



Hearing Transcript

Project:	Morecambe Offshore Windfarm Generation Assets
Hearing:	Issue Specific Hearing 1 (ISH1) – Part 2
Date:	24 October 2024

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FULL TRANSCRIPT (with timecode)

00:00:05:03 - 00:00:35:21

Yeah. The hearing is resumed. It's now half past. Um, and we want to now move on to item four on the agenda with the relationship with other projects, and particularly ensure that the cumulative effects of them are all properly considered. Um, just for clarification, and we're not sure whether others have used this differentiation, but we think in combination effects are where more than one effect on a single receptor from a single development proposed development only. While cumulative effects are the effects of separate projects on a single receptor.

00:00:36:27 - 00:01:07:17

This kind of this kind of course, you can of course have in combination cumulative effects where more than one project has more than one effect on a single receptor. But we think that's because there does seem to be some confusion between in combination effects and cumulative effects. And we're thinking we make our lives easier. We think that in combinations are on a within from this project and cumulative are multi project. And I think that's where where we think a definition works.

00:01:07:19 - 00:01:17:02

We're not aware of there being any specific industry standard definition as to which of what is of the two anyway. Um we hope that that will is.

00:01:20:27 - 00:01:27:21

For the for those not not in the, in the room the applicant team are having, they're having a chat amongst themselves.

00:01:42:21 - 00:01:46:07

And Robin Hutchinson for the applicant. Um.

00:01:48:18 - 00:01:49:14

To.

00:01:51:29 - 00:02:24:06

Yeah. So the the way the applicant is use the terminology in the application follows the legislative requirement that underpinned that piece of the application. So in the AIA and all documentation related to the EIA and the environmental statement, the requirement of the relevant EIA regs is to assess cumulative effects. So EIA documents refer to cumulative. And it means the project along with other projects.

00:02:25:13 - 00:02:58:13

Um the um term in combination is used in the Habitats regulations assessment, HRA and related documents because the relevant HRA regulations use the term in combination. So the application uses those two terms to mean the same thing, not quite interchangeably, because they are specific to the document that has been prepared. So the cumulative will appear in the Is.

00:02:58:22 - 00:03:05:27

The in combination will appear in the HRA materials, but in effect they mean the same thing. It's the project and others.

00:03:06:12 - 00:03:37:13

Oh, probably sounds whenever it was translated, whatever language it was written for the European directive into English. And I'm not, but not done by the same translator. I think that's probably the prosaic is prosaic answer to that particular point anyway. Right. Um, obviously, other than the current Morgan scheme, we have two other wind farms in examination, the mainly the Mona and the Morgan offshore wind projects, and we have the Morgan and Morgan, Morgan and Morecambe transmission Assets application, which was submitted earlier this week.

00:03:37:22 - 00:03:45:17

And we are still awaiting a decision whether that's been accepted and that's whether the documents have yet made it into the public domain.

00:03:47:02 - 00:04:26:02

Uh, you'll be aware of from our rule nine letter from the 4th September, which related predominantly to ecological effects. Um, but we not now possibly are about to have, um, the information from the transmission assets application that could be cross-checked and referenced in. Um, can the applicant also confirm that we ensure that if additional information is published in respect of the Monet and Morgan schemes, as well as the Transmission Assets Scheme, um, and any other, any other projects where there is a potential cumulative effect, the various cumulative effect analyses are updated so that at the end of the app examination, we will have the latest information available to us.

00:04:38:00 - 00:04:40:26

Robin Hutchison for the applicant.

00:04:44:00 - 00:04:45:27

So.

00:04:50:03 - 00:04:52:06

Just finding the right place in my notes.

00:04:55:26 - 00:05:29:11

So the the applicant submitted a full cumulative environmental assessment with the application. Now in order to produce that document and recognizing there's a time involved from identifying a piece of infrastructure and then assessing it, writing it up, consulting on it, doing all the process to get from there's a wind farm over there to here's an analysis of the cumulative effects of that on a piece of paper that can be submitted.

00:05:30:03 - 00:06:05:10

There's a time lag necessary necessary in that process. And so there's a cutoff date identified at which we say anything that, um, has sufficient information to be cumulatively assessed. That cutoff date will be included. Anything after that. Well, that really falls for their application to assess our project cumulatively because they're further, further in the future. And we note that that's recognized in the new planning Inspector advice note on cumulative effects assessment that was produced in September.

00:06:05:12 - 00:06:48:19

There's a section on cutoff dates that that recognizes that concept. And now it does say, of course, that it's open to the examining authority to ask for more information if it so requests and and of course, the requests be made to provide an update. I think two slightly distinct updates. One is in relation to inclusion of the, um, assessment of the historic wind farms that didn't have quantitative data available to the wind farms, which predated the current approach to ornithology assessment, where you have particular output numbers and so have been assessed on a on a qualitative basis.

00:06:48:21 - 00:07:20:18

But we're now going to include projections for quantitative numbers. For those I think I got. Quantitative and qualitative mixed up at the beginning there. But you get my point. So. That's point one that will be included in updated cumulative information. Point two is the request in the um content requested for the interrelationship report, uh, for cumulative or revised cumulative assessment for the list of identified interrelated projects.

00:07:21:00 - 00:07:53:02

Um, now there's a separate agenda item, but perhaps it just helps to explain. Essentially, the the applicant has looked at the approach Morgan has taken to an equivalent, similar request on that application in terms of the the interrelationship report and its response and intends just for consistency. And because the, you know, the parties are working closely and engaging anyway for consistency and good practice to follow that approach to the interrelationship report.

00:07:53:11 - 00:08:34:17

And so returning to your question about cumulative assessment, that will include essentially our sensitivity analysis to see has any of the new information submitted as at today's date changed or influence or impacted the conclusions of our cumulative assessment sort of sensitivity analysis? And then obviously, if the answer is yes, it might have done, then we go back and look further. If the answer is no. The for example, submitted Morgan application doesn't change the conclusions from the preliminary environmental Information report on which our current C is based.

00:08:34:19 - 00:08:38:15

Then there's no need to go back and revisit revisit documents just for the sake of it.

00:08:40:21 - 00:08:42:21

Thank you. Um.

00:08:44:25 - 00:09:07:16

We come to the cumulative visual assessment. There's one point I would like the applicant to clarify relating to the position of the proposed offshore substations. Um, if you we dig up and we the the documents, um, app 106, which is the PDF pages three and four, the SLA and the severe figures 18.1 and 18.2.

00:09:18:22 - 00:09:51:12

Yeah. Um, she's, she's she's working on for those those online. The member for the applicant team is currently getting the getting the drawings up. Okay. Um, the two green triangles for Montebello on the

eastern edge of that drawing are the assumed offshore substation locations. How? If you then go to the navigational risk assessment, which is app 073. And then paragraph 4.2.5.1.2.

