the first place to form the the piled foundation.

00:09:14:18 - 00:09:19:22

Okay, understood. We can provide a technical note outlining that. Um.

00:09:22:04 - 00:09:24:16

For the. Yeah, for the examining authority.

00:09:24:24 - 00:09:44:10

We fully understand at this stage it perhaps is best guess territory because 30, 40 years on, uh, things will have potentially changed, but at least it gives us an indication. As I indicated, perhaps a few minutes ago, it would seem that where we are today will be the worst case.

00:09:47:07 - 00:09:47:29

Yes.

00:09:50:13 - 00:09:52:14

To Sir Julian Boswell for the applicant.

00:09:56:25 - 00:10:40:29

It's. I guess I just wanted to draw attention to the fact that, um, there obviously multiple bcos have been granted adopting the type of approach that we've adopted here in our application to the environmental assessment. And the Secretary of State has clearly been satisfied on multiple occasions that, that, that, that this, that the, the approach we have followed is acceptable and, you know, meets meets the EIA regs. And so we're just a little bit wary of being pushed on one application to do something that nobody else, um, to my knowledge has, has, has been pushed to do.

00:10:42:03 - 00:11:05:19

Well, sir, this is examining authority is concerned that decommissioning is all is being handled, if you like, quite a vague basis. Um, and what we're increasingly seeing, because there are more projects coming forward, is potentially there are going to be more cumulative and or in combination effects. It may well be that other examining authorities start to look at the effect of decommissioning.

00:11:11:26 - 00:11:12:12

Noted.

00:11:15:04 - 00:11:17:15

Again, this deadline one reasonable.

00:11:21:29 - 00:11:36:03

Analyst may not for the applicant. May we may we wait until the end to agree the deadline? Because I would like to assess how many technical notes there are before agreeing to the deadline.

00:11:36:11 - 00:11:37:22

That's fair enough. Yeah. Yes.

00:11:40:28 - 00:11:41:13

Thank you.

00:11:44:20 - 00:11:53:19

Finally. Then can I just ask what is proposed in terms of any cable protection at the decommissioning stage for the proposed development, and how has this been considered in assessments?

00:11:56:24 - 00:12:24:24

And not for the applicant. So this in cable protection in the SEC is we have committed to concrete mattresses. Concrete mattresses are essentially large. Well maybe six metres by 20m ish wide. They're fairly flexible. It's more concrete blocks that are held together. Um, and you lower them onto the seabed and then you can pick them up. So you would just pick them up?

00:12:26:22 - 00:12:34:21

Um, yeah. From a vessel, and then put them back onto the vessel that they're concrete mattresses. Yeah. Not it's not lots of individual things. It's one big thing.

00:12:39:14 - 00:12:43:20

And just to follow that jump Leach on behalf of the applicant as to how that's been assessed in.

00:12:43:22 - 00:12:44:08

The.

00:12:44:10 - 00:12:44:25

Um.

00:12:45:00 - 00:13:10:14

Uh, area itself. Um, this is one of the examples where it's a lot easier to use this same assumption that the removal will be of a similar nature or less than the, um, construction. Uh, in this case, the, um, construction involves a lot of other potential temporary disturbances and will be of a larger magnitude. So on a decommissioning, the removal of, uh, matching is, is definitely going to be one that will be smaller than was, uh, assessed during construction.

00:13:15:22 - 00:13:16:07

Thank you.

00:13:18:25 - 00:13:25:08

That concludes my questions at present. Are there any questions on the subject, matters we have discussed from any interested parties?

00:13:28:21 - 00:13:29:14

Not seeing any.

00:13:33:25 - 00:13:36:29

We didn't mention any. So could, um, there's just.

