



Hearing Transcript

Project:	EN010130 - Outer Dowsing Offshore Wind Project
Hearing:	Compulsory Acquisition Hearing 1 (CAH1) – Part 3
Date:	3 December 2024

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AUDIO_OUTERDOWNSING_CAH1_SESSION2 _03122024

Tue, Dec 03, 2024 5:18PM • 10:09

00:05

So welcome back. If I can return to the applicant at this stage, Mr. Flanagan, can you confirm whether you've you've sourced the appropriate person to to pick up the question that I asked before we adjourned.

00:21

So, yes, you flying for the applicant? The appropriate person is me, but it's equipped with some further knowledge, which has been provided to me helpfully. So the position is that the no applicant would be eligible, no no person be eligible to enter a contract for difference auction before the making of a development consent order. So it's not possible to enter the auction until you've got to that stage, which we're obviously not at. At the moment, auctions have been annual, and the applicant on the grant of development consent would then look to enter into an auction after the making of the of the order as to precisely which which auction we entered. We depend on timing and other factors. But as I say, their annual and if you're not not successful, you can, then you can enter the subsequent years one. So that's the process. Obviously, there are commercial decisions to be made as to what what bid is made in the auction, and until it's known whether you're successful or not, that has implications in terms of investment and indeed, whether you you bid again the subsequent year. So that is largely for the for the future. That's the way the system has been set up because of the need the auction rules requiring you to have the May DCA before you can be entertained within, within that process.

02:03

Thank you. That's clear. Is it reasonable in that case to assume that whichever round the applicant would target would be the round that immediately follows a made order? If an order were to be made? I

02:23

so I don't think it can be assumed that is the case. Obviously it becomes possible, and given the stated desire of the applicant within the documents, written documentation, to progress expeditiously, etc, and the the funders on the in the funding statement, you've seen their desire to progress their pipeline expeditiously, so obviously that weighs in favor of moving matters forward quickly. But obviously entering it into a CFD auction requires time and work, depending on when the DCO is made. There's a question of whether that's that's even possible, if it's too close to it, and if, if it is possible, whether it's realistic, and whether a later year is chosen, for instance, the subsequent year. And that is a commercial decision, and to some extent, also a commercially sensitive decision. So in short, obviously we look to move forward quickly, but it's not absolutely guaranteed. You just go for the immediate auction after grant of DCO.

03:35

Okay, that's that's understood. Thank you coming to the funding statement, which you touched on briefly, there are any of the figures set out within the funding statement. Are any of those figures contingent on the agreement of a contract for difference? So

03:55

if you flag up for the applicant? No, none of those figures are contingent on a contract for difference, sleep, the delivery of the project would be, you know, that's a intent to enter into the contract difference process. But the figures there are not contingent in that way, no.

04:13

So the figures that are set aside for, I don't want to use the compensation word again, but I am, for instance, are secured within the funding statement and do not rely on a successful allocation within a round, a CFD round. So

04:32

yes, you found the applicant. That is correct. Those figures do not rely on a successful allocation within the CFD round.

04:39

Thank you very much. I will just come to TH Clements again. Mr. Westman Smith, is there anything that you would like to comment on in regards to funding at this stage?

04:54

No, thank you. So Mark Westman Smith, for th claimants, but we talked. US upon the 82 points that we sought make earlier today, and don't repeat those. Thank

05:07

you very much. In that case, I having reached the end of of my questions within the agenda for for this hearing, I'm going to hand you over to Mr. Jones, who will take us on, I think, a fairly brief whistle stop tour of action points.

05:27

Thank you, Mr. MacArthur. You'll be pleased to hear that we only have five action points. Well, I've only noted down five anyway. The first one is to national grid, which is provide a response to what has been heard in Agenda Item 3.23, point 2.1, a in relation to the discussions around the connection area. And that is by deadline three. And then items two to five are all for the applicant. And the first one is to provide an updated soil management plan and organic land protocol. And that's deadline for the third action point again, to the applicant is to supply the relevant plot numbers in relation to the parties with whom voluntary agreements are not yet concluded. That's deadline three. Action point four is to respond in writing regarding the soil storage calculations and the need for soil storage in the vicinity of the trenchless technique areas. And that's deadline for for the applicant. And the final one that I have is again for the applicant, to provide an explanation as to how the applicant intends to proceed if

agreement with the Crown Estate has not been reached, and that is deadline five. So those are the five ones I have. I'll look to the applicant. Do you have any more action points noted down?

06:58

Hugh Flanagan for the applicant. Know that. Sorry if you just give me one moment.

07:12

The only other one, it may have been on your list. I may have missed it, the property cost estimate point with TH Clements reviewing that and their query as to whether it covered the full scope of potential costs involved by deadline four, but other than that, Yes, Alice was the same as yours. Thank you.

07:42

Thank you very much. Mr. Flanagan, and I'll before we before I move on, I'll just look to TH Clements, did you have any further action points with with the notification that additional one? Mr. Westmoreland Smith, thank you. No, miss. Mr. Flanagan's picked up. Okay, thank you, in which case I'll hand over to Mrs. Meganson for Agenda Item 3.4 any other matters arising.

08:09

Thank you, Mr. Jones, moving on to Agenda Item 3.4 this is an opportunity to pick up any outstanding matters that need to be covered today. From the ex is perspective, the only issue that we will wish to notify all parties is that the EXA today has issued a procedural decision to accept the applicant's change request related to the offshore restricted build area. Other than that, we've dealt with any other items as we've moved through the agenda, and therefore the examining authority doesn't have any further matters we wish to raise at this point, before I move to close the hearing, I'll just wanted to check if any of the parties present have any final matters that they would wish to raise in the hearing. If you want to raise your hand now, if you have anything you wish to raise, can't see any hands raised, so I'll move on to agenda item. Four, next steps. If you have spoken today, it would assist us if you could please provide a written version of your submissions by deadline. Three, which is Friday, the 13th of December, the recording of this hearing will be published on our website as soon as practicable after this hearing, I'd like to thank everyone for contributing so fully and usefully to this meeting, and we will consider all submissions made carefully. The next hearing in this examination is an issue specific hearing on the draft development consent order, which is issue specific hearing one which is due to begin at 10am tomorrow, This hearing will be held as a fully virtual event. So now, all I need to do is move to Agenda Item five, which is closing. The time now is 436, and the compulsory acquisition hearing one for the out. Dowsing offshore wind project is now closed so.