00:09:51:14 - 00:10:09:20

Sorry, says the cable link cables are to enable transfer of generated power from one side of the windfarm to the other, which would assess that either be on opposite sides, either north or south, and not east or west, not both down to the east and end. Could you help us on that, please?

00:10:11:01 - 00:10:43:23

Yeah. Robin Hutchison for the applicant. And the layout that's been assessed in the SLV is an indicative layout to, um, demonstrate what could be the theoretical worst case. So the theoretical worst case would be both substations closest to shore where they would be theoretically most visible. So that's why they'd be included at the far edge. We're not trying to hide them behind the wind turbines. They're being presented in front and center.

00:10:43:28 - 00:11:17:17

That would be the worst case for purely for Sylvia perspective. It's not necessarily realistic in terms of the intention of the applicant to construct it. So the, the, uh, the, um, text on the screen, it refers to the sort of more likely scenario, which is you would have, um, uh, platforms separated by some distance, and they'll need to be linked by link cable. And in fact, that same would apply even if they were on the edge of the, um, development assured in the Sylvia.

00:11:17:19 - 00:11:48:20

The purpose would be to link them, but the more normal situation would be that there would be on on either side. But again, this is sort of, um, an indicative description of potential layouts rather than a settled layout. And in fact, I think I can confirm that the, the intention is that, um, the progress made on detailed design since the application was submitted is that it's likely that only one substation will be, um, needed anyway.

00:11:49:20 - 00:11:59:04

Okay, then moving on to cumulative effects. If we have, uh, figure 18.18, which is app 108 and PDF page six.

00:12:15:24 - 00:12:25:06

Because we have on here the booster stations for the Morgan, which are obviously in uh,

00:12:26:22 - 00:12:55:21

and we're trying to work out what the worst case, um, for the proposed development in this scenario because obviously where when the for these purposes we have to assume two. And then being in proximity to where the booster station was. Um, and when we're not quite sure how that accumulative effects assessment has taken place. Can you help us?

00:12:57:08 - 00:13:28:27

Robin Hutchison for the applicant. Um, I think I can perhaps make this one easy. Um, the examining authority wouldn't have noticed of this yet, because the submitted application for the transmission isn't, um, a public document yet, and it's not been submitted as part of this application. But the booster

stations, I can confirm, don't feature in that application. It's been determined that electrically, they're not required. So there is no booster station. Um, we can confirm that with reference to the submitted application so that you have that in front of you.

00:13:28:29 - 00:13:59:08

Fine. Thank you. If it has gone away. Wonderful. Obviously. Um, there may be other reasons in due course where you want to update that drawing, in which case obviously you can remove it, but not so. You have to. But if it is being removed, if the documents being removed, updated and the whole suite with booster stations on, then it could just be taken away. So much the better. Okay. Um, I'd like to move on to consideration with the other existing wind farm arrays in this section of the Irish Sea between North Wales and Lake District.

00:14:00:16 - 00:14:38:03

Um, principally in the SVR analysis, but also in other areas, such as the effect on on land based cultural heritage. Much is made at the proposed development be read in conjunction with other existing wind farm arrays in the area. Now, I appreciate that Olivia three says these should be taken into account in the baseline situation, but what I'm interested here is in the future situation, as with the proposed development, I'm assuming that all the pre-existing and authorised wind farms are subject to decommissioning plans, and I'm not expecting you to know here and now when they're about to be decommissioned.

00:14:38:09 - 00:15:13:24

But I am grateful. If you could find out when all the wind farm rains in this portion of the rock. Essentially those shown on figure on figure 18.18 of app 111108 is essentially the last. The drawing we will ask, looking at, um, when they're all due to be decommissioned. And we would then wondering if you could undertake an a sensitivity sensitivity analysis as to the effects of the proposed development. Without these to be decommissioned, arrays on all the areas that it affects of the other existing arrays have been utilized as part of the assessment.

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

Um,

00:15:17:03 - 00:15:57:17

in appendix 18.1. In paragraph 73, the applicant has set out periods over which effects are considered long, medium, and short term, and that might be of use to you in understanding this undertaking, that analysis. For example, if there's to be a ten year period when the proposed development seemed without a particular array in place, that considered to be a long term effect. Um, and obviously you appreciate affects the acts that at the end rather than the beginning. So it's looking at the other way up and I don't think that's been done. Um, do you have any comments about pulling that together and when you think it would be possible, obviously we'd like it as soon as possible, but deadline one, but it may not be practical.

00:16:08:23 - 00:16:41:24

Robin Hutchison for the applicant. Uh, we don't have our landscape architect with us today. Um, as I understand that the examining authority's request is its sensitivity analysis. So if the conclusion, reasoned conclusion is that actually the removal of, uh, some of those wind farms that form part of the

baseline wouldn't alter the survey conclusions, then we don't we're not expected to do, you know, full new visualizations and all that, which is hugely time consuming and expensive.

00:16:41:26 - 00:16:47:03

So yeah, it's good. Um, so the sensitivity analysis, um, I mean,

00:16:48:21 - 00:16:58:00

I'd like to say deadline one, but with the caveat that given the particular consultant's not here, it may need to be deadline to if diaries. Um, yeah. So require.

00:16:58:05 - 00:17:29:28

Thank you. Well, we'll hope for deadline one with a question. Question mark on deadline two. If not. Yeah. Uh, it would also be useful to have set out on the table somewhere the heights of both the nasal and the tips of all the existing and consented wind farms as built. I'm assuming that would exist somewhere as well. It must have been done for when the create the. I couldn't couldn't quickly find it inside one of the inside. The inside. Um, but I was looking through the documentation, but it doesn't mean it doesn't exist.

00:17:47:22 - 00:17:55:10

And Robin Hutchison for the applicant. Yeah. We understand that that information would have been compiled for for the assessment. So it will be available.

00:17:55:17 - 00:18:01:10

Exactly. It's got you you've got to have it because you need it to create the visualizations in the first place. So it's not.

00:18:01:12 - 00:18:10:28

Like my colleague Mr. Innes I'm sure would would correct us if we were wrong. But I think some of those wind farms would be consented not by DCFS, but by section 36. They were pre-dating that.

00:18:11:00 - 00:18:48:03

Yeah, plenty of them were. Yeah, they were done by 36 Nations. Yeah. Okay. Um, I'd like to move on next to the question of wait close. And I suspect, um, Mr. Ennis will probably want to be involved in this one. Um, as you're aware of the suggested representations made relating to the potential, the issue of potential weight loss from the proposed development in the area. Um, in response to the relevant representations we received last week, the applicant has referred to a study by the Fraser Nash Consultancy, which is quoted as indicating that that at a ten kilometre distance, any effects are, quote unquote, vanishingly small.

00:18:49:14 - 00:19:08:29

Um, can I ask the applicant if it could provide us with a copy of that paper, um, along with a briefing note which would highlight where the evidence of vanishingly small item quotes, um, losses can be identified and any other points you want to emphasize. Um, could you do that by deadline one?