00:13:37:01 - 00:14:41:21

One supplementary point that I quite like to just briefly mention in relation to decommissioning. Is that the expectation is that that a further deep marine licence would be required or, sorry, a further marine licence in the future, or the equivalent, assuming the legislation, uh, hasn't changed such that I think the reason that the Secretary of State has been one of the reasons to exercise has been content with the approach that's been followed as as Maynard has been highlighting, is that everybody knows that things keep evolving and that, um, that the decommissioning arrangements will take account what is available in the future and therefore, um, particularly if a further consent is required at that time to carry out decommissioning works, that the public interest, as it were, which the EIA regs and related legislation are designed to protect, is going to be protected at that time.

00:14:47:25 - 00:14:49:02

I take the point, Mr. Marshall.

00:14:51:16 - 00:14:53:09

Are there any further comments from any party?

00:14:55:14 - 00:15:04:03

We didn't mention anything about action points at the beginning of this meeting, but can I just confirm whether a list is being compiled by the applicant to discuss later on in this hearing?

00:15:08:18 - 00:15:13:02

Yes. We are compiling a list, as with yesterday. Okay. Thank you.

00:15:14:00 - 00:15:18:03

Okay, I will hand you over to Mr. Harrison. Then who will take you through agenda item 3.3?

00:15:21:10 - 00:15:22:03

I think possibly.

00:15:22:05 - 00:15:39:13

The first thing to say is if we maybe give 2 or 3 minutes for the applicants, uh, team and, uh, experts to move, and also perhaps Mr. Jackson from the Maritime and Coastguard Agency to come up to the table. That would be great.

00:16:18:03 - 00:17:03:00

So just while people are moving about. Um, I think I'll give a broad idea of what we would plan to do timing wise, um, with this agenda item for navigation and shipping, because I'm conscious, it's likely. Well, it will sort of go over the, the lunch break. So if if the timings work out, um, we think it might be sensible. Um, if the applicant is able to give it, um, sort of ten minute summary of, of case, um, and then I would just invite um, the Marine and Coastguard Agency and Port of London Authority to sort of briefly respond and set out their cases.

00:17:03:09 - 00:17:29:06

And then we will probably break for lunch and we'll come back to a few of the exercise questions after lunch, if that's if that works. I think it looks like everybody's settled at the table now. So, um, um, I'll ask the applicant to introduce any of its additional, uh, members of its team for this item.

00:17:34:25 - 00:17:42:14

Uh, good morning. Uh, Samantha Westwood for the applicant. Um, and I work for, um. Because what is he called? An attic that specializes in shipping and navigation.

00:17:45:10 - 00:17:53:03

And Mr. James Melton for the applicant. Also representing an attack and speaking on, uh, matters of shipping and navigation. Thank you.

00:17:55:25 - 00:17:59:20

So Mrs. Westwood is going to read out our summary.

00:18:00:25 - 00:18:01:24

Right. Thank you.

00:18:06:18 - 00:18:44:00

Given the location of the Five Estuaries Project, which is, of course, at the outer edges of the Thames Estuary, which includes a number of ports and terminals, uh shipping and navigation was identified as a key topic from the outset and consultation commenced in 2021. Pre scoping. Since January 2021, numerous and extensive forms of consultation have been undertaken, including consideration of scoping responses and peer responses, as well as dedicated meetings, regular operator outreach workshops and attendance at the sunk vessel traffic, the BTS user group.

00:18:45:18 - 00:19:21:21

This consultation is an important part of the navigational risk assessment process. That process is all detailed out in app 240, which is the navigational risk assessment. The NRE process started post scoping following agreement of the methodology, which is in line with marine guidance. Note MDN 654654 and annexes have been followed throughout the process, including annex one, which is the methodology for assessing marine navigational safety risk for offshore renewable energy installations.

00:19:24:11 - 00:19:50:24

Appendix A of the NRA includes the required marine 654 checklist, which is annex six of the NRA, and the applicant has been consulting with the Maritime and Coastguard Agency throughout this

process, and I'm sure Mr. Jackson, um, of the navigational safety branch of the MCA, will confirm that the NRA's compliant with the required methodology, including the vessel traffic surveys that have been undertaken.

