



Hearing Transcript

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| Project: | Morecambe Offshore Windfarm Generation Assets |
| Hearing: | Preliminary Meeting (PM) |
| Date: | 23 October 2024 |

Please note: This document is intended to assist Interested Parties.

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The video recording published on the Planning Inspectorate project page is the primary record of the hearing.

FULL TRANSCRIPT (with timecode)

00:00:05:04 - 00:00:38:12

Good afternoon, everybody. Um, it's now 2:00, and it's time for this meeting to begin. I would like to welcome you all to this preliminary meeting for the Morecambe Offshore Wind Generation Windfarm Generation Assets Project application. Can I just confirm that everybody can hear me clearly. Thank you. Um, can I also confirm with the case team? The live streaming and recording. This event has also commenced. Yeah. Okay. Been given the thumbs up at the back. Thank you. Uh, my name is Robert Jackson, and I've been appointed by the Secretary of State for housing, Communities and Local Government to be the lead panel member of the panel to examine this application.

00:00:38:20 - 00:01:08:03

I'm a chartered town planner and a member of the Chartered Management Institute, and I've made a declaration of interest in respect of this project. I'm going to now ask my fellow panel members to introduce themselves. Good afternoon everyone. My name is Guy Rigby. I've been appointed by the Secretary of State for housing, Communities and Local Government as a member of this panel. I'm a chartered civil engineer and a non-practicing barrister, and I've made a declaration of interest in respect of this application.

00:01:11:06 - 00:01:33:12

Good afternoon everybody. Uh, my name is Mark Willis. I am also been appointed by the Secretary of State for housing, Communities and Local Government as a member of this panel. I'm a chartered town planner and a member of the Royal Town Planning Institute. And in accordance with, in accordance with the planning Inspectorate's Conflict of Interest policy. I've also made a declaration of my interests in respect to this project.

00:01:34:07 - 00:02:05:13

Thank you. Um, I would like to introduce the case team accompanying us here today. Tracy Williams is the case manager. Jessica will be our case officer. And Daniel Hurley, who is a student placement officer. Please approach them if you have any questions for those who are here in the room. They are located at the back and for those online, you will need to email them at Morecambe Offshore Wind Project at planning.inspector.gov.uk with more. Morecambe offshore wind project being a single word, they deal with the managing of the application.

00:02:05:15 - 00:02:38:04

If you have any queries as to process or procedure than they are your points of contact. They are not involved in assessing the merits of the application, which is for the three of us as examining authority. I'll now deal with a few housekeeping matters for those attending in person. I could please everyone, set all devices, including phones and watches, to silent. Um. Secondly, the toilets are located on the ground floor. If you go to the ground floor out the left, turn left and there and round again on the left. Um, there are no further fire tests you today.

00:02:38:06 - 00:03:08:13

So should the fire alarm sound. We need to leave the room. Um. Which I understand is through the door over there. Um, down. Down the stairs where we were met by fire. One. Um, our aim is to keep the proceedings focused and efficient as possible systems. We have issued appendix B to our letter

which invites you. You to this meeting. The rule six letter. That appendix sets out an introduction to the preliminary meeting process. We trust that you have all read this in advance, as we will.

00:03:08:15 - 00:03:44:04

I will only be providing a summary. Now you will find information about this application on planning Inspectorate's National Infrastructure Planning website. We will strongly encourage you to familiarize yourself with it, because the examining authority we will be using it to communicate with you and to provide access to documents throughout the examination. Today's meeting is being undertaken in a blended way, meaning some of you are present with us in the hearing venue and some of us are joining us virtually using Microsoft Teams. We will make sure that however you have decided to attend today, you will be given a fair opportunity to participate.

00:03:45:22 - 00:04:16:13

Um, a recording of today's meeting will be available on the Morecambe Offshore Wind Assets app section of the National Planning Infrastructure Planning website as soon as practicable after this meeting has finished. There will also be an AI generated transcript. With this in mind, please ensure that you speak clearly into a microphone, setting your name and knew who you are representing each time before you speak. Uh, there's a button at the front of the microphones which turns a red light on, which indicates the microphone is live.

00:04:17:12 - 00:04:56:22

Um, because the transcript is generated by AI, it's not 100% accurate. It's actually quite bad at things like names. Therefore, please enunciate your name and who you represent as clearly as you can and should. We need to refer to anything said today. We will use the video recording as the authoritative record. A link to the Planning Inspector. Privacy notice was provided in our rule six letter. We assume that everyone here, whether physically or virtually, has familiarized themselves with this document, which establishes how the personal data of the planning Inspectorate's customers is handled in accordance with the principles set out in data protection laws.

00:04:57:03 - 00:05:31:21

It's important to note that the planning Inspectorate's practice is to retain and publish recordings for a period of five years from the Secretary of State decision on an application. Consequently, if you participate in today's meeting, it's important you understand that you'll be recorded and you thereafter consent to the retention and publication of the digital recording devoid having to edit digital recordings. We would therefore ask you, try not to submit or provide information that you wish to keep private or confidential, so please speak or make contact with one of the case team if you have any questions about this.

00:05:32:29 - 00:05:43:24

This meeting will follow the agenda set out in appendix A of the rule six letter. It would be helpful if you had a copy of this in front of you. Is it possible to have that displayed on the screen, please?

00:05:51:28 - 00:06:30:13

Lovely. Thank you very much. Um, I hope those online are able to do that too. Uh, let me briefly explain the purpose of this preliminary meeting. The purpose is to focus on the way in which we, as examining authority, propose to examine this application. On that basis, we will only be invited to

discussion about the procedural aspects of this application of this examination. The purpose of this meeting is not discuss the merits or any concerns that you may have regarding this application. The merits or concerns can only be considered once the examination of the application begins, which happens following the close of of this preliminary meeting.

00:06:30:29 - 00:07:08:00

Any issues of points raised by parties today will be taken away and taken into consideration. We will then issue a letter referred to as the rule eight letter, which will contain the finalized timetable for the examination and the key dates of when we expect submissions and evidence to be provided. I would also like to comment. As we said in the rule six letter, they were only examining the Morecambe Offshore Wind asset project. We are aware, obviously, that it is proposed to take the energy produced ashore and that it is proposed to be through the Morgan and Morecambe Offshore Wind Farm Transmission Assets project, which is a separate application.

00:07:08:10 - 00:07:45:28

We understand that this was submitted to the planning inspector at the beginning of this week, and there will now be a decision on whether or not to accept it. We will not be examining that application and entirely separate from that examining authority if and when it is appointed. Therefore, comments relating specifically to that project do not come within the remit of this examination. It is possible that there may be cumulative effects between the two projects, and if so, that could fall within this application. However, if you have any comments writing specifically to the Morgan and Morecambe Offshore Wind Farm Transmission Assets project.

00:07:46:00 - 00:08:00:09

Then we ask them to keep them to that examination and should representations be submitted, which relates solely to that proposal. And it is likely we will not be able to take them into account. I'm now going to ask Mr. Willis to ask people to introduce themselves.

00:08:01:25 - 00:08:35:24

Thank you, Mr. Jackson. I'm now going to ask those of you participating in today's meeting to introduce yourselves. I'll begin by asking those persons that are here in the room today, and then I will move on to those attending online via Microsoft teams. When introducing yourself, please can you state your name clearly and who you represent and also which agenda item you wish to speak on? If you're not representing an organisation, please confirm your name, summarise your interest in the application and confirm the agenda item upon which you wish to speak, but also be helpful.

00:08:35:26 - 00:08:46:15

If you could please state the title by which you wish to be addressed. For example Mr., miss, miss, etc.. Can I start with the applicant advisors, please?

00:08:48:23 - 00:08:52:08

Good afternoon. My name is Robin Hutcherson.

00:08:52:10 - 00:09:04:21

I'm the lead legal counsel for the project. Um. And I am a mister. Um, or perhaps invite the other members of the project teams from bench to introduce themselves individually.

00:09:07:07 - 00:09:15:25

Good afternoon. My name is Katherine Nolan. That's Nolin. Um, I am supporting legal on the project, and I go by miss.

00:09:18:14 - 00:09:24:05

Good afternoon. Uh, my name is Oliver Gardner. I'm the consent manager for the applicant, and I go by Mr..