00:19:10:21 - 00:19:13:03

Okay. Robin Hutchison for the applicant. Yes. No problem.

00:19:13:27 - 00:19:24:27

Um, and uh, obviously we at this stage, are there any other points you wish to highlight about that paper or any other research that you want to say about this particular topic?

00:19:44:25 - 00:20:22:29

Robin Hutchison for the applicant and the applicant summary position set out in the response to the relevant rep. Obviously, we've made reference to the evidence there which which you've requested, which we will provide. And the other piece of the puzzle is just the how the national policy statements apply to this, and what the actual policy says in relation to work and responsibility for it, which I think the applicant thinks is a pretty important point here. And in fact, the starting point, before we get into the necessarily the detail of what the actual implications are and are summary of our position is set out in the the relevant representation.

00:20:23:01 - 00:20:29:26

But I think we will feel that that an important almost starting point in the discussion where before you get into the detail of detail, actually.

00:20:29:29 - 00:21:03:18

No. It's clearly. It's clearly there's a two stage process on which is, um, paragraph 2.8.179 of N3, um, is uh, whether the read in full quotes where a potential offshore wind farm is proposed close to an existing operational offshore infrastructure, or has the potential to affect activities for which licences have been issued by the government, the applicant should undertake an assessment of potential effects of the proposed development on such existing or permitted infrastructure or activities, quote unquote.

00:21:03:24 - 00:21:20:11

Now, clearly we've got your representation. What you're essentially your your case is based on this vanishingly small because of the Fraser Nash report. Fine. We haven't seen the favour of that report. We can't go any further at that at this point in time. Um, if I may.

00:21:20:13 - 00:21:38:11

Yeah. So I just I guess the first problem of our position is that on the basis that it's vanishingly small, on the basis of that evidence, which we will provide. Uh, our project is not, quote unquote, close to those projects. And so the assessment isn't necessary to be large. You know, we don't pass go in this case. Exactly.

00:21:38:13 - 00:22:08:25

Which, of course means it's on to Mr. Ellis. So I suspect is going to have a contrary view. So. Mr.. Mr.. Could you come and could you could you, uh, explain why you think why you think it is quote unquote, not close. And whether you have any evidence as opposed to assertion that it is close, that may well be by submitting, um, your take on the phrase and that consultancy report, um, or by some other or by other evidence in form of academic or other um papers that you are able to provide.

00:22:10:03 - 00:22:45:13

Uh, columnists on behalf of the or state IPS. Um, uh, dealing with the matter in outline. Um, we don't accept the applicant's interpretation of national policy. Um, and I suppose our starting point is the first

question that needs to be answered is, is there an effect on the existing wind farms? If this proposal, located in this general location, were to be constructed, that's the first matter that needs to be resolved.

00:22:46:04 - 00:23:31:00

And we note the applicant's, uh, uh, reference to the Frazer Nash study. Um, it's our position that the way in which that study has been represented is, um, does not justify the conclusions that are being drawn. But rather than going into the detail of that, um, we're perfectly happy to provide a detailed rebuttal of that position. And in addition to add further information about weight loss and in particular, uh, further uh, studies, which we seek to rely on in relation to this matter.

00:23:32:00 - 00:23:55:09

And, uh, insofar as the if arising from that, uh, that, uh, you consider, uh, that there is likely to be an effect, uh, then in my submission, it falls on a proper interpretation of, uh, NPS for there to be an assessment undertaken.

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And in my submission, the rather narrow interpretation that's being placed on NPS, um, it's not one which is supported when the document is read, and particularly the chapter and Offshores read as a whole. Uh, and in particular, uh, the their statements at paragraph 2.8.345, um, where it's very clear. The weather effects on other parties and other users.

00:24:30:01 - 00:25:15:00

These should be properly evaluated and considered. And as I say, we would invite you to read the whole of 3.8 in relation to other offshore infrastructure and activities before coming to a concluded view in relation to the policy matter. I would suggest that trying to narrowly construe matters by what is close at close must be relative to what the potential effects are, and cannot just be an arbitrary position. And in that context, I would also invite you to note in due course, in terms of our submissions, that simple geographic proximity is not in itself the determinant of the extent of weight loss.

00:25:15:14 - 00:25:50:05

Uh, the weight loss is heavily influenced by the prevailing generational International winds i.e. when the wind resource is at a level which, uh, turbines are generating at uh, and wind speeds, and simply using words such as distance, it may not be particularly helpful in understanding the extent of weight loss. And these are matters which we will set out in our submissions. Um, so our position at this stage of the examination is obviously wished to respond to the applicant's position.

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But what we wish to ensure is that you have the proper information available to you on this matter because it has two, two particular matters. The first is that in EIA sense, uh, if, uh, this particular generating station is displacing existing wind generation, that is a net position which should be reflected in findings in relation to climate change. So it's very clear that that should be properly evaluated in And reaching a net position of benefit in relation to this proposal.

00:26:25:04 - 00:26:59:23

But in terms of our primary position, it is the effect of this development on the other CCAs here, i.e. the existing wind farms, that we premised the argument that this should be assessed on, and therefore it's not really a matter of finding whether the effect is significant in terms it is what is the nature and extent of the effect on this existing user, because again, that has been argued elsewhere, uh, that effectively are trying to argue, well, we've, we've scoped it out on the basis of significance of EIA.

00:27:00:14 - 00:27:38:17

Uh, I don't I say that's not an answer to this issue because it's the effect on a C user. And as I say, the policy is clearly, clearly formulated on the Secretary of State wanting to understand what the effects are on, on other users. And that includes economic loss. So I can start by giving my conclusions at this stage are. You clearly need the information you need to come to reach a concluded view on the matter. And, uh, the Orsted IPS, uh, conclusions will be inviting you to invite the applicant to carry out an assessment.

00:27:41:18 - 00:27:59:25

You indicated early in your statement that you had other papers and other studies of research, in addition to the phrase of consultancy. Um, can I hopefully assume that you will be submitting those with your relevant representations at deadline one?

00:28:00:15 - 00:28:03:23

Yeah. Comments on behalf of the author types. Yes, indeed. So we would do so.

00:28:04:09 - 00:28:18:23

Thank you. And if you if you wish to make a commentary upon those paper on those papers, then please do so again rather than just submitting them. Bold. Obviously we will read them, but if we've got commentary on them, it makes our life notably easier.

00:28:19:18 - 00:28:52:01

Yeah. Half the day. I mean, what we're keen to do is make sure that at the earliest point of this examination, you have all the information available to you. Um, rather than waiting for, you know, the applicant to put in more material and response and thus responding to it. We're quite happy at this stage of the process to get the information to, you know, that we can respectively respond, but we're keen to make sure you, as an examining authority, have the information as soon as possible so that you can reach what conclusions you may want to on the matter and thereafter, um, make a decision.

00:28:53:12 - 00:28:53:27

Thank you.