00:19:53:13 - 00:20:20:21

The NRA includes MXN 650 for compliance surveys and additional long term IRS data sets for the euro area, and for sensitive areas of the export cable corridor for the Ouray area. This also included, at the request of stakeholders, a wider routing study area to fully capture traffic movements beyond the standard ten nautical mile study area that we typically use within navigational risk assessments.

00:20:23:14 - 00:20:55:09

So firstly, I'd just like to focus in on the Ouray area and post scoping. It was clear that the scoped boundary would have negative effects on shipping and navigation, notably traffic routing to and from the North Hinder Junction. And for those that aren't aware, the North Hinder Junction is an international maritime organization and IMO routing measure which features the convergence of various routes and routing measures and allows the management of traffic at sensitive area between the United Kingdom and mainland Europe waters.

00:20:58:24 - 00:21:37:12

At this stage, an attack undertook specific data assessment, modeling and consultation to fully characterize the risks associated with the scoping boundary and identify what mitigation could reduce the risk to as low as reasonably practicable. The alert standard that we we aim for within nras and that OP uh status is measured through the formal safety assessment process, which of course is part of the MCA methodology. Following this work, a major redline boundary modification was undertaken pre pier reducing the developable area of the Northern array by 23%.

00:21:37:19 - 00:21:45:26

Uh, and that was 14% of the overall array area. This reduction allowed traffic to flow more sympathetically to and from the North Hinder junction.

00:21:48:07 - 00:22:21:22

The Red line boundary modification and other embedded mitigation fed into a full risk assessment undertaken within the NRA for pier uh, which informs the Shipping and Navigation chapter, which is app 078. This risk assessment also informed um. It was also informed by the output of a hazard workshop, um, which was undertaken with key stakeholders pre pier. This risk assessment applied the FSA process and its outputs demonstrated that shipping and navigation risks associated with the array areas were reduced to those allowable levels.

00:22:22:02 - 00:22:38:00

Excuse me that we were we are aiming to achieve. Receptors assessed within the NRA include. Commercial vessels. Fishing vessels in-transit Transit recreational vessels, and we had a particular emphasis on sensitive routes such as the commercial ferries and deep drafted vessels.

00:22:40:21 - 00:23:09:06

Embedded mitigation includes relevant DML conditions, notably schedules ten and 11 um of part two pre-construction plans and documentation, which also require further consultation. Agreement post

consent on the specific layout within that red line boundary. This consultation will be undertaken with the Maritime and Coastguard Agency and Trinity House, and will ensure that the final agreed turbine positions suitably consider both surface navigation and search and rescue.

00:23:12:13 - 00:23:32:20

Moving on now to the offshore export cable corridor. In recognition of the complexities of the existing routing measures in this location, shipping and navigation consultants were brought in to support the design process for the offshore EC. Much earlier than normal. Uh, much earlier than we would with any other navigational risk assessment process.

00:23:36:07 - 00:24:05:06

Following this process, Output's fed into the design of the offshore SEC to ensure that shipping and navigation effects were considered. The offshore IC was then refined post by post pier to ensure that a maximum distance possible was maintained from the sunk Pilot Boarding Station, including most of the associated activity around that, and ensure a perpendicular crossing of the chartered deep water routes into the Thames with a minimum interaction as possible.

00:24:06:22 - 00:24:16:28

And just again, so everyone's aware. The deep water routes are of chartered lines, advising the deepest drafted vessels of the preferred route to their to their various ports terminals.

00:24:21:18 - 00:25:08:06

For refinement of the offshore SEC. What was clear during the consultation was that the distance between the offshore SEC and sunk pilot boarding station needed to be the maximum possible to minimize vessel risk, including during the installation phase. This could only be achieved by moving the offshore SEC south and intersecting with Margate and Long Sands SAC. It is noted that this option was initially suggested by shipping and navigation stakeholders to maximize that distance from the sunk pilot boarding station, noting that moving north of the sunk Pilot boarding station was not an option given other significant safety interactions, including anchoring activity and the maintained depth Harwich Channel and again the Deepwater Routes.