00:09:28:03 - 00:09:42:17

Good afternoon. Uh, my name is Sarah Reed. I am a principal marine consultant and the EIA and HRA lead on behalf of the applicant. And I also have supporting me, um, Alex Scullion, uh, a senior marine consultant.

00:09:48:00 - 00:10:01:29

Okay. Thank you for those introductions. If I can move to, uh, the other organizations and individuals that are in the room today and given an intention to speak. Uh, can I perhaps start with representatives of Blackpool Airport, please?

00:10:03:18 - 00:10:07:00

Good afternoon, sirs. My name is Alban Cassidy.

00:10:07:02 - 00:10:10:23

Mr.. I'm from Catherine Ashton, and.

00:10:10:25 - 00:10:13:28

I am representing the interests of Blackpool Airport Limited.

00:10:17:11 - 00:10:23:13

Thank you, Mr. Cassidy. Is there a particular item you wanted to speak on today on the agenda? Yes, sir.

00:10:23:15 - 00:10:31:27

Um, I would like to speak on item three, the initial assessment of principal issues in respect to the need for an issue specific hearing.

00:10:32:20 - 00:10:40:06

Okay. Thank you. And moving on to the next representatives, I've got um, BA systems please.

00:10:41:24 - 00:10:42:09

Good afternoon.

00:10:42:11 - 00:10:59:16

My name is Graham Tribble of DLP. Planning to spell tra w hoa. Um, I represent both BA systems at BS Systems Marine at Barrow and BA Systems Operations at Wharton.

00:11:02:07 - 00:11:14:10

And our interests are in the statement of common ground and the needs specific hearings that might be planned.

00:11:18:11 - 00:11:31:16

Okay. Thank you for that. So you're representing, just to be clear, both the BA systems today. That's correct. Thank you for that. Um, in that case, can I just check. Is there a mr. Pendleton Brown here? Yeah.

00:11:33:07 - 00:11:44:05

Good afternoon. Gentlemen. My name is Paul Pendleton Brown. I'm the manager of air traffic at Wharton at the time. Warning. Eardrum even. And I'm representing BA Systems marine Limited with my colleague Graham here.

00:11:45:23 - 00:11:47:07

Hey, thanks for that clarification.

00:11:49:17 - 00:12:21:24

Okay, so I think that completes, uh, people in the room. Um, can I just before I move on to those online, there's nobody else wishing to speak to those in the room. Just check. Nope. Okay. Thank you. Okay, so if I can move to those virtual attendees and parties joining on Microsoft Teams today. Um, again, can I ask you to introduce and introduce yourself? Um, introduce your name, please. Um, which agenda item you wish to speak on? Um, I'll start, please, with the representatives of Spirit Energy.

00:12:27:01 - 00:12:58:14

Good afternoon sir. Uh, my name is Mr. James Gibson. I'm a partner at the law firm Eversheds Sutherland. Uh, we act for spirit energy, um, which is the trading name used by Spirit Energy Limited and its subsidiaries, including Spirit Energy Production UK limited, a group which collectively conducts European oil and gas operations. And spirit do not have any, uh, specific remarks to make on any of the agenda items.

00:12:58:16 - 00:13:07:02

Um, however, they would be very happy to address any comments from the examining authority, the applicant, or any interested parties. Thank you.

00:13:09:02 - 00:13:15:06

Okay. Thank you. And next on my list, I have a representative from Napa, please.

00:13:18:03 - 00:13:23:26

Good afternoon everyone. Uh, the name is, uh, Sasha Rossi. Mr.. Representing National air.

00:13:23:28 - 00:13:24:13

Traffic.

00:13:24:15 - 00:13:25:06

Services.

00:13:25:17 - 00:13:26:15

Uh, no specific.

00:13:26:17 - 00:13:33:03

Interest in the proceedings themselves. Uh, but interested in the aviation and radar aspects of the application.

00:13:35:27 - 00:13:47:03

Okay. Thank you and welcome. That completes my list for attendees today. Um, but is there anybody else again? Can just check there's nobody else online if there is, uh, raise a hand.

00:13:48:19 - 00:14:07:16

I'm not seeing anybody. Okay, so if anybody else decides that they do wish to speak during this afternoon's proceedings, um, for example, to make comments in response to representations made by others. Uh, you may do so. I'll just ask that. Please either raise your hand physically or online, uh, and wait to be invited to speak.

00:14:10:01 - 00:14:45:15

Um, if I can, just before we perhaps move on. Um, so, Mr. Torelli, you mentioned earlier that you are representing both parties of the BA systems today. Uh, I just wanted to check our understanding, if I may. I think you've touched on it. Um, but we we've seen from relevant representations that we've received, uh, both from both parties of BA, BA systems as well as the Defense Infrastructure Organization. Um, as you say, we understand that there's there's two principal sites that are affected by the proposal, uh, those at Walney and Wharton.

00:14:46:12 - 00:15:13:22

Um, and really, what we're trying to understand is the relationship between the Dia and the BA systems and in particular, who we will expect to see making representations with regard to those interests at this examination. Um, so it'd be helpful if you could perhaps clarify BA systems relationship with the Dio and in particular, uh, which party, if any, will be leading on representations. Thank you, thank you.

00:15:14:09 - 00:15:44:20

Um, the interest of BAE systems divides into two, as you mentioned, um, in relation to Walney Aerodrome. Um, there'll be direct contact with BA systems and we've started discussion on. a statement of common ground that deals with the issues at that might arise at Warner Aerodrome. Um, so so that's one part of it. The other the other part, um, as you mentioned, involves the Dio.

00:15:45:01 - 00:16:24:04

And it's been agreed that the Dio will lead in terms of the state and the common ground when it comes to potential impacts on the surveillance radar, which is at Warton Aerodrome. Um, so the Dio will lead on that. We we're conscious that there might be some gaps, because there are issues outside of surveillance radar that won't be picked up by the Dio. Uh, so we just want to make sure that, um, any,

any gaps in terms of issues to be addressed are picked up, um, through through the, the discussions we're having.

00:16:25:17 - 00:16:37:10

Okay. Thank you. So so the dio just say unclear will be, um, primarily taking the lead with this statement of common ground in liaison with. So any comments will be fed into that process.

00:16:37:27 - 00:16:45:12

The air traffic team at Wharton and the Dio are discussing the state of the common ground.

00:16:47:05 - 00:17:29:10

Okay. Thank you. That's that's helpful. Okay. Before we move on, is there any any comments or anybody wish to raise anything at this point on the agenda before we move on to agenda item two, not seeing any. Okay. Thank you. In that case, when we want to, uh, agenda item two and not on this item, really it's to do with the examination process. Um, and I really just want to say a few things with regard to the process. As Mr. Jackson alluded to at the beginning, we've included information within our rule six in appendix B, which provided some commentary on both the purpose of the preliminary meeting, but also the examination process in this was explained how we intend to conduct the examination and how you can participate.

00:17:30:06 - 00:18:04:29

Again, I'm assuming that everybody's read this, and so I don't propose to spend time going through to it in detail. However, it's important that you are clear and your understanding of the process, and that anyone who is not familiar with it does not feel intimidated by it. Therefore, if there is any points about the process that you don't understand or you require more clarity on, then please speak to one of the case team before I invite any particular contributions on this point. As just a couple of points I'd like to also make at this stage. Firstly, I would like to emphasize and stress that the examination of this application is primarily a written process.

00:18:05:22 - 00:18:50:21

The submission of a written representation is the opportunity for any interested party to set out its case and expand upon views and comments provided previously in a relevant representation. There are also further opportunities to make and submit written representations and respond to submissions made by others. Once the examination formally commences, the deadlines and stages when this will be appropriate are set out in the draft timetable in appendix E of the rule six letter, and if you have any points to raise with regard to the draft timetable, can I ask that these be raised later in the agenda under item five? It's also important to note that the evidence that present written evidence carries the same weight as any evidence given at hearings.

00:18:51:09 - 00:19:11:06

Therefore, please be assured that if you're unable to attend or do not wish to participate in hearings, recordings of those will be available for you to watch back. And you can submit your evidence in writing and it will be given the same consideration as if it was presented orally. Any evidence that's presented at hearings is therefore supplementary to that which is provided in writing.