00:29:02:14 - 00:29:20:12

Yeah. If you could just make sure that everything is signposted as necessary so that particularly to the examination library references and and and anything that is in the applicant's application documents so that we so we can quickly cross-reference stuff where necessary.

00:29:21:05 - 00:29:32:21

Uh, comments on behalf of the stripes. Yes, absolutely. Will make sure that this is as comprehensive and cross-referenced. Um, to ensure that you have all the references that you need to look at on this map. Thank you.

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Thank you. Um, we obviously returned to the applicant. Do you have any comments to make at this point noting what Mr.. And this has said.

00:29:41:22 - 00:29:52:00

And Robin hutchison for the applicant? I think, uh, Mr.. Dennis's explanation of the position of the or state IPS is clear. Um,

00:29:53:18 - 00:30:25:00

I would anticipate that in submitting the Frisian ash report and setting the context, we will be emphasizing the point that there is a preliminary step of. Are the other windfarms close in terms of the M.P.s to the application? And you know that that's the preliminary step in terms of what's proportionate to assess. So I think Mr. Iness and the applicant's starting point for when to submit an assessment might be a slightly different interpretation of the MPs.

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But I think we're all looking at the same pieces of policy, which is helpful.

00:30:28:25 - 00:31:05:14

So, um, the one thing which I think would be useful is a are they could this be could you? Director, I appreciate the comment you've made, Mr. Innes, about distance, but could somebody provide us with we've got the plan showing where they are and we can judge. We could, you know, we could judge the distances on the basis of the ten kilometre, uh, separations. But if somebody could do a physical dimension from the nearest point, from the application site to the nearest point of each of the relevant and, and equally well, there.

00:31:05:19 - 00:31:06:04

Um.

00:31:08:15 - 00:31:10:04

The I just the

00:31:11:22 - 00:31:40:15

the orientation, the, You know, north, south, east, west in degrees. Uh, so that we could actually, you know, because if there are, for example, and we haven't seen the evidence at all, there are different factors that apply to a southwesterly winds or north westerly wind. It'll be in the particular circumstances where it is useful to know that information. Oliver Gardner for the applicant. Yeah. We can provide a table showing the distances and the directions from the project side to the Orsted IPS.

00:31:43:03 - 00:31:51:23

Yeah, that that one. That would be all right at deadline one. Um, is there anything else anybody else wants to say on the issue of weight loss.

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At this point?

00:31:55:03 - 00:31:56:04

Lovely. Thank you.

00:31:58:03 - 00:32:08:06

Right. I think, uh, is there any anything else that anybody else would wish to say on on item four of the agenda before we move on to item five?

00:32:09:27 - 00:32:51:20

Yes From 3 to 4 BA systems. Um, I just want to make these be simple point that, um, these systems are engaged with all the applicants. Um, looking at similar issues that arise from each of the wind farms. Very keen to through through assessment to understand what the implications might be and what mitigation that might throw up. Um, but there is the question of the cumulative effect of all wind farms on, on, on radar, radar and aviation in particular, uh, which, which BA systems are particularly interested in.

00:32:52:03 - 00:33:01:12

Um, and in relation to that might be of use if Mr.. Pentland Brown just outlines

00:33:02:27 - 00:33:10:08

very generally what that cumulative effect might be. Um, on the operations of BA systems at this point.

00:33:13:26 - 00:33:14:27

All Pendleton Brown from.

00:33:14:29 - 00:33:47:03

Bay systems marine. The issue we have um and the cumulative effect is the various projects which are running at the moment have different, uh, turbine heights. You have different locations. The implications on published, um, instrument flight procedures, which are already published, are various across the various airports and including Blackpool as well. And what we are looking at is the impact of height of um, tip blade.

00:33:47:20 - 00:34:26:14

Um, obviously the height above sea level is the, um, what you are measuring. But for aviation, you add 1000ft onto the top of the tip for safeguarding. And if it's a different height at different points because of, um, where they're located, it can actually cause an issue for the, um, the pilots and for the, um, charting of the areas. Also the, um, the way that these systems are being proposed to be installed. The discussion this morning, reference ordinance and the disposal of if any is found is something that, um, up until this point, we hadn't actually considered.

00:34:26:23 - 00:34:58:26

And if there is, um, any ordinance that needs to be removed, that's going to have an impact on all the airports as well as airspace will be closed at various times for ordinance to be removed from those sites. And if all three sites decide they're going to blow the ordinance on the same day, hypothetically, a large chunk of airspace could actually be closed off and create a hazard, which obviously need coordination. So there's more coordination I think needs to be made for all three of the, um, the sites rather than just the applicant alone.

00:35:05:02 - 00:35:39:19

Kathryn Nolan, on behalf of the applicant, The applicant is grateful for that explanation. I think that level of detail possibly is not in the relevant representations. And so I think we would be appreciative if that could be set out in the written representations by deadline one, and then we can consider it further, and I'm sure we'll come on to the various DCO requirements later today. But we do have some protections built in to the DCO, and we are obviously in discussions with both BA systems marine and BA systems, as well as the other aviation operators to ensure that the requirements, uh, appropriately mitigate the issues.

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But we do need to understand in detail what those are.

00:35:46:17 - 00:36:18:15

As, um, on the general point, which I'm sure BA systems will be able to provide that information as part of their relevant written representations anyway. But notwithstanding, it is one of the, uh, requirements of the uh, exam timetable is that at deadline one is to provide written statements of what he said today, essentially, essentially just setting it out because, as we pointed out, you see, it's predominantly her written process today. So that allows you to to add that in.

00:36:18:25 - 00:36:20:21

Uh, Mr.. Unless you have your hand up.

00:36:22:10 - 00:36:52:19

Yeah. Um, I was just going to, to, to join in because I had some further maps beyond weight class, uh, that are relevant under this agenda item. Um, and if I start off with, um, uh, the radar matter, uh, Burbank extension and Walney Extension, uh, both projects which, uh, I act on behalf of and they're currently in the process of helping facilitate appropriate mitigation in relation to potential impacts at the Warton airfield.

00:36:52:21 - 00:37:30:26

Primary surveillance radar. Um, so they have a very real interest in understanding how further projects can be mitigated. Uh, and furthermore, the extent to which that may have a bearing on cost and effectiveness of mitigation requirements. Um, so I flagged that some, uh, other offshore wind farms already have an interest. And, uh, that also applies to other applications as well. Um, in the sense of that, that there are ongoing discussions in relation to those radar matters in relation to the other applications.

00:37:32:23 - 00:38:03:27

Uh, other matters, which I just want to quickly and I'm certainly not going to make lengthy submissions. Um, in terms of the Orsted IP is more can win. Limited and Barrow Offshore have both uh, raised concerns regarding shipping and navigation. Um and effectively, one of the issues that we're being faced with here, um, is that this part of the Irish Sea is an important one for navigation.