00:25:11:16 - 00:26:05:03

The location of the project and its onshore substation means that the deep water routes have to be crossed, and the applicant has designed the Offshore Seas IC to minimize those interactions, including aiming to ensure that installation activities to minimum in proximity to those deep water routes that the offshore SEC crosses. The chart chartered deep water routes as close to right angles as possible, and to allow the applicant's engineers to target areas of deeper patches of water where possible. Following consultation on the modified SEC, it was agreed that additional mitigations were still required to manage the activity in the wider Sun Carrier by developing and implementing a navigation and installation plan excuse me, which we referred to as the Nip, which is a bespoke mitigation to manage interested parties concerns in the area around the pilot boarding area and the deep water routes.

00:26:05:12 - 00:26:19:13

Following drafting of an initial version which was submitted as App 252. Um consultation has been ongoing. Um including an in-person workshop held with the key interested parties earlier this year.

00:26:21:25 - 00:26:36:12

Issues covered by the NEP include management of concurrent working and use of pilots when necessary, and we're confident that final outline nip can be agreed before the end of examination, noting we have a few points at this stage that still need to be agreed.

00:26:38:25 - 00:27:11:03

One other outstanding issue which relates to shipping and navigation is the cable barrier depth. The applicant recognises the importance of these deep water routes for deep draught of vessels transiting to and from the London ports, noting that acceptance that the cable routes have to cross the deep water route, consultation is ongoing to agree the depth of barrier for both base and future case environments. This agreement will be picked up as part of the cable Specification installation plan, and with the outline plan being submitted as app 2.2 gives.

00:27:11:07 - 00:27:33:10

Given it relates to the technical ability to install in various ground conditions following agreement of the Nip and the cable specification installation plan the CIP and noting the requirements of MGM 654. In relation to cable installation, we are confident that the risks associated with the offshore EQ are reduced to alert levels.

00:27:36:01 - 00:28:10:20

One final point for US shipping and navigation is the onshore Port of London Authority radar. Um, and we just wanted to highlight that the applicant is in discussion with the PLA on the required protections for the onshore radar. These include protections to ensure access is maintained and that any structures within the beach temporary construction compound, which is located off Manor Way above 25m, are agreed with the PLA prior. Excuse me prior to any installation or erection of those, uh, structures.

00:28:12:18 - 00:28:13:10

That's it. Thank you.

00:28:19:06 - 00:28:40:13

Thank you very much, Mr. Westwood. Um, very, very helpful. Um, so if perhaps I could turn first, uh, to Mr. Jackson and the Maritime and Coastguard Agency. Um, if there's anything you wish to, uh, respond to or or raise at this stage.

00:28:42:09 - 00:28:43:04

Yeah. On Jackson.

00:28:43:09 - 00:28:43:24

Ms..

00:28:44:12 - 00:28:44:27

Um.

00:28:45:15 - 00:29:09:15

But I've got a very, uh, very detailed, uh, description there. Uh, we have nothing really to disagree with, uh, on this matter. I do have some prepared notes here, but they will be submitted almost word for word in deadline. Deadline one October the 3rd. Um, I can state it now if you want me to. Um, but we are broadly in agreement with the statement of the applicant.

00:29:12:12 - 00:29:25:04

Um, it would perhaps be helpful just to hear a little summary. Um, just so we can get a flavour of what the points are. Um, but, uh. Yeah. Great. If you can submit them at deadline one in perhaps more detail.

00:29:27:21 - 00:30:00:29

Well, just the applicant. Yes. Sorry. Mr.. Sorry. Yes. Will do. Um, so, um, I've set these out as the, uh, as requested. So it's stage. Uh, the first question here, any implications that have both development would likely to have services and navigation to inform commercial port on the East Coast. So in summary, uh, the changes to the red line boundary as presented, uh, in the narrow figure 6.2, that's app 240 have led to an overall increase in inevitable sea room.