00:19:12:27 - 00:19:46:03

Secondly, I'd like to briefly mention the submissions we received at procedural deadline A as it was on, which was on the 15th of October. These include the applicant's response to relevant representations, the pre examination progress tracker information and responses to that which we requested in our rule nine letter, as well as requests to attend this meeting and this issue specific hearing tomorrow. In case parties are not already aware, these submissions can be viewed in the examination library on the project page of the National Infrastructure website and their under references.

00:19:46:05 - 00:20:20:03

PD 1001 to PD 1022 inclusive. If anyone has any comments on these submissions, then we've requested that these be made by deadline one, which again is currently scheduled for the 26th of November. Uh, if any comments again, on that particular deadline you wish to raise, ask that these be raised under item five of the agenda. So on the basis of the information that we've set out in appendix B, are there any questions about how we propose to examine the application at this stage?

00:20:21:24 - 00:20:36:12

not seeing any and none online. In that case, that concludes agenda item two. So we'll now move on to item three which will be led by Mr. Rigby. Thank you, Mr. Wallace.

00:20:37:02 - 00:20:43:23

For agenda item three. It would be useful to have appendix C of the rule six letter. On the screen, please.

00:20:43:27 - 00:20:44:12

That could.

00:20:44:14 - 00:20:44:29

Be done.

00:20:51:10 - 00:20:52:03

Thanks.

00:20:54:16 - 00:20:56:11

If your technology doesn't allow you.

00:20:56:13 - 00:20:57:05

To see the list.

00:20:57:07 - 00:20:59:08

On your screen clearly, particularly.

00:20:59:10 - 00:21:00:03

For people.

00:21:00:09 - 00:21:01:01

Watching.

00:21:01:03 - 00:21:11:15

This, you can find it as appendix C to our rule six letter of the 23rd of September 2024, which is reference PD zero seven.

00:21:13:08 - 00:21:53:17

The list provides a framework of issues for the examination. The principal issues are being compiled alphabetically and are not listed in any order of importance. Also, the list is not comprehensive or exclusive. Rather, it's an initial list of what we consider to be some of the key and main issues that we will be considering during this examination. It's based on the information in the applicant's submission and in the relevant representations that we received to date. Therefore, it is important to say that it doesn't preclude us from adding or removing issues at a later stage in the process as we work through the examination.

00:21:54:05 - 00:22:24:18

And finally, it's also important to note that some issues may be related and overlap. And we're aware of this. And this will be taken into account and be reflected in our consideration and examination of this application. We have requests to speak on this agenda item. I'll hear those shortly and will reflect on any suggestions for amendments. We may have questions and I'll give the applicant the opportunity to respond at the end of the agenda item.

00:22:25:23 - 00:22:33:29

Now, the first request I've got is from Mr. Cassidy from Blackpool Airport, please.

00:22:38:10 - 00:22:39:00

Thank you sir.

00:22:39:09 - 00:22:39:24

Um.

00:22:41:16 - 00:22:42:14

Really, the purpose.

00:22:42:16 - 00:22:43:03

Of my.

00:22:43:05 - 00:22:43:20

Appearance.

00:22:43:22 - 00:22:45:01

Today and.

00:22:45:03 - 00:22:52:25

The request is that we can have an issue specific hearing in relation to aviation and radar.

00:22:53:05 - 00:22:54:04

My clients.

00:22:54:06 - 00:22:54:21

Are Blackpool.

00:22:54:23 - 00:22:56:17

Airport Limited, and.

00:22:56:19 - 00:22:57:04

As you can.

00:22:57:06 - 00:22:57:24

Imagine, they.

00:22:57:26 - 00:23:03:25

Have, um, a statutory responsibility to ensure that any.

00:23:03:27 - 00:23:05:12

Development in the vicinity.

00:23:05:14 - 00:23:13:28

Of the airport, uh, does not compromise the safe operation of aircraft. Um, the regulatory obligations in place. And it's not.

00:23:14:00 - 00:23:14:18

Just.

00:23:14:20 - 00:23:15:05

The.

00:23:15:07 - 00:23:17:20

Airport, but it's. Aircraft flying in that area.

00:23:17:22 - 00:23:30:19

And there's a requirement that the aviation infrastructure fully operational at all times. And that's both before, during and subsequent to any development that may take place. So

00:23:32:12 - 00:24:02:16

what there must be an allowance for is that there is appropriate mitigation, uh, incorporated in any project to address any issues, issues and impacts that may occur because failure fundamentally could end up in a catastrophic and tragic event. Now my clients are working on a statement of common ground with the applicant. And, um, it may well be that that is successfully concluded and all issues are addressed.

00:24:02:19 - 00:24:42:27

However, there is much work still to be done, and our concern is that without the opportunity, um, in the program to have an issue specific hearing to look at aviation and radar. It may, uh, ultimately mean that certain, uh, critical factors are not given sufficient examination or consideration at an appropriate hearing. Um, there are various technical assessments ongoing at the moment. We cannot guarantee that they will be concluded by the respective deadlines set out in, um, the examination timetable or indeed by the end of the timetable.

00:24:42:29 - 00:25:13:07

We, of course, hope such things as the five year review will be completed, but there is no guarantee. And therefore, for the reasons I've made and previous submissions, we would like to request an issue specific hearing on aviation and radar to be incorporated into the programme. Um, but giving an allowance to get as many matters as possible, uh agreed to the statement of common ground and therefore, um, that this be incorporated, perhaps towards the end of the examination timetable.

00:25:13:11 - 00:25:14:00

Thank you.

00:25:14:09 - 00:25:21:12

Thank you. Just to be clear, you're talking about not just the airport, but airspace. Operational airspace for some distance around it.

00:25:21:15 - 00:25:22:23

That's correct. Yes.

00:25:23:02 - 00:25:27:17

And are you able to say roughly what that distance would be? I see it.

00:25:27:19 - 00:25:28:04

Already.

00:25:28:06 - 00:25:41:01

Unfortunately, I'm not in a position. I'm not presenting any technical evidence today. I'm here purely for later procedural reasons. There may be others in the room who could give a little bit of assistance on that point.

00:25:41:27 - 00:25:47:07

And does anyone wish to say anything about that submission just now?

00:25:50:18 - 00:25:52:14

We would support. So could you.

00:25:52:16 - 00:25:53:09

Give your name, please?

00:25:53:11 - 00:26:27:03

Sorry. Graham Vlp planning representing BA systems. Thank you. Um, we would support a specific hearing to which relates to aviation and radar. Um, there are a number of inter interlocking Issues and, um, and it's quite a complex field in its own right. Uh, and we feel that it does merit a hearing, um, to discuss from the point of view of BA systems, what the impacts implications might be on, on both of the aerodromes because they're slightly different.

00:26:27:16 - 00:27:02:29

Um, and the process is involved and also leading to any mitigation and even discussion about appropriate conditions to be attached to the DCO, if that, if that were, uh, a matter for the hearings. Um, so we would support that in terms of the, the first principle issue that's outlined in appendix C. Mhm. Um, we just comment that you correctly identify that it's effects on radar. That's certainly the case, but it's also effects on, on safeguarding as well safeguarding of obstacles.

00:27:03:11 - 00:27:11:12

Um, which is, which is a key issue particularly for, for Walney. Walney need a drone. Um, so we'd like that added in if possible.

00:27:17:08 - 00:27:26:11

Thank you. Uh, next, I have down to speak on this item, Mr. Gibson from Spirit Energy, who is online. Yeah.

00:27:29:10 - 00:28:09:09

Thank you sir. Uh, James Gibson, spirit energy. Um, yes. We were not proposing specifically at this stage, given, uh, the examination processes, primarily, uh, a written process to, um, set down or request an aviation and radar specific, um, hearing at this at this stage. Um, that said, um, Spirit Energy does obviously have its own, um, aviation and radar related concerns with respect to, uh, helicopter operations to, from and between its offshore installations.

00:28:09:19 - 00:28:44:00

Um, that's the subject of ongoing technical discussions with the applicant. Um, and Spirit Energy intends to more fully set out and justify, um, its position in its forthcoming written representation. Um and related written submissions due at deadline one um including um feeding into the the the statement of common ground with the applicant. Um so I think it is foreseeable that uh, an aviation and radar issue specific hearing will be required.