00:38:04:19 - 00:38:37:27

And in addition, there are considerable volume of existing traffic associated with existing development. Um, and one of the matters that you've raised under this uh, topic heading is the interrelationship with other projects. And what we're aware from in participating in other examinations is other applicants are in discussions with um, uh, various other operators, uh, regarding, uh, the deviation of services arising from the potential location of their particular projects.

00:38:37:29 - 00:39:19:06

And this raises the specter of quite a complex arrangement whereby, in effect, what might be described as the existing baseline is potentially going to be altered by further agreements with other developers regarding, uh, new potential routing and effectively. Uh, the concern is obviously the creation of corridors and the maintenance of, uh, sufficient gaps between a development to accommodate the levels of traffic. And this is one of the matter of which we are currently further evaluating and considering, particularly the potential effect on those particular wind farms in terms of risk.

00:39:19:14 - 00:39:59:11

Um, but also understanding that things may change, um, and that may necessitate, uh, further consideration should further information come forward. Um, so it's a matter we wish to continue to engage with at this stage in terms of understanding the potential effects, uh, but raising also the specter of how do we manage going forward there quite complex arrangements regarding shipping and navigation and certainly from, um, the Orsted perspective, there may well need to be, um, uh, some sort of form or, and for a formal.

00:39:59:13 - 00:39:59:28

The.

00:40:00:00 - 00:40:33:29

Forum. I try and ensure that there's appropriate sharing of information. Um, to ensure that the future activities, particularly uh, this, will be relevant both during construction and potentially operation and maintenance to ensure that these things are managed effectively. Um, and that effectively proper, uh, understanding is achieved about what is going to happen when. So I just flagged those are sort of two things in the shipping and navigation, um, which we're currently considering and engaging with.

00:40:34:14 - 00:41:04:26

And finally, I've just got one final general point about the interrelationship with, uh, other projects, and that is the extent of the environmental information, which we were currently, uh, still evaluating, uh, but also trying to understand its relationship with both Mona and Morgan. Um, because obviously, uh, with my client's various interests in this general vicinity. Uh, we are very keen to understand the established baselines, the mitigation that's going to be provided.

00:41:05:03 - 00:41:38:10

Uh, and also the basis for, uh, the assessment, ensuring that it's consistent. Um, but as I say, um, these are matters which we are evaluating because we are involved in, um, uh, the three of the, uh, the offshore wind farm examinations and are participating insofar as those interests are concerned. And therefore we are following up with, um, essentially developments in that regard and trying to keep up with the relationships.

00:41:38:22 - 00:42:11:03

Um, so I do think it is a very important part of this examination that where material comes available in relation to either the Mona or the Morgan, uh, examinations, that where that has a potential to have a bearing that that information is shared in a structured, structured fashion. Um, uh, I think, uh, there is a concern about purely a sensitivity analysis in circumstances where the applicant might be choosing to say that they didn't think it had a bearing.

00:42:11:05 - 00:42:46:05

And I think it's important that where there is a matter that has a potential to impact, uh, that there should be properly recorded and understood and that it really should be capable of being responded to in the application. And that really just shouldn't be the applicant that's deciding whether or not the matter is material, um, at that stage. So as I say, we're we're keen to and have engagement with the applicant and will continue to do so. But it's a matter, given the nature of all three, and this being essentially the one that is very slightly behind the others, uh, that have matters happened in the other examinations.

00:42:46:11 - 00:42:54:14

Uh, this should be capable of picking it up. Should, should, should should it be a matter that is of relevance to the the material that is being considered?

00:42:55:09 - 00:43:20:17

Thank you, Mr. Ennis. Um, I obviously we will look, have the information from the applicant and give them an opportunity at the moment. Well, we are incumbent on now, if a third party considers that, uh, the applicant hasn't gone far enough in a particular circumstance, then it is up to them to break that to us as well, providing the evidence as to why they consider that is the situation. Um, does the applicant has to make a response for anything that Mr. Ellis has recently just said?

00:43:22:00 - 00:43:38:17

Uh, Robin Hutchison for the applicant. Um, just a couple of brief remarks. Um, in response, uh, in relation to the radar and shipping and navigation, uh, comments that the, the or state IPS have raised, um.

00:43:41:00 - 00:44:58:09

The to the extent that some of this mitigation, uh, or similar equivalent mitigation might be required for this application, the primary um forum for discussing that will be direct between the applicant and the IP. You know, radar mitigation, shipping and navigation, primarily commercial matters. And so we'll be discussing directly if and to the extent that the Orsted IPPs already have similar agreements with the affected IPS here, then it would seem that the appropriate channels for what the state IPS to engage with or the affected shipping and navigation IPS here, um, or the affected um, uh, aviation IPS

or PA systems, uh, rather than this being necessarily a matter for, for the examining authority to engage in, you know, essentially if somehow any mitigation that we propose has implications for previous arrangements, then that's a commercial matter in which, um, uh, BA should be liaising or with, with or state if somehow any arrangement that we enter into cuts across or has implications for a previous arrangement, then that's our sort of commercial matter for primarily for ourselves.

00:44:58:11 - 00:45:40:13

And obviously if it can't be resolved, then it's for the examining authority. But in the first place, radar and shipping out, we would see to be commercial. On the third point, the, um, the interrelationships and I would just highlight that this application has been designed to be a standalone application, fully assessed for cumulative assessment, um, and is able to and capable properly of being determined on a standalone basis. It's very much the approach we've taken, um, uh, in collaboration with, with the Morgan Project as well, to be in the same position and we understand, um, excuse me.

00:45:40:15 - 00:46:12:19

You know, we we understand the request for the update in the Inter relationships report that will set out a review on, uh, any information that's coming out Of those other examinations at this time and how that influences the cumulative assessment that's been done. And of course, the other interested parties will be, uh, able, I presume, to comment on that. So it's not just the applicant's view, it will be the applicant's view on which the other IPS can can comment if they have concerns.

00:46:14:08 - 00:46:28:26

Thank you very much. I leave that gets to the end of item four. So I'm now going to hand over to Mr. Rigby to deal with item five. The overall structure of the DCO. Thank you, Mr. Jackson.

00:46:29:22 - 00:47:00:20

We now come to item five, which is the first of our two items on the draft development consent order. Uh, the revised track change version is at PD 1003. Uh, interestingly, the covers still says it's version one, but I think that's meant to be revision two, and it might be useful to have the contents pages on screen, for starters, so that people can see the how, the how the document has been put together.

00:47:03:09 - 00:47:37:02

Katherine Nolan for the applicant. Just one quick point on the Rev one. I think we've taken the view that because this is the first version of a tract, it's the first time the track version is in its technically rev one of tract. Um, I think that's the approach that we've taken throughout the suite of kind of track change documents. So, um, rather confusingly, that does mean that when you look at the clean version of the DCO, it's Rev two. Um, we can perhaps take that away. If it's the examining authority's preference that track changes. The cover page just reflects the rev number of the original document.