00:30:01:03 - 00:30:44:01

Uh, as was previously stated, of 23% in the vicinity of the planned northern away area. Concerns were raised with the original Red line boundary, as traffic would be constricted on their approaches to busy shipping lanes and the north in the junction, which would have created a pinch point and increased risk of collision through further assessment and extensive consultation with stakeholders. A refined northern area, it was agreed, which mitigated his concerns. The applicant has summarised the issues um avoided by implementing the redefined boundary in paragraph 69 of the NRA, and the NCA does welcome this change.

00:30:44:23 - 00:31:14:25

It's paragraph 69, in app 240, uh, benefits refinement of the Northern array area and has been welcomed. It has been welcomed by the NCA. Um, these include, uh, minimized displacement to heavily trafficked commercial routes as allows the course adjustments to be made earlier. Increased room for adverse weather routing safety uh to safely continue. Allows optimal alignment on entry.

00:31:14:27 - 00:31:54:04

Exit into out the north of the junction. Minimizes collision risk for crossing traffic, since interaction and existing hotspots are now minimized. Increased zooming vessels awaiting orders in and out. Some routing measure and navigation corridor between the northern highway area. East Anglia two is offset at the eastern extent, creating additional sea room for transit and adjusting heading at. Those points were quoted directly from paragraph 69, uh, regarding the cable corridor um, again agreement, and with the applicant with the navigation installation plan or Nip, and it's been proposed.

00:31:54:16 - 00:32:31:28

Uh, the plan seeks to mitigate further and any potential increase in the risk of collision association with project vessels involved in Cable Lane works, especially in the precautionary and pilot boarding areas. Again, MTA welcomes the project suggestion of preparing, uh for the offshore export corridor and supported being a live document given a traffic density and depths constraints within the area.

This document will help in carefully managing the cable installation. Details of that are presented in section 21.4 of the NRA and outline uh can be found.

00:32:32:01 - 00:33:06:09

Volume nine report 20 app 252. Um, and that's also listed as a mitigation measure, uh, in the table 21 one of the NRA app two for zero. Uh, the second part was any concerns about the NRA for the proposed development? And highlights are also highlighted, uh, in the response at EPA stage, owing to the large volume of traffic, including deep draft vessels, the area around the small pilot boarding station, together with channels which I've charted maintain depth, will need particular focus.

00:33:07:00 - 00:33:48:09

Uh, we also asserted in the pier that where burial depths are as informed by the capability of the risk assessment, the CBA It cannot be achieved in these areas. By that I mean he maintained that channels themselves. Any potential reduction in surrounding depth reference datum will need special attention and further consultation with relevant stakeholders and and the MCA. The stated in paragraph 62 of the NRA, ABP 240 and in the Shipping and Navigation chapter in relation to under your clearance on the rest of the small cable corridor.

00:33:48:14 - 00:34:01:15

The applicant intends to follow the guidance contained in mgmt 654. In relation to cable protection, namely that the this protection will not change the charted water depth by more than 5% in the rest of the area.

00:34:03:05 - 00:34:47:27

So, referring to paragraph 9192 of the NRA, we understand that up to 10% of the export cable corridor will have cable protection measures of a height of 1.1m for normal cases and up to 1.4m for crossings. Now we know that there may be cable crossings in shallower areas within a precautionary area, where 1.4m will be more than 5% reduction in the surrounding depth in relation to chart datum. It is expected, however, having said that, that through the cable specification and installation plan, the C6 that was mentioned by the applicant earlier, which is in volume nine, report 12 242, and this the capability of risk assessment at app 239.

00:34:48:16 - 00:34:56:08

Preparation and review of the Nip and continue consultation with stakeholders that the applicant will address these concerns.