00:28:44:02 - 00:29:15:07

Um, uh, but we're in your hands as to whether you, you wish to to set down a date for that now. Um, I understand that, um, uh, some dates have been reserved for for issue specific hearings in due course. So there is obviously an opportunity for these matters to be, um, discussed orally. Um, but as I say, we're in your hands as to whether you wish to to to set down a specific date for aviation and radar, uh, for an aviation radar session at this point in time. Thank you. Thank you.

00:29:17:18 - 00:29:26:00

Is there anybody else in the room or online who has any thing to say to add to this discussion?

00:29:28:25 - 00:29:37:07

And not seeing any hands anywhere. If not, could I move on to the applicant for any comments you wish to make?

00:29:37:22 - 00:29:38:24

Robin Hutchison.

00:29:38:26 - 00:29:39:11

For the.

00:29:39:13 - 00:29:41:29

Applicant. Thank you very much. Um.

00:29:42:10 - 00:29:45:04

I think I could perhaps take all.

00:29:45:06 - 00:30:15:13

Three points together. Um, to echo what Mr. Gibson said, we're very much in the examining authority's hands as to the process and method of examination that's felt would assist you most in making your Recommendation. So if our issue specific hearing is considered to be the most appropriate process, then of course we and the applicant is amenable to that. Um, I would note and acknowledge, uh, Mr.

00:30:15:15 - 00:30:55:04

Cassidy's reference to the statement of common ground that is being progressed between the applicant and Blackpool. And similarly, Mr. Gibson's reference to the statement of common ground that's being progressed between the applicant and spirit and similar statements of common ground. I'm seeing nods there. That's good. They've been received, have been received by my colleagues at BA systems as well. So the applicant very much hopes that, you know, the the previous engagement to date and the engagement that's anticipated over the next short period would be enough that these issues can be resolved before there was any need for any specific issue issues, specific hearing on aviation matters.

00:30:55:06 - 00:31:04:18

So perhaps that that sort of window of opportunity could be taken into account in any timetabling and scheduling, and deciding when would be appropriate for such a hearing. Thank you.

00:31:06:11 - 00:31:09:22

Do I have any comments to wish to make on this item?

00:31:10:05 - 00:31:17:02

I actually sorry Robin Hutchison for the applicant had one other point just at the applicant had on the um, uh,

00:31:18:26 - 00:31:49:01

and the draft list of issues, and perhaps I should have said at the beginning that the applicant probably has a point to make on most of the agenda items. I didn't expressly say that, but, um, apologies if that wasn't clear. Um, generally, the applicant was, um, in agreement with everything, and it was just a

minor, perhaps observation or point of clarification. Um, on the reference to recreational sea users in item five. Yes. There we go.

00:31:49:03 - 00:32:27:05

Item five on the screen, bullet point four. And just the applicant couldn't pinpoint somebody that we would consider to fall into the category of recreational cruiser, and we check back. The environmental impact assessment doesn't identify any significant effects on recreational sea users. So and we thought perhaps whilst acknowledging that that can be an important receptor group for some offshore wind farms, for this one, we couldn't immediately identify anyone that would fall into the category of, um, giving rise to our, uh, you know, our principle issue here.

00:32:30:09 - 00:32:30:24

Thank you.

00:32:42:27 - 00:33:03:19

All right. Let's in that case, move on to agenda item four, which is the draft examination timetable. And if we could just move along to appendix C of the rule six letter, please. That would be handy because that's got the draft examination timetable in it and I'll move stuff.

00:33:20:18 - 00:33:35:26

Again, if your technology doesn't allow you to see the draft timetable on the screen, clearly you can find it as appendix C to our rule six letter of the 23rd of September 2024, which is reference PG oh seven.

00:33:37:13 - 00:34:09:00

The draft examination timetable sets out the key dates for when we propose to hold hearings and the deadlines for the submission of written documents. It also includes the dates that we propose to issue documents to interested parties for comment, and to issue written Questions in the interest of brevity. I don't intend to read out the draft examination timetable in full because we trust me, you're all at time to have a look at it prior to today's meeting. Review it, but I do want to highlight the following.

00:34:10:01 - 00:34:54:19

First off, you'll see that we'd originally set aside time for an open floor hearing, which was to be held later this afternoon and following this preliminary meeting, and we'd ask that any requests to speak at such a hearing be received by today's procedural deadline, which was the 9th of October. However, as no such requests have been received, this hearing will not now take place. It's vacated. The second item to say our first issue specific hearing will take place tomorrow, starting at 10:00, and this will focus on the scope of development and interrelationship with other infrastructure projects and the Draft Development Consent Order and the Explanatory Memorandum.

00:34:55:13 - 00:35:32:07

Further issue specific hearings are currently scheduled for the week commencing 27th of January 2025, which I think we were referring to earlier. And again, if required, on the week commencing 31st of March 2025, which is towards the end of the examination. Those hearings may cover different topics and issues from those examined in tomorrow's hearing. Or they may cover the same issues. As

we stressed earlier, it's important to know that the examination is primarily a written process, and so not holding a hearing on an individual topic is not an indication of its importance.

00:35:32:22 - 00:35:48:18

Also, there's no obligation for us to hold hearings on every subject set out within the assessment of principal issues. And of course, later on in the examination, if it becomes clear that there's not need for a hearing which we've timetabled, then we'll fight to everybody and we'll vacate it.

00:35:50:17 - 00:36:17:18

So thirdly, important to note, hearings are not an opportunity for parties, including the applicant, to negotiate matters. This should be done outside hearings. Hearings are for when as a disagreement that can't be resolved and we as examining authority are wanting you to clarify those differences in the room, as it were. Please don't come to hearings seeking them as a way of taking negotiations forward, although that might be a side effect.

00:36:19:14 - 00:36:57:07

Next. Fourth, our first written questions. We're programming to publish on the 18th of December 2024 and if required, a setting set we would issue on the 20th of February 2025. And finally, we have a statutory duty to complete the examination by the end of a period of six months. So that means we plan to close the examination on the 23rd of April, 2025. However, please note we make close examination before the end of the six month period if we're satisfied that all relevant matters have been addressed and discussed.

00:36:58:18 - 00:37:42:27

Now, we're conscious that there are currently separate examinations taking place relating to other nationally significant infrastructure projects in the Irish Sea, notably the Mona Offshore wind projects and the Morgan Offshore Wind Farm Generation Assets Project, which we've referred to earlier. We appreciate that some interested parties may well be involved in those examinations and recognise the works involved to meet proposed deadlines, particularly for those with limited resources. We also appreciate that statutory six month timetable for this project spans school holidays and the Christmas and New Year holiday period, but that our examination must be completed on or before the 23rd of April 2025.

00:37:42:29 - 00:38:09:08

That's statutory requirement set in stone. Really? With all this in mind, we have where possible, try to take account of all views when timetabling and ensure that deadlines are identified. Don't conflict or coincide with that of other projects. But we do recognise that the proposed timetable may not be perfect for everyone or keep everyone happy. And we're open to consideration of alternatives which are feasible within the six month constraint.

00:38:13:12 - 00:38:39:24

When submitting written documents, just to wrap up on this one, from my point of view, for the moment when submitting written documents to us, please note the cut off time for submissions to be made at each stated dates is 2350 nine hours a minute to midnight on the date specified, so one minute to midnight. If submissions are not received by this time, you should assume they won't be accepted by us.

00:38:41:18 - 00:39:11:10

We have requests to speak on this agenda item, and we've received a number of written submissions, which we will also be taking into account. We have a written submission from the applicant, and we'll hear from the applicants in a moment. But first, can we hear from other parties and allow them to expand on their request? Now, I have notified here Mr. Gibson for Spirit Energy who is online, Mr. Gibson.

00:39:13:03 - 00:39:45:08

Uh, thank you sir. James Gibson for spirit, energy and spirit did not have any, um, specific comments on the examination programme. Um, we recognise there's inherent challenges in finding a program that accommodates, um, all parties, for our part. And we have made key personnel, um, aware of the key dates, um, in order that they can support, um, spirits, written and oral submissions. Um, however, we did not have any further comments on the draft examination program at this point in time.

00:39:45:10 - 00:39:45:27

Thank you.