00:47:37:04 - 00:47:39:00

But we can, um, we'll take your driving.

00:47:39:10 - 00:47:44:25

Be easier if we do that. But we've got the cover of the track or the one have the same reference number.

00:47:44:27 - 00:47:45:13

That is fine.

00:47:50:12 - 00:48:25:05

Thanks. So if the applicant could please set out an overview of the draft DCO and how the various elements work and interact with each other, um, be an overview really, rather than a detailed description of each provision. It would also be useful when going through each item. If the applicant could please advise us if any matters have changed through negotiation with others since the application was submitted, particularly whether any of the changes in last week's submission was a consequence of those discussions.

00:48:25:07 - 00:48:36:23

Rather than being in response to our queries. And depending on what's changed, this may affect how much information we need to know today. So the applicant, please. Thank you.

00:48:38:23 - 00:49:03:20

Thank you. Uh, Robin Hutchison for the applicant. Um, we'll perhaps sort of take the DCO in chunks, with the front end substantive articles, then moving on to schedules. And then the, uh, during license. And perhaps we'll pause for breath at the end of each chunk. If there are questions from the examining authority or other interested parties. Um,

00:49:05:10 - 00:49:43:07

so I started our submissions today by explaining the sort of overall strategy for the DCO and the driver behind that, which is to facilitate coordination in the transmission assets in compliance with national policy and, um, the direction of travel of the holistic network design by National Grid Energy Systems operator, as it now is. So I won't propose to repeat that. And instead we will launch into looking at the DCO in draft that is before the examining authority, which is for the generating station only.

00:49:44:10 - 00:50:17:12

Um, And the approach to the drafting has been very much, um, evolution, not revolution. We've sought to, um, rely on previous drafting and precedent, uh, where appropriate, but always, of course, considering whether that drafting is necessary and tailoring it as appropriate for the particular scheme. But equally, we're not looking to reinvent the wheel. If there's an existing article that we require and does the the precedent drafting does the job appropriately.

00:50:20:15 - 00:50:41:08

Turning to the front end of the DCO itself, and I don't know whether we want to flick along, perhaps that's a bit tiring, but I'll say that, Alex, you can you can keep up if you want, but I'm um. So part one, um, sets out preliminary matters and of course has the, the defined terms and interpretation and, and

00:50:43:08 - 00:51:13:27

Part two, uh, is the the principal powers that are being sought by the applicant and the application. Uh, article three critical sets out the development. Consent has been granted. Of course, this is forward looking, not presumptuous, but has been granted for the authorized development. Uh, and this is

fundamental, because the project is an offshore wind generating station in English waters of over 100MW, and so requires development consent under the Planning Act.

00:51:15:14 - 00:51:24:11

Article four authorizes the use and operation of the generating station, which otherwise would require a separate consent.

00:51:28:28 - 00:51:33:11

And we're talking about articles or parts. I just need to scroll back a bit public.

00:51:40:05 - 00:52:18:25

Apologies. I actually started talking about parts because I talked about part one and then I jumped into articles, so that is my fault. Apologies. Um, so to recap part one, Preliminary Matters and interpretation part two. We've talked through the need for article three and the purpose of that, and I was just starting to discuss article four, uh, which we now have on the screen, uh, authorizes the operation of a generating station. And the need for that is or the requirement for that is because otherwise consent to operate would be required under the Electricity Act 1989.

00:52:18:27 - 00:52:42:14

And we talked earlier about, uh, offshore wind farms previously having been authorized by section 36 consent, which requires consent for construction um, and operation uh, rather than a DCO, which is just the construction. So, uh, consent to operate is provided for there. Um, Article five.

00:52:44:24 - 00:52:56:08

Simply provides a deemed marine licence, which is set out in schedule six. Is is granted because otherwise a separate marine license would be required for the development from the MMO.

00:52:58:23 - 00:53:00:03

Article six.

00:53:02:08 - 00:53:27:11

That provides the power to maintain the authorized development and of course links to the definition of maintain in the, uh, interpretation. I don't recall if we had a specific question on the definition of maintainer. We've obviously discussed that earlier in the context of, uh, removing foundations to ensure that it's clear that repowering couldn't be captured in that maintenance definition.

00:53:31:00 - 00:54:12:03

Article seven is the benefit of the order, as is normal research. The presumption of the Planning Act that anyone can develop this project. So in distinction to a normal planning permission, the benefit is for the named undertaker. But then of course there's provision for transfer. And I noted at the beginning that the way the electricity licensing regime works, any elements of the project that constitute transmission rather than generation will need to be in separate ownership in due course, because electricity licensing prevents monopolies owning from electron generation to them entering your iPhone in your house.

00:54:12:05 - 00:54:22:16

And so, um, uh, that process to separate that ownership will be post consent in due course. Uh, but article seven facilitates that.

00:54:22:18 - 00:54:35:27

Um, and as you said earlier, you've tried to separate the the rationale of separation of the transmission assets from the generating assets is to align with the licensing requirements. So you don't get yourselves tied in knots, as it were.

00:54:36:11 - 00:54:57:17

Exactly as I am from actually the experience of our team of actually effecting a transfer to an off tour. We've had experience of working through that, unpicking that knot, and so we've tried to design the consent in a way that makes that as easy as possible for actually how those documents, because they're standard form documents are set out. Yeah. Okay.

00:54:59:21 - 00:55:08:08

And where will we go next? Next we'll turn to the part. So we'll move from articles to part. So part three I think comes next.

00:55:11:05 - 00:55:21:05

And I wouldn't propose to go through every article here because it's, it's fairly standard stuff. Um to, to perhaps mention article 11.

00:55:23:13 - 00:55:38:06

And simply that provides for schedule containing the protective provisions to have effect. And obviously there are some important details secured in the protective provisions. But we'll come to those And an article 16.

00:55:41:23 - 00:55:54:08

Does exactly the same thing, but for the compensation measures, and I should emphasize that that is included without prejudice basis at the minute. Mhm. Yeah. Okay.

00:55:54:27 - 00:56:09:09

So that it on simple terms is essentially if it were concluded that compensation measures weren't needed, you'd just remove that. But under article 16 from the order and and schedules etc.. As simple as that 100%.

00:56:09:16 - 00:56:20:01

Exactly right. And that's the intention of sort of um ring fencing that drafting to make it easy to, you know, drop in or out on a kind of modular basis rather than integrating it into other articles. Thank you.

00:56:22:17 - 00:56:25:16

Um, okay. Schedule one.

00:56:29:00 - 00:57:01:10

Again, this sets out the, uh, description of the authorized Throughout development. I explained at the outset the applicant's intention in, um, uh, framing what that development should be, what should appropriately be included in this DCO and the reasons for it. Um, there's not much more to it than that. It does what it says on the tin. The reason for the two separate work numbers is simply for convenience, because there may be mitigation which relates specifically to the wind turbine generators.