00:34:58:05 - 00:35:26:27

And I have nothing further on the point of the third part of the questions. And the last thing I have to say really is that key and appropriate stakeholders were identified and the MCA is content of suitable consultation took place via hazard identification hazard did identification workshops and dedicated meetings? A complete 654 checklist has been provided as part of the NRA and we are content. The recommended no process has been followed.

00:35:30:10 - 00:35:33:14

Great. Thank you, Mr. Jackson, for that. Uh, that summary,

00:35:35:05 - 00:35:53:01

um, if I could turn now, uh, to, uh, Mrs. Fowler, uh, and, uh, Port of London Authority colleagues, um, if you'd like to sort of briefly, um, state your, uh, case in relation to navigation and shipping matters.

00:35:54:10 - 00:36:30:06

Uh, Mrs. Vicky Fowler, on behalf of the Port of London Authority. Thank thank you, sir. Um, yes, I'm happy to pick up responses, um, to the applicants summary in our in our brief summary of the PLA case. Um, I think it is worth noting from the start that the Port of London Authority is the statutory harbour authority for the tidal River Thames and the LA Area of Jurisdiction and regulatory powers are found primarily in the Powers of London Act 1968. So the windfarm itself actually lies outside of the LA land ownership and limits of the Port of London Act.

00:36:30:23 - 00:37:01:14

Um. However, the functions of the PLA um include the promotion of the use of the River Thames for freight and passengers as an important and sustainable transport corridor, and access to that to the River Thames is therefore a key concern for the PLA. And importantly, within the River Thames is the Port of London um, which is the country's largest port, handling over 50 million tonnes of goods each year and is the UK's busiest inland waterway. Um.

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The port itself is spread over 70 separate, independently run terminals, um, which handle a range of cargoes um, with worldwide origins and destinations. And so to enter or exit the Port of London, vessels must use the designated routes or channels. Um and as has been indicated, the export cable corridor crosses two of these designated routes. Um, the sunk and the Trinity deep water routes. And there's no alternative approach available for larger access.

00:37:32:28 - 00:38:04:05

So for larger vessels to access the Port of London. So these routes are routes are absolutely key. Um, there is consensus between the ports, um, that vessels will increase in size over the lifetime of this project, and that vessel drafts could increase to 20m. And, and this is recognised in the shipping and navigation chapter of the ES. Um, so that's reference app 078 as a realistic maximum draft.

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And so the reference for that is paragraph 9.7. 48. And so the Port of London authority are asking for an additional 10% to ensure suitable under keel clearance for the vessels. And this would mean the sunk and the Trinity deep water routes needing to have a chartered depth of at least 22m to accommodate vessels with a 20 metre draught. So the key point for the PLA is the depths that the cables are installed and maintained.

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The use of cable protection and the requirements relating to cable crossings in that corridor are critical. Um, and it was listing chartered debts are not maintained at these deep water routes. Then the larger vessels that currently use those routes will be prevented from entering the Port of London Authority. So the ports of London. And so when we come to our written representation, we can

provide an example of how, um, vessels enter the port. And in terms of holding and the and the and the tidal considerations there.

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And these factors could also restrict the ability for the sunk and trinity deep water routes to be deepened in the future, thereby preventing that access for the deeper 20 meter vessels. Um, that that's been anticipated and that would obviously have long, um, significant long term implications for the Port of London. Um, in terms of quantum of trade, um, with corresponding economic dis benefits.

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Um, I mean, it should be possible to ensure that the capacity and operation of the port is not compromised. Um, but in order to do that, there does need to be certainty on where the export cables cross these deep water routes. Um, so, in short, the depth the cables are installed and maintained, any cable protection and any cable crossings must allow these channels to be dredged in the future. And a charted depth of 22m to be achieved at the deep water routes. And so currently there's uncertainty within the application documents.

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Um, with decisions on death being at a later date, um, and without the play's approval. So I can take you to various references where to sort of demonstrate the uncertainty. Um, but equally we can we can include those in our, in our written representation because I'm conscious of time.

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Yeah. Thank you for that. I think, um, yeah. If you could provide the references in the, um, written submission that that would be, um, that would be great.