00:39:46:26 - 00:39:47:24

Thank you very much.

00:39:49:09 - 00:39:56:02

For what? Pass on to the applicant. Is there anybody else who wants to make any submissions on this item?

00:39:57:27 - 00:40:02:17

Nope. Not seeing any more. So of the applicant, please.

00:40:03:20 - 00:40:44:19

Robin Hutchison for the applicant. Um, very limited in the way of substantive points on on this agenda item. Um, we, as has been noted, already made our procedural or perhaps pastoral suggestion on the timetable, uh, around the Christmas period. Um, I think we've made a suggestion about releasing some of the pressure at either side, which might just free up some of that period, the dates for the holidays this year sort of falling as they do in the middle of the week rather than at a weekend, so I think a number of consultancies might be shut for that period.

00:40:44:27 - 00:41:04:13

Um, I think Natural England made a similar request. Um, so we're again in your hands, but the request and the sort of detailed suggestion, um, is with you in the written submission in our response to the rule six letter. And I can sort of spell it out again if that, if that assists.

00:41:06:04 - 00:41:08:06

Thank you. Um.

00:41:09:04 - 00:41:12:03

Do my comments or any observations, Mr. Jackson?

00:41:12:11 - 00:41:47:17

The only question I have has is what is your response to the suggestion that rather than coming forward slightly, essentially it goes out a bit, as it were, because obviously there would be a deadline. Three. The suggestion from the other parties, deadline three years back a week. Um, but there are implications of that because then the timetable could be constrained and there's enough time for either you or us to be able to consider submissions. Um, but obviously we've got six minutes constraint. Uh, the obvious one would be that things sort of go out a bit and then go back in sync.

00:41:47:19 - 00:42:02:18

What about the way I describe it? Uh, either deadline five or deadline six, which would mean probably moving the hearings weeks in the Senate being the last week of January, going into the first week of February, saying, um, I was wondering if you had any thoughts on that.

00:42:03:29 - 00:42:34:15

Um, as you might imagine, the the applicant, as I suspect all offshore wind developers would say the same thing. You know, there's an urgency to delivery of these types of projects. So our natural preferences to is to bring things forward rather than push things back. But, um, again, in the panel's hands, and if it's felt that playing catch up slightly later in the program assists, then, you know, of course we will and we will work around that. Um, just perhaps one other suggestion.

00:42:34:17 - 00:43:16:13

Again, if it just if it assists. Is that, um, the publication of the, um, first written questions scheduled for the 18th of December? Uh, one might expect will trigger a substantial amount of work for a number of parties. Perhaps it will be a light list, but, um, experience suggests that there might be a number of issues in which the examining authority requires, uh, some response. Um, so that that would seem to be a sort of key pressure point and anything that could be done to bring that forward or perhaps even a draft, uh, list of written questions, fully acknowledging that that may change.

00:43:16:15 - 00:43:41:13

You know, our preliminary preliminary list to allow the applicants and the other interested parties to get going on those matters where, um, there's already clear requirement for for a question to be answered. Again, it's only a Suggestion. And, you know, we're respectful of the authority to, um, that the authority to set the timetable resides with yourselves. So.

00:43:43:13 - 00:43:58:18

As you say, you're talking about a draft SSC one. So how do you see that working procedurally? Uh, as distinct from us just coming forward and making it the full Monty. And what time do you think we'd save?

00:43:58:20 - 00:43:59:05

So

00:44:00:21 - 00:44:43:11

Robin Hutchinson for the applicant? Um, I suppose it would just be providing absolute clarity that this is a preliminary list, and we should expect to have to review it again against the final list that comes

out in a, you know, whatever additional time is needed so that you've reserved your position fully to settle your full list. Um, and we as applicant and interested parties are fully aware that this this may be subject to change and it's at our risk to get going or not. But getting going would just allow, um, if we saw choice at at risk to, uh, get a head start on a number of those questions rather than getting into them sort of at the beginning of the Christmas holidays.

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

Thank you.

00:44:45:11 - 00:44:46:22

We'll take that away and think about it.

00:44:49:10 - 00:44:53:17

Right. I think that concludes the agenda item four.

00:44:55:06 - 00:45:02:07

And Mr. Jackson will now lead on item five, which is procedural decisions. Thank you, Mr. Rigby.

00:45:02:13 - 00:45:05:26

Uh, if we could have appendix G on the.

00:45:06:27 - 00:45:07:12

Screen.

00:45:07:14 - 00:45:28:16

Please. Thank you. Um, actually, might be easy to go right to the top of the rule six letter. Uh, to the of itself. And there's a list of ten, right? Essentially. Or right at the end of the rule six letter itself rather than, uh, the whole thing, um, which is just got the bullet points with them all on. It's probably quicker.

00:45:39:18 - 00:46:13:11

There we go. Just the seven of them. Slightly. But essentially that that that's probably given what they are, it's probably as easy to do them in a single list rather than have them scrolling through. Okay. Um, as you see, this set out ten items. Whether we've made procedural decisions which will affect the examination, um, I hope quickly go some of them into and have we've just found some we've already discussed in the rule six letter, for example, that raised the site inspections. So they were only briefly mentioning again, uh, right.

00:46:13:16 - 00:46:37:28

Each of these eight items as well is displayed to the rule six letter. So I don't need to go through many in detail. We had three items. Request to speak on those. Um, can I ask who is wishing who who wishes to speak on these and which ones they wish to speak on, because it's just make life a little easier in that regard. Obviously, we'll give the applicant the opportunity to respond in each case. Um, gentleman.

00:46:40:04 - 00:46:52:26

Grant, you are a DLP planning representing VA systems. Um, I think we've had that early discussion about statements of common ground, which is the point we wanted to address. So probably nothing else to say on on that.

00:46:52:28 - 00:46:54:22

Well, we'll find that's good. Uh.

00:46:55:02 - 00:47:05:14

Is there anybody online who similarly wishes to raise anything specific? Just when I know when to stop. And there are some things that we'll need to ask the applicant as we work our way through.

00:47:06:19 - 00:47:07:04

Okay.

00:47:08:09 - 00:47:38:28

All right. Um, first, as we've indicated, our statements of common ground, the statement of aim of a statement of common ground is to agree factual information and to inform the examining authority and all other parties, identifying where there is agreement and where differences lie. Early stage. The examination process should provide a focus and save time by identifying matters which are not in dispute and need not be the subject of further evidence. Could also usefully state where and why there may be disagreement about the interpretation and relevance of the information.

00:47:39:19 - 00:48:12:26

Unless otherwise stated or agreed, the statement of common ground should be agreed between the applicant and the other relevant interested party or parties, and submitted by the applicant for each of those items that are in dispute. It would be beneficial if each party would put their estimation, as the likelihood that disagreement will remain by the end of the examination. This should be done on a low green, medium amber and high red traffic light model. This will allow us as examining authority to assess those errors, where all discussions may be of most benefit.

00:48:14:14 - 00:48:37:24

There first, there are two points here which we would take in turn. Firstly, for those states of common ground which we have set out, and whether there are any points which the only party considers to be missing. And secondly, where there's additional statement because of common ground between the applicant and the other party. Um, we can have a discussion about, uh, submission, about statements, common ground. Uh, otherwise. So is there anything that the applicant should stay on to common ground?

00:48:38:17 - 00:49:13:28

Robin Hutchison for the applicant. Um, yes. Just a couple of update points. And then perhaps our request for just a little bit of direction as to what would help most of the deadline. One. So statements of common ground, um, have been drafted by the applicant and issued now to all parties in the list, with the exception of, uh, six, for which there's a sort of specific reason for each, which perhaps I can just run through now.

00:49:14:00 - 00:49:54:15

So Natural England, um, as they've set out in their response to the rule six letter, are proposing an approach where the principal areas of disagreement statement um, supplemented with sort of uh at each deadline a risk in issues log. Um and the applicant proposes to fall in line there. Um, one observation is that we understand that Natural England will also be representing JNC, and that there's a concordat or other agreement in place to, um, uh, um, formalize that arrangement.

00:49:54:17 - 00:49:58:05

So we're not expecting to have separate engagement with JNC.