00:57:01:23 - 00:57:19:09

And I'm looking particularly at my colleagues across the bench, BA systems who the, um, impacts on, uh, radar are going to be from the turbines particularly. So it makes sense to, to have that division between the work numbers for, for practical reasons.

00:57:23:00 - 00:57:28:15

Schedule two we now move into requirements or handover to my colleague Katie.

00:57:29:17 - 00:57:55:27

Yes. Catherine Nolan on behalf of the applicant. And I should just say, I know you asked for clarification as to changes that have been made to this version. So to date, kind of up to this point in the DCO, all of the changes have been ones reflecting comments that the examining authority made in your rule six letter. And a few of the definitions are consequential amendments due to comments from others. So we will try and capture those as we go so you can see why we've changed things.

00:57:56:08 - 00:58:09:07

And just to be clear, we've got sort of a some haven't. We've got the authorized project equals the authorized development plus the ancillary works. And that's what I've got in my head. And it's reflected in the structure you've got there. Yeah.

00:58:09:24 - 00:58:10:20

Exactly.

00:58:11:00 - 00:58:11:15

Thank you.

00:58:12:04 - 00:58:48:29

So moving on to schedule two. Schedule two sets out the requirements which will apply to the authorized development. Again I think I wouldn't propose to go through all of them, although we don't have as many given this is just offshore. Um, so requirement one is the seven year time period which we've already discussed. Requirement two sets out the design parameters. And these are the maximum design parameter parameters which provide for the worst case scenario that's been assessed. So we've discussed the maximum of 35 turbines already um and the swept rotor area.

00:58:49:01 - 00:59:36:00

And that is the kind of cap over everything. Um, there have been changes where we have added when we scroll down. We have been requested to add in maximum hammer energy by Natural England. So that has now been added. And that's reflected in the schedule of changes as to why we've made that change. Um, requirements three through seven or get into various requirements for aviation safety. So

requirement three is safety requirements for aviation lighting. Specifically requirement for provides for primary radar mitigation scheme mitigation at um Great Sunflower Hill and Saint Anne's PSR noting that colleagues across the bench at BA would like this to include Warton as well.

00:59:36:10 - 01:00:07:05

Um. Requirements five, six and seven then get into ISP scheme. So instrument flight procedures and those are schemes to address the potential impact of turbines on the instrument flight procedures of the various operators, um, with approval by the Secretary of State and then in coordination consultation with the individual operator. Um, so these requirements just worth noting, are based on conditions within other existing consents outwith the DCO regime.

01:00:07:08 - 01:00:39:09

They haven't yet to date been in development consent orders, but they have been in section 36 consents. So consents granted under the Electricity Act 1989, and they secure a mechanism to mitigate for impacts on specified aviation assets. And part of this mitigation includes a further assessment of impacts once detailed design is complete, as is standard, so it kind of provides a mechanism for once design is finalized to ensure that we've captured the full effects and have a scheme to mitigate those.

01:00:40:19 - 01:00:43:14

Moving to requirement eight.

01:00:46:16 - 01:01:22:15

That's a decommissioning plan to be submitted to the Secretary of State for approval. I'm expecting we'll come back to questions on that when we get to agenda item six. And requirements nine and ten are specific to the development. So requirement nine is a port access and transport plan to be required when there are certain, um effectively abnormal loads that are transported over land as part of the development. Um, it's not yet known if there will be any. But this secures a mechanism that if there are any, then appropriate port access and transport plans need to be approved.

01:01:25:25 - 01:01:31:08

And then requirement ten sets out that a skills and employment plan will be required,

01:01:32:29 - 01:01:39:22

and then requirements 11 and 12 are fairly standard, requiring written approval and then approved changes.

01:01:42:18 - 01:02:30:14

So moving on to schedule three protective provisions. Um, so as Mr. Hutchinson explained, these are given effects by article 11 in the front end. Now, I should note that we are cognizant of the planning inspections guidance asking for protective provisions to be put in at an early stage in a draft DCO, and particularly asking that we not just include square brackets for them to come. These protective provisions do very much reflect a starting point for discussions with the commercial parties that they are designed to benefit, so I will caveat this with the note that in particular, when we come to say, Spirit's protective provisions that we are still in discussions with spirit on the the form and function of how best to phrase these.

01:02:31:08 - 01:03:06:15

Part one of this schedule sets out protections for offshore cables which cross or come close to the windfarm boundary, and then parts two and three provide for protections around oil and gas operators, so specifically Harbour Energy and Spirit Energy. And now in this current draft and appreciate again there are discussions between the parties as to whether this is appropriate or not. We provide for a 1.5 nautical mile buffer from each of the the platforms.

01:03:06:17 - 01:03:40:13

So the Calder platform for Harbour and the central processing complex platform for spirit. And that requires that no above ground infrastructure effectively is placed within those, those buffers. So no wind turbines and no offshore substation platforms. And that's to enable helicopter and vessel safe access to those platforms. And then these protective provisions also provide for separate buffer zones around identified pipelines or cables. And they also provide for compensation in the event that additional costs are incurred as a result of restricted helicopter access when coexisting.

01:03:42:27 - 01:03:47:03

So moving on from the protected provisions to schedule four.

01:03:50:27 - 01:03:52:28

We scroll and scroll and scroll.

01:04:00:25 - 01:04:44:04

Yep. So schedule four is the approval of requirements. And this sets out the process to be followed for the approval specifically of requirements in schedule two. So only a DCO requirements, just to note that it does not apply to the approval of any of the conditions within the deemed marine licence, which has its own process for approval. Um, this is a fairly standard schedule, and the only thing I would particularly draw out is that the schedule specifies a period of eight weeks for a discharging authority to determine an application, but does make provision for a longer period to be agreed between the undertaker and the discharging authority, and then provision is also made for further information to be requested and submitted, and then provides timescales associated with that process.

01:04:44:06 - 01:04:56:05

So, um, again, I know there are specific questions about some of the timescales provided that will come to later schedule five arbitration. Again, um.

01:04:58:05 - 01:05:15:20

This is a fairly standard schedule dealing with the rules of arbitration, and I wouldn't propose to go through this in detail. Now, we'll come back to it later when we come to specific questions. And that takes us on to schedule six, which is the deemed marine licence.

01:05:17:27 - 01:05:53:13

There we go. Um, so schedule six then sets out the deemed marine licence in its conditions. I again, I don't think we'd propose to go through all of the conditions and detail given some of them are fairly industry standard for offshore wind stations, but, um, I would note that in particular, when we get to, um, schedule one or I think it's part two rather so. So yeah, part two of this, Alex, um, that it mirrors the definition of works that are described in schedule one of the DCO that we've already run through.