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Thank you. So, so the PLA has recommended to the applicant, um, that a plan is produced showing the deep water routes and the area over which deeper burial would be required, um, such that the deep water routes could be dredged to 22m.

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Maybe on mute. Um, and a meeting has been scheduled for the 4th of October to discuss the area for the deeper cable burial.

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Um, and what we'll be recommending is that plan is subsequently the plan that subsequently produced becomes a certified document. And it's clear on the face of the order that that deeper cable burial must occur in the areas shown on the plan. Importantly, that deeper burial should also apply to maintenance, reburial, cable crossings, and cable protection.

00:41:39:01 - 00:42:12:28

Um, as well as permanent impacts from the cables, there are potential temporary impacts associated with the laying of the cable. Um, and as I say, it's maintenance. And from simultaneous operations, if the cable was to be installed or maintained at the same time as the other proposed Ecos. So North Falls, um, New Connect or Sealink, for example, um, importantly, temporary vessel displacement and

delays can have significant impacts. Um, because deep drafted vessels, um, to terminals within the ports of London are tidally constrained.

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Um, which means that a small deviation to their schedule could result in their not having enough water for their passage to the berth. And as I say, we'll set out an example in our in our written representation to explain why, um, why that's so key and the implications if they are delayed.

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Um, so as the applicant has reference, they have produced the outline. Um, Nipp. Um, and it is intended that this plan is the mechanism for managing interactions between project vessels and third party vessels. And the PLA is supportive in principle of that approach, but has concerns about the documents submitted as it does lack details so large part of the documents simply say to be confirmed, um, and noting that the detailed plan has to accord with the principles set out in the outline, navigation, navigation and an installation plan.

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But as I say at the moment, the details are not there. Um, and I know there's been reference to the MCA guidance and effectively compliance with that guidance. Um, effectively the suggestion that that's sufficient, but that guidance doesn't work in terms of those deep water routes into the port.

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Um, there's also a lack of approval of the nipp by the Port of London Authority. Um, so currently the documents to be submitted for the MMO for approval with other bodies being consulted. Um, the PLA has been identified in the outline Nip as an interested party and will be invited to review and discuss any changes. Um, but given the importance of these water of the um depths, um, of the channels, uh, the PLA considers that it should be an approval process, um, through offshore protective provisions.

00:44:01:15 - 00:44:33:16

And so the form of those protected provisions are being discussed with the applicant. And obviously, we'll keep you updated on that aspect through written representations. Um, so in short, there's there's currently uncertainty over the effect on shipping due to, due to the depths. Um, the cables are installed and maintained, the use of cable protection and the requirements relating to cable crossings in the EC, um, are all critical to the PLA. And if the charter debts are not maintained, um, then then obviously that could have significant impacts.

00:44:35:10 - 00:44:44:18

So on item B, any concerns about the NRA for the proposed development? I confirm that the PLA have nothing to raise at this time

00:44:46:14 - 00:45:18:24

in terms of the concerns set out in the relevant representations. So we did have a concern about, um, permanent impacts, um, from the offshore substation platforms. Um, but we understand there's to be some revisions here. So as set out in schedule one of the draft DCO work number two includes up to

two offshore substation platforms. Um, and the works plan shows work number two, including the export cable corridor.

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So effectively affecting the deepwater routes. So obviously the PLA would have significant concerns with that. Um, now the applicant, in their response to the PLA relevant representation, has indicated that the platforms will not be installed in the export cable corridor and will be updating the works plans. So we just need to ensure that those changes are made to the draft DCO and that those changes to work plans happen.

00:45:47:17 - 00:46:30:21

Um, the second issue this this there's four, four issues in total. Um, in addition to the the depth of the cables. Um, so the second issue was safety zones. Um, and the concern about safety zones and again, the impact of those um, on navigation. And again, the please note that the applicant's response to the PLA representation, um suggesting that the Energy Act 2004 and Electricity Regulations 2007 do not allow for safety zones to be implemented around offshore cable works and therefore reference to safety zones applying to the export cables in the ES should be disregarded.