00:50:01:05 - 00:50:31:24

Next up, Natural Resources Wales and our W um, they have advised that they have not reviewed the application in detail as of yet, and their detailed comments can be expected at deadline. One um, and as a result have advised the applicant that it considers deadline three is an appropriate target for a statement of common ground between the applicant and W again set out in their response to the rule six letter.

00:50:32:22 - 00:50:52:21

And so that's three of the six for um, Historic England similar position to NRA. Not fully digested the material yet. They are suggesting deadline two would be an appropriate deadline to give them time to settle a statement of common ground with the applicant.

00:50:54:11 - 00:51:28:27

And then the final two of my list of six are Mona and Morgan, who are on the examining authority's list. But Morecambe, Morgan and Mona. We really should have come up with different letter names, but Soviet and Morecambe, Morgan and Mona, um, I think are of agreement that there is no need for a statement of common ground on each other's projects. Um, it's that there aren't issues that require to be settled, and the representations made aren't of a nature that require a statement of common ground.

00:51:28:29 - 00:51:38:27

So certainly more, um, more commitment, intending to enter into a statement of common ground on the other two projects. So it's a it's a mutually, um, agreed position.

00:51:39:29 - 00:51:42:08

Okay. Well, we'll take that away and I'll think about it.

00:51:42:10 - 00:52:08:17

Thank you. Great. And can I just ask for one point of direction from the examining authority? And it was just what you would like at deadline one, in a scenario where a statement of common ground has been issued in draft by the applicant to an interested party, but the there hasn't been a time to get a sort of interested parties feedback, whether you'd like a sort of one sided draft or whether the preference is to wait until you have something meaningful.

00:52:08:19 - 00:52:16:29

I think we would like the one side to draft. I think it wants to draft its way of using it, and the flippant comment on the alternative name would have been Sod dull.

00:52:19:02 - 00:52:20:05

Appreciate that. Thank you.

00:52:21:10 - 00:53:02:23

Um, okay. Uh, the next one was on the agenda. On the agenda item five. The second point relates to an accompanied site inspection if we need one. Um, I'm sure you'll have seen the notes of the unaccompanied site inspections we made on the ninth, 10th and 11th of September from public vantage points. We believe we now have a good understanding of the site and its relationship to the coast and other existing and proposed wind farms. If either the applicant or any other interested parties is that additional locations beyond those that we've already visited need to be so visited, we request that they are provided that list by procedure line and to present day, which was last week.

00:53:02:29 - 00:53:12:24

No suggestions have been received, and on that basis, we are not anticipating there will be an accompanied in site inspection. Does anybody have any comments about that?

00:53:14:18 - 00:53:48:27

I'm seeing nothing. Nothing around the table, shaking heads. And there's nothing online. Um, as I'm sure you'll understand, we've made a procedure that's made a procedural decision not to hold another company's site inspection at this time. This doesn't prevent us from making a further procedural decision at a later date to holding a company site inspection or undertaking further unaccompanied site inspections, should that should the evidence indicate that this is necessary? Um, if an accompanying site inspection is necessary, then provide information about it. When we if once we've made that decision and publicly publicised it in the normal way.

00:53:50:26 - 00:53:58:23

Next on the list is, uh, comments on relevant representations. Number three on the list. Um.

00:54:02:02 - 00:54:32:02

As you're aware, from appendix G, we were seeking summaries of of longer relevant representations and comments on relevant tests by deadline one, which is currently down for 26th of November. However, we requested it possible to have early site of those responses by procedural deadline. A can I thank the applicant for their responses. While we have looked through them briefly, I am sure that you will understand that we need to go through them in more detail and at over 500 pages, and that's not a criticism that will take some time.

00:54:32:21 - 00:54:50:16

Uh, the fact that we've received the responses does not prevent any other interested party from submitting their comments on any other relevant representations, should they wish to. And the draft timetable has that, as I said, a deadline, one which is currently the 26th of November. Does anybody have any comments on that?

00:54:53:26 - 00:54:57:09

Robin Hutchison for the applicant. Um.

00:54:59:09 - 00:55:32:03

Just a couple of observations. So given that a number of the relevant representations made, um, comments on the drafting of the DCO, which we felt could be relatively easily accommodated. We did submit a revised draft at procedural deadline, in the hope that that was helpful, to close out some issues before the examination commences, and just to allow the IPS as well, to see that we had acted on and accommodated their changes before written representations were required.

00:55:32:28 - 00:56:09:25

Um, in terms of the applicants submission procedural deadline A, we noted that there may be a couple of additional items to expand upon at deadline. One, which was, as has been observed, the the deadline for responses to relevant reps. And the intention is that this will be very minimal because we wanted to try and give a full, um, account of our responses to the relevant reps at procedural deadline. A there may be one specific point on the Natural England response, which has taken a little more time to develop, so that can be expected at at deadline.

00:56:09:27 - 00:56:40:01

One m similarly, the applicant received a paper a technical paper um in the from Spirit Energy on the 11th of October. So shortly before the deadline for a response to relevant rates. So there wasn't quite enough time to absorb that and incorporate that into the response. Um, we would assume and have no objection to spirit lodging that a deadline one or sooner, as spirits will choose to do.

00:56:40:03 - 00:56:49:20

Um, and we will, um, intend to respond to that as part of our, um, response to the spirit relevant rep deadline one, if that suits the panel.

00:56:50:21 - 00:57:02:15

Thank thank you for that. And thank you for the revised development consent order. We'll be talking more about that tomorrow. Um, Mr. Gibson, do you have any comments do you wish to make in from, uh, the applicant's comments?

00:57:03:10 - 00:57:37:00

Uh, James Gibson for Spirit Energy? Um. Uh, briefly, um, in terms of, uh, the technical documentation and the recent report, uh, received by the applicant from spirit. Um, I'm conscious that there's further technical discussions planned, um, on the content of that version of the report, um, and the need for exchange of further, um, data between the parties, um, between now and, uh, the written representation submission deadline, one on the 26th of November.

00:57:37:02 - 00:57:56:16

So, um, I think we'll just need to reserve our position in terms of whether we're in a position to submit a draft of the technical report at that date. Um, but obviously we do intend to elaborate on our, um, submissions in our relevant representation in the written representation. Um, and include, um, appendices as appropriate. Thank you. Thank you.

00:57:56:21 - 00:57:57:21

Thank you, Mr. Gibson.

00:58:00:03 - 00:58:02:11

Does anybody else have any other comments on that?

00:58:04:16 - 00:58:38:09

Robin Hutchison for the applicant. Just one thought. Then, having said that, we would respond on that technical report, a deadline one, Mr. Gibson has just explained that he's going to discuss with his client and reserve their position on exactly when that's going to be submitted. So I would assume it's appropriate that we should, um, sort of fall in line behind that. So we're not commenting on a report that hasn't been submitted yet to the examination. So I guess we need to discuss with with spirit, perhaps following the close of this meeting timings, and then perhaps we can make a proposal for.

00:58:39:00 - 00:59:01:00

Clearly if spirit and this is without prejudice to spreadsheet spreads position to the spirit field that they have got the report in the technical in a final state before to allow you to make comment. Thereafter, they can submit it submitted to you before they submit it to us at the formal deadline. And that's that's fine, but that's up to there. Yes. Please follow behind the spirit in this regard.

00:59:01:23 - 00:59:02:12

Thank you sir.

00:59:03:18 - 00:59:46:04

Okay. Um, next one is fourth point, which requests for regular updated documents throughout the examination. Um, this was to ask the applicant to provide an application guide, including the latest version of the documents, and to ensure that when revised documents are produced by any party but clean and track change documents are provided. Um, we entered the applicant to provide an errata sheet with its procedural deadline. Eh. Unfortunately, we're going to be unable to accept that, um, this is simply because it can be too difficult for us going forward, and we expect others to keep top of revised documents where they are only a word or a small section in a document, in a in an Arata to.

00:59:46:19 - 01:00:20:22

Because it's online, we can't go and write on it. For example. Um, thus please can we have two versions of all documents? Yes. We know that's going to need a large amount of the, um, environmental statement because of the square kilometres km squared issue. But notwithstanding that, um. And we need clean and track change versions to be submitted with technology, it shouldn't be too difficult to achieve. Um, and obviously the track changes. You only go back train track changed from the last clean submitted version works.