01:05:53:15 - 01:06:05:20

There are some specific terminology changes. So we use licensed activities and that just reflects conventions within marine licensing. Um condition one in this

01:06:07:11 - 01:06:26:09

area. It's its part two. I it gets quite confusing because they I should say that the marine license has to be a standalone document. So it does repeat all of the same definitions and similar. So condition one has the same table parameter, the same table of parameters. Again we've added in hammer energy.

01:06:30:08 - 01:06:39:07

And just then to highlight some of the conditions that are more substantive if we turn to condition nine.

01:06:44:06 - 01:07:16:17

There we go. Um so condition nine pre-construction plans and documentation. Um, this requires the undertaker to obtain the approval before the commencement of license activities or any specific phase of a range of documentation that's been submitted with the application and certified as part of the order. So I would say that this is probably one of the most important conditions of the deemed marine license, because this is what secures the various outline plans that have been submitted with the application, and requires them to be finalized and updated to reflect the final design that is selected.

01:07:16:19 - 01:07:26:00

And that process has to go through an approval process by the MMO in consultation with the relevant SCB, Trinity House and the MCA.

01:07:28:01 - 01:07:29:23

Condition 11.

01:07:35:05 - 01:08:07:02

Requires a safety zone application under the Energy Act 2004. And we touched on safety zones earlier. So these are separate authorizations that are needed. And so it's been provided as just a mechanism to ensure that that application, if it's needed, does go in. And these safety zones are needed for construction on a rolling basis. So turbine by turbine to provide a safe buffer zone for vessels just in that period of construction or maintenance condition. 12 again, we've touched on requires the Undertaker to comply with MGN 654.

01:08:07:04 - 01:08:49:20

And as we we discussed, that is the one of the operative documents that sets out many of the layout principles that need to be complied with and then just skipping to the end of this schedule, there are two new conditions that have been added, which are condition 19 and 20. And condition 19 requires um information to be submitted, compliant with the Marine Noise Registry to the MMO. And condition 20 requires submission and approval of an underwater sound management strategy before any piling or partial piling is carried out, and these two conditions have been specifically added to reflect, uh, comments from Natural England and the MMO at the relevant representation.

01:08:49:22 - 01:08:54:04

So that's going through the deemed marine licence will now come on to the without prejudice.

01:08:55:19 - 01:09:07:06

And I just ask of course I assume that's probably an excellent question. Rather is those last two is there a particular reason why they don't end up in the requirements as a duplicate of them, as it were?

01:09:08:23 - 01:09:37:24

Catherine Nolan on behalf of the applicant. So the question is as to why they are not in the DCO requirements. Yes. So the majority, because these are MMO approval and because they are kind of specific to marine license activities, the preference is from the MMO to have them as MMO approvals within the marine license rather than Secretary of State. And that is why the majority of the conditions here are in the deemed marine license as opposed to DCO requirements.

01:09:45:12 - 01:09:59:21

And passing back over to Robin Hutchinson for the applicant, and perhaps we can pause it with any other any further questions? I think I did say we would pause as we went along and anything else that we can expand upon.

01:10:03:28 - 01:10:10:13

Great. And so schedule seven compensation measures and.

01:10:12:16 - 01:10:20:14

That's the substance of the schedule that is, um, uh, made operative by the article at the front end of the order.

01:10:22:19 - 01:11:07:15

Um, and it provides for the detail of the compensation options, which, um, are must be based on the outlying compensation and implementation monitoring plan, which has been submitted as an application document app 30. And so this provides for the selection of the preferred measure. And um secures its implementation. Again, should the Secretary of State consider that compensation in a derogation case at case is needed? Um, it also gives the option to pay into the Marine Recovery Fund if such a fund is available at the time, which again, is are a relatively standard process or standard approach for offshore wind farms.

01:11:07:17 - 01:11:17:11

Going through the DCO process at this time when the Marine Recovery fund has been mooted, but not yet. Um, you know, not not yet available.

01:11:21:13 - 01:11:28:26

And then finally, schedule eight is just the list of documentation which will be certified in due course.

01:11:37:04 - 01:11:48:06

And the examiners authority will observe that the new document referred to in the requirements as Nolan just took us through. It is added to that list at the end.

01:11:51:07 - 01:11:52:27

All right.

01:11:57:18 - 01:12:01:29

I think that concludes our cancer through the DCO.

01:12:03:12 - 01:12:13:18

Thank you very much. I've got, um, that BA systems have asked to speak on this item so we could go to you, please.

01:12:13:27 - 01:12:16:29

Graham for Bay systems. Thank you.

01:12:18:28 - 01:12:52:15

The assistance welcomes the inclusion in the DCO requirements that relate to instrument flight procedures for both a warning aerodrome and and Warton aerodrome. Um, and we'll continue to discuss with the applicant the detailed wording of those, those requirements. Um, in addition to that, as was hinted at, um, we believe that there is probably a need to cover off separately any impacts and mitigation in relation to the Warton primary surveillance radar.

01:12:53:09 - 01:13:08:01

Um, that's something we don't want to trespass on, on the discussions with the Dio. Um, but, um, it's something that I think we should we should bear in mind and, and see as a potential inclusion as a, as a further requirement within the, within the DCO.

01:13:10:27 - 01:13:17:02

So that's the point we we want to make on the overall structure of the document. Yeah.

01:13:18:02 - 01:13:21:25

Is there anything else you wish to say from BA please?

01:13:23:11 - 01:13:33:19

Paul Pendleton, Brian, for basis from the marine minor point of um, order for the documentation you mention in the document quite a few times. Barrow warning island airdrop if you.

01:13:33:21 - 01:13:36:15

So if you can direct your comments to the panel, please. I do.

01:13:36:17 - 01:13:52:12

Apologize. Um, the air drum name is actually incorrect in all the documentation. It's actually Walney Air Drum is, um, registered with the um Air Navigation order, etc. so everything that's actually referenced in the documents at the moment is incorrect and needs correcting.

01:13:54:09 - 01:14:00:21

Thank you. Is the applicant clear as to which what's being referred to here. So you know what you need to correct.

01:14:00:26 - 01:14:20:08

Kathryn Nolan, on behalf of the applicant, we can take that offline with BA, but I think the applicant would absolutely agree that it's of critical importance that we name the asset correctly. So we will pick that up and correct it in the DCO, the explanatory memorandum, and then also any of the corresponding documentation where that needs to be made clear.

01:14:20:24 - 01:14:21:09

Thank you.

01:14:22:06 - 01:14:29:21

Thanks very much. Is there anybody else wishes to speak either in the room or online on this item?

01:14:33:00 - 01:14:42:28

I'm not seeing any hands here, so I'll hand back to Mr. Jackson. I think we've finished item five. I think we're going to take a break for lunch.

01:14:43:00 - 01:15:01:15

I think it does make some sense to stop at this point and have some lunch. Um, I'm going to say an hour or so until 12. It's now 1244 going to my computer. So if we get going to a 1:45, have a break till then. Um, and thank you kind of thank everybody so far for their attendance and participation. And we'll see this afternoon.