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So again, if that can be confirmed, then that that meets that particular concern.

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Um, the third um area of concern is dredging. Um, and it will be necessary to dredge in order to install the cables. And the marine licence allows up to over nine point 2,000,000m³ of inert material to be deposited within works number two to A and three. Um. And as previously noted, work number two includes the export cable core. So again affecting the deep water routes.

00:47:09:06 - 00:47:46:10

So the LA would be concerned about the lack of controls in relation to the placing of inert material within the export cable corridors. Um, so so certainly it should not be insert, it should not be inserted where it crosses the sunk and Trinity deep water routes. Um, as that could create high spots which would impact on access to the Port of London, uh, by reducing navigable navigable depth. Um, again, the applicants responded to that. Um indicated that the details of dredging will be set out in the final cable specific and installation plan.

00:47:47:02 - 00:48:24:07

Um, and we'll review the outline. Um, KSP um, sorry. And the applicant will review the outline KSP to provide further clarity on this. So we're hoping that point can be addressed positively. And then finally we've got the onshore navigational equipment. Um, and and the PLA's concerns here are about protection and continuity of access. Um, so effectively, in terms of that radar site, um, the PLA need to ensure that, um, a member of staff with a van can effectively access that site.

00:48:24:13 - 00:48:40:28

Um, in terms of any maintenance or repairs. Um, there may be instances where it may be necessary to, to bring in a crane, but but typically it's that if, if, if some if something happens with that equipment the PLA needs to access it. Um immediately.

00:48:43:19 - 00:49:23:07

And and so so the PLA Holland Haven radar site. So that's located to the south west of plot zero one, um, 003. Um, and, um, so I'm happy with the applicant some summary on that, and in particular the fact that um, protected provisions are being negotiated and we hope to have protections in place through that that will address the police concerns regarding that, um, radar site. Um, so, so to serve, that's why we don't intend to participate in the session on transportation and traffic implications.

00:49:23:09 - 00:49:51:08

We're not interested in traffic movements, etc. on the road network. We just need to ensure that if the PLA need access, that access isn't hampered and the protected provisions should address that. So so, um, I think the final final point was any other matters of concerns relating to likely effects. And we've got nothing to raise at this time. So so that concludes the brief summary on behalf of the Port of London Authority.

00:50:03:02 - 00:50:43:11

Thank you, Mrs. Fowler. That's a very, very helpful summary. Um, I just wonder, um, obviously the Port London Authority have raised quite a few points, um, there. And it sounds like there have there has been progress. And, uh, with the, the applicant, um, and a meeting scheduled for the 4th of October, I just wondered whether the applicant just wanted to sort of briefly come back on some of those points at the Port of London Authority have raised now because, um, if you know, we could that would potentially save a few of the questions that I have.

00:50:43:21 - 00:50:45:12

Uh, immediately after lunch.

00:51:30:28 - 00:51:50:06

Julian Boswell for the applicant. We think it's better to leave it as is, rather than to sort of pick out 1 or 2 points that we might feel slightly more sort of worthy of, of, of, of airing, if that's okay. So that we would, uh, obviously go with whatever questions you you've got.

00:51:52:21 - 00:51:56:14

Okay. Thank you. So, Brent. Yeah.

00:51:58:24 - 00:52:15:02

Yeah. So I think, as I indicated, um, it's probably, um, a reasonable time for us to, uh, take a German for an for a lunch break, and then we'll we'll come back to, uh, questions immediately after that.

00:52:22:22 - 00:52:32:22

Um, okay. Would an hour be acceptable for people for a lunch break? And we would reconvene at 1:45?

00:52:35:09 - 00:52:45:03

I'm. I'm seeing a few nods of heads. So, uh, with that, with that in mind, we will adjourn this hearing until 1:45. Thank you.