01:00:20:24 - 01:00:28:01

That makes sense rather than from the original. Um, do you have any comments? Uh, the applicant only comment on that, or are you happy to be able to achieve that?

01:00:31:04 - 01:00:32:19

Robin Atchison for the applicant.

01:00:32:21 - 01:00:33:18

I think my.

01:00:33:20 - 01:00:36:21

Team are nodding and saying whatever assists we will do.

01:00:36:23 - 01:01:09:03

Thank you very much. It really does make it a different. But it does make it makes a really makes life a lot, lot easier. Thank you. Um, fifth and does anybody else have any comments on revised documents and say that does include revised. If you are an interested party, other than the applicant wants to put a revised document in, then please can we have to track clean and track change? If it's a technical paper or revise or a response to something that's previously been submitted, and then then fine, that's not a problem.

01:01:09:05 - 01:01:40:01

We don't need it. We just have a clean one version of a clean document. It's just where there's a revised document is that we want really to the clean and track change versions please. Okay. Thank you. Um, next. And fifthly, we have requested a report on the interrelationship with other infrastructure projects. I won't go through the details on request, but this is effectively to ensure that any cumulative effects are properly considered and made with up to date information. Does the applicant have any comment on that at this stage?

01:01:40:22 - 01:01:58:04

Uh, Robin Hutchison for the applicant, we note that, uh, agenda item for tomorrow. So the the substance of that, um, we can presumably discuss tomorrow. I can just update now that that's intriguing and will be submitted as required by the deadline one.

01:01:58:15 - 01:01:59:00

Thank you.

01:02:01:09 - 01:02:01:24

Um.

01:02:04:00 - 01:02:37:27

At 660, we have asked for their requirements in relation to the draft consent order. Um, for those less familiar with the process, if consent were granted, the developed consent order would be the mechanism that allows the proposed development to proceed. Whatever our recommendation, we as examining the authority required to provide the Secretary of State with a draft development Consent order what we consider to be the most appropriate form. Consequently, our discussions on this are on without prejudice basis. Does anybody have any comments about the draft consent order?

01:02:41:20 - 01:03:12:19

Uh, separately, we've decided that if anyone has used or uses in the future as part of their submissions to the examination, artificial intelligence, or commonly known as I, um, in the production of any submission that they are required to have, declare that fact and provides us with information as to how it has been produced and explain its use. Um, because this is a new requirement we have set out, this must be declared for any submission produced to date up to a deadline one currently 26th November by that. So it's produced by that deadline.

01:03:12:21 - 01:03:22:00

Thereafter. We require you to advise us with any after. If I has been used on in the document thereafter. Um does anybody the applicant query about this? Yes.

01:03:22:02 - 01:03:55:25

Yes. Katherine Nolan, on behalf of the applicant, um, just to say the applicant will be submitting a statement at deadline. One, I think we understand that one chapter author used, um, copilot to rewrite some wording, although it was then rewritten and rewritten by others. So in the spirit of full disclosure, we'll just be putting that in. Thank you. But one point of clarification that we wanted to make, or to get a direction from yourselves is whether a direction confirmation is expected in future. If I hasn't been used, I think our interpretation is that a disclosure for each submission at future deadlines is only if AI is used.

01:03:55:27 - 01:04:03:12

So a positive reporting obligation. But if we haven't used it for anything in future, no such declarations needed yet.

01:04:03:14 - 01:04:42:29

That that that's mine. That's my understanding of the planning. Inspectorate's advice is that it's a it's only if it's a positive requirement, if it's been positively used not thank you. It's not something which needs to be the need to be denied for want of a better way of putting it. Thank you. Any any other queries about you. So I know uh, right. Nick eighth, we've asked parties to submit closing statements towards the end of examination. Upon reflection, these should probably better be called summary and signposting documents, since they should they should not be closing statements as might be given at the end of a planning public inquiry into sections of Town and Country Planning Act.

01:04:43:06 - 01:05:13:27

Rather, they should set out concise the parties position prior to the close of the examination, particularly when there is a disagreement should not seek to bring in new evidence, but rather signpost to us and the Secretary of State, where we can find the relevant information previously submitted. Such documents are becoming much more common in national infrastructure examinations, and really assist us in writing our report to the Secretary of State, as they clearly set out anybody's final respective positions. There is no obligation to do that, but it just useful to us.

01:05:14:10 - 01:05:16:00

Um, yes.

01:05:16:19 - 01:05:36:21

Open custody for Blackpool Airport. Yes, sir. My clarification, sir, is that going beyond. Shall we say, the same, um, traffic light system in the statement to Common Ground? Because if we've got a statement to common ground that maybe has just a little bit of amber left over. Is that sufficient or would you prefer similar?

01:05:36:23 - 01:05:50:23

I think you would. You would need to make this your own decision as to whether or not you wanted to expand on that amber red. I think that's that's the point. It's for that. It's for those ones. But it just is. I say it's a signposting. So.

01:05:53:02 - 01:06:19:29

As I said, you get a 500 page submission. These things happen. But you could then you can say, as we said on page 433 of document, that one, whatever it is, that we can find it much more quickly when we get to writing that report up in the end, at the end, you know, trying to remember where you found something in a multi, many page document can be a complete nightmare.

01:06:22:01 - 01:06:55:09

Thank you. Um, that was that once. Uh, so any other questions? Any other queries on signposting documents? I'm not seeing any hands up online. So I'll move on to number eight. Um, next on this agenda item, if you scroll down slightly because the screen just moves. Yeah. We can um, is additional record, additional various additional submissions that we've accepted. Um, they were the applicant response to the section 51 advice issued when the application was submitted for examination.

01:06:55:27 - 01:07:39:22

Uh, submission from the Environment Agency dated the 2nd September, indicating it will not be commenting on the application. Our view is that it supersedes the relevant representation from the Environment Agency. Um, a letter from the Flemish Amos Agency for Agriculture and Fisheries. And I won't try and pronounce the name of the name of the organisation in Flemish. And a letter from the applicant in response to our rule nine letter requesting further information. That was the first of the two. Um, any other, any comments on that? But um, and finally we've set out our response to that, not rule out rule in rule that rules response to that rule nine letter.

01:07:39:24 - 01:08:00:03

In our rule six letter, uh, the applicant requested three, three areas where it requested additional information be delayed until deadline one, which we agreed to. Um, we also received the comments on other matters requested from the applicant, Natural England and Spirit Energy. Um, now is not the time to go through them, but can we thank those parties for their submissions?

01:08:02:15 - 01:08:34:08

Uh, before there is, um, move on to item six, there's one other matter which I would like to raise it to be a further procedural decision, as parties hopefully should know, back in August this year. Um, a joint advice note from the statutory nature conservation, conservation, statutory nature conservation bodies and CBSE regarding bird collision risk modelling for offshore wind developed was published. This advice note provides updated advice on collision risk and modelling for offshore wind farms.

01:08:34:12 - 01:08:57:15

I'm sure that the applicant and other parties will be aware of it, and I hope we're looking to include its recommendations into the EIA and HRA assessments so as to ensure that the conclusions of those assessments are robust. Um, we're hoping that the applicant has taken this consideration of this information into hand, and we'll be able to amend the relevant documentation by deadline. One.

01:09:01:28 - 01:09:05:04

Robin Hutchison for the applicant. We are just checking.

01:09:07:24 - 01:09:09:14

A couple of other things. We can also come back to that.

01:09:09:16 - 01:09:12:26

Perhaps we could come back to that at the in a few minutes time if that's okay. Yeah.

01:09:14:05 - 01:09:51:03

All right. So which is item six on the agenda which is any other matters. Um, there are a few other matters we'd like to raise. Um, first one is whether future events after this week, um, should be blended, i.e. with people in a, in people from various organisations in a room or, and online, as we have doing today or solely virtually with everyone online. Um, you'll be aware from those today. Apart from the applicant, we have only a limited number of other people in attendance of the room, and notification for attendance for tomorrow is similar.

01:09:51:23 - 01:10:22:21

We have no strong feelings about this, but we're aware that setting up events like this does involve considerable resource. When that online can can be less and we therefore interested in views um, we'll start with those in the room. You know, whether you have any long strong views of attending meetings physically or virtually. And I've noticed we have got a hand up. Mr. Gibson. We'll come to you in a minute. So we'll work our way around the room first. Paul Pennant and Brian from Warner and BA systems.

01:10:23:06 - 01:10:29:25

Um, the issue we have with the company is we can't use Microsoft Teams for security reasons. We cannot do virtual meetings virtually.

01:10:31:29 - 01:10:32:14

All.

01:10:38:11 - 01:10:40:17

That which will apply to your good self as That's what.

01:10:40:19 - 01:10:49:27

I see. Uh, representing Biosystems. Um, yeah, I get that point. Uh, so, so it's much more straightforward, actually, for us to turn up in person. Right. Thank you.

01:10:51:20 - 01:10:52:05

Alban.

01:10:52:07 - 01:11:11:08

Cassidy. Laporte. Um, so just by the very fact I'm here today demonstrates it. Given the option, we would prefer to at least have the opportunity to appear in person. But again, it might depend on the specific nature of what we are discussing or, um, looking to present. So we'd like to reserve that opportunity, please. Yeah.

01:11:12:01 - 01:11:14:22

Okay. Does the applicant have to use.

01:11:15:10 - 01:11:17:13

Um, conscience? Mr. Gibson has his hand up. Oh, sorry.

01:11:17:15 - 01:11:21:14

Yes. I'm gonna apologize. I did see it earlier and then refer to it. And then didn't. Mr. Gibson. Sorry.

01:11:23:15 - 01:11:55:11

James Gibson for spirit energy. Um, Spirit's preference would be to retain, uh, blended events. Um, as few as often lengthy virtual sessions, um, can be less effective, especially when discussing quite complex, um, technical evidence which, um, is foreseeable, um, in issue specific hearings that will follow later in the examination. Um, I understand that others may have a preference for, uh, virtual sessions. Um, so on that basis, our preference would be for the use of blended events to continue.

01:11:55:13 - 01:11:56:00

Thank you.

01:11:56:06 - 01:11:57:00

Thank you. Thank you.

01:11:58:02 - 01:12:19:25

Yes. Kathryn Nolan, on behalf of the applicant. Um, likewise. Similar message to those in the room. Um, the applicant has a preference for a blended format rather than teams. And we are in your hands. Um, uh, in terms of future hearings, obviously, we will attend an in-person if they are blended. Um, and we do have an answer on the guidance point, but I will let you collect your thoughts and then we can come back to that.

01:12:19:27 - 01:12:54:05

Okay. We'll just make sure we'll do that one there. Okay. Um, I can just make the comment. There are times when, particularly towards the end of this examination, if we have been doing blended doing the event that because of set up times, I'd organize it somewhat. Okay. If if one Becomes necessary, a hearing becomes necessary in short order towards the end to try and get something concluded out at the end. Sometimes they have to be done virtually. There is no option to get them but to do them. But virtually. Um, and it that that is a situation.

01:12:54:07 - 01:13:22:10

So we've heard what people have said and we'll take that away. But I'm just making the point that there might be we're doing everything else blended right at the end. We need to have something to bottom, something right at the end. It has to be done virtually because there isn't physically done to get the physical arrangement sorted. Let's make that point okay. Right. And we'll now revert back to the previous. The previous item were a question in relation to, uh, the uh, the advice from the ANC base.

01:13:24:17 - 01:13:28:29

That agreed for the applicant just to confirm, um, that that would be provided at deadline one.

01:13:30:11 - 01:14:05:29

Thank you very much. At super, I'm reverting back to this thing. Um, the second one I wanted to know. Um, wants to know is that you're probably all aware that the Planning Inspectorate has updated recently some of its advice pages, with the latest update being in September, after the application had been accepted and after we'd written, written as opposed to published, uh, our rule six letter. Um, the letter we particularly referring to is, is the commitments Register. Um, we appreciate you've submitted a schedule of mitigation, which is app 144, which is quite the same thing.

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

And I was wondering if you could pull that together again with a submission deadline one.

01:14:15:07 - 01:14:17:18

Robin hitches for the applicant. Yes. That's no problem.

01:14:17:20 - 01:14:18:20

Thank you very much.

01:14:19:27 - 01:14:20:12

Um.

01:14:21:14 - 01:14:35:24

The third item is whether, in light of the applications indication that the wind site farm overlaps one historical naval training area designated the N And 130 Inskip outer um, which is.

01:14:35:26 - 01:14:36:11

Potentially.

01:14:36:13 - 01:15:10:02

Associated with unexploded ordnance. Unexploded ordnance threats such as aerial torpedoes, rockets, and depth charges. It's appropriate to defer consideration of such measures to a submarine licence application only. Um, there's clearly an increased likelihood of encountering unexplained unexploded ordnance, which has implications for land use decisions. Um, I was wondering if you could comment on that and provide any update on the timeline, varying the detailed and explained Ordnance Survey information.

01:15:31:00 - 01:16:13:24

Robin Hutchison for the applicant. Um. The applicant was aware of the constraints in the area when settling on an approach of separate UX surveys and then, if required, marine licence application. Um, and we understand that. So a relatively common approach in offshore wind different projects do do different things. But we we do understand that to be fairly, fairly standard. Um, we'd be content to perhaps expand upon the decision making rationale and the intended timings for surveys and the strategy, if that would, um, assist just sort of understanding that this is not an impediment to the delivery of the project.

01:16:13:26 - 01:16:26:04

I think that's what we wanted to make sure is that it doesn't. The comment earlier about speed. Uh, again, we're going to be discussing more about that tomorrow. But it was more just yes, it would be useful if you could do that. And deadline one again.

01:16:26:23 - 01:16:32:29

Yeah. That that that's fine. I mean it has been factored into the program. So we can we can set that out. Thank you.

01:16:34:02 - 01:17:04:17

Um, and finally, could you advise us as the progress in securing the compensation measures in the, uh, in the event that they found to be necessary? Um, it includes progress on land and agreements, any commercial technical arrangements and any local planning authority input required. Um, we appreciate that the compensation for lesser black girls is on a without prejudice basis. Um, but if required. But if it is required, we will need to be satisfied that it can be or preferably has been secured.

01:17:04:19 - 01:17:14:11

And we note that one of the options for the of a site at the Barrow gas terminal has been abandoned. Isn't it coming from what I've got for the applicant? Um, I can just confirm that.

01:17:14:13 - 01:17:15:29

Yeah, those discussions are ongoing.

01:17:16:01 - 01:17:20:11

We're holding regular meetings, um, with landowners and other interested parties in.

01:17:20:13 - 01:17:21:25

Securing those so we can.

01:17:21:27 - 01:17:56:09

Provide more of an update. Um, perhaps a deadline? One, if required. I think that would be really useful if we could have that deadline. As to where you are on the negotiations with the applicant, just to confirm that our position is that we would only need one of the three options that have been put forward, but we are obviously exploring all as a backup. We appreciated that. Um, we should also flag that obviously some of the representations have suggested comp in compensation will be needed for other species. At this stage, we're only flagging that up since we will need to examine examine the situation.

01:17:56:11 - 01:18:23:25

But can I just put gently to the applicant on notice of this so that they can consider, if they wish to consider other without prejudice options? Oliver Gardner for the applicant, I confirm we are aware of that and we are doing as directed. Thank you. Okay. Um, we have no other matters to raise this afternoon, so it's just is there anything anybody else wants to raise? And I'm getting shakes around the room. Anybody online?

01:18:27:20 - 01:18:28:05

No.

01:18:29:00 - 01:19:01:00

No. Thank you. It doesn't look like anything. So I'm pleased that completes our business for today. Thank you very much for your contributions, patience and preparation for today. Um, a digital recording and transcript of this meeting will be added to the project page of the planning Inspectorate's National Infrastructure website as soon as possible after the close of its meeting. The next session is tomorrow morning at 10 a.m. for the specific hearing on project definition and interrelationships and the draft DCO the Arrangements Conference, for those of you who meet online, will be at 9:30 a.m..

01:19:01:13 - 01:19:18:15

Uh, we have given ourselves all day, uh, for that hearing that is both morning and afternoon. So please be aware of this. Hopefully this will give us plenty of time to complete all the items set out in the agenda. Uh, so in the meantime, it's now for me to formally close this preliminary meeting. And I look forward to seeing you all tomorrow.