



Hearing Transcript

Project:	EN010130 - Outer Dowsing Offshore Wind Project
Hearing:	Issue Specific Hearing 2 (ISH2)
Date:	5 December 2024

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TRANSCRIPT_OUTERDOWNSING_ISH2_SESSION1_04122024

Wed, Dec 04, 2024 4:22PM • 1:19:48

00:05

Good afternoon. It is now 2:30pm and time for this hearing to begin before I start. Can I just confirm that everybody can hear me clearly?

00:18

Can I also confirm with Mrs. Haraway that the live streaming and recording of this event has commenced.

00:37

The live stream is running. Thanks. Thank you.

00:42

I would like to welcome you all to this issue specific hearing too, in relation to the application made by GTR for limited trading as outer dosing offshore wind for an order granting development consent for the outer dosing offshore wind project. My name is coro Joshi. I am an examining inspector, and I have been appointed by the Secretary of State to be a member of the panel to examine this application. I am now going to ask the other panel members to introduce themselves.

01:12

Good afternoon. My name is Rod MacArthur. I'm the Lead member of the panel examining this application.

01:20

Good afternoon. My name is Mark James.

01:23

Good afternoon. I'm Gavin Jones.

01:26

Good afternoon. I'm Claire mcinson.

01:29

Thank you. Together, we constitute the examining authority for this application. We are also supported online by the Louis Haraway, the case manager and Georgiana hanningon, The Case Officer for this application.

01:44

This meeting will follow the agenda published on the national infrastructure planning website on 26th November, examination, Library Reference, Ev, 6001,

01:56

it would be helpful if you had a copy of this in front of you.

02:01

The agenda is for guidance only, and we may add other consideration or issues. As we progress,

02:09

we will conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to. But if the discussions cannot be concluded, then it may be necessary for us to prioritize matters and defer the other matters to further written questions. Likewise, if you cannot answer the questions being asked or require time to get the information requested, then you can please indicate that you need to respond in writing.

02:37

Today's hearing is being undertaken virtually, using Microsoft Teams. We will make sure that if you have decided to attend today, you will be given a fair opportunity to participate,

02:48

for those people observing or participating through teams, in order to minimize background noise. Can you please make sure that you stay muted unless you are speaking,

02:59

if you are participating virtually and you wish to speak at the relevant point in the proceedings, please use the hand up function. Please be patient, as we may not get to you immediately, but we will invite you to speak at the appropriate time.

03:15

I would also like to remind people that the chat function on Microsoft Teams has been deactivated, so please don't try to use this at any point. If you don't manage to ask your questions or raise your point at relevant time, there will be an opportunity at the end of the meeting to raise this under Agenda Item 3.6. Any other matters arising,

03:38

a recording of today's hearing will be made available on the outer dosing offshore wind farm section of the national infrastructure planning website as soon as practicable after the hearing has finished. With this in mind, please ensure that you speak clearly into a microphone stating your name and who you are representing each time before you speak,

04:00

a link to the planning Inspectorate privacy policy has been provided in the notification for this hearing. We assume that everybody here today has familiarized themselves with the document which establishes how the personal data of our customers is handled in accordance with the principles set out in data protection laws. Please speak to the case team. If you have any questions about this,

04:24

depending on progress, we may adjourn for a short coffee break at an appropriate time. We aim to finish this hearing by no later than 5pm

04:35

I am now going to ask those of you who are representing participating in today's meeting to introduce that yourself when I state your organization's name, could you introduce yourself, stating your name and who you represent and which isn't the item you wish to speak on. If you are not representing an organization, please confirm your name, summarize your interest in the application and confirm the agenda item upon which.

05:00

You is to speak. Could you also state how you you would like to be addressed? Can I start with the applicant and and any of their advisors? First

05:12

Good afternoon, sir. My name is Harry wood, Philpott King's Council. I'm instructed by Shepherd and Wedderburn. On behalf of the applicant. During the course of the afternoon, I anticipate that I will be asking Mr. Chris Jenner, who's the development manager for the applicant, and Miss Emma Reed, a director at Sheppard and Wedderburn, to speak to various items in the agenda, but I'll introduce them as and when we come to those matters, if that's acceptable to you, sir,

05:45

yes, that's fine. Thank you.

05:48

Can we then move on to the organizations and individuals that have given notice of their intention to speak? First is the representative of South Holland District Council, East Lincoln district council and Boston Borough Council.

06:04

Good afternoon, sir. My name is Sam Dewar, and I represent the three affected local planning authorities.

06:12

Thank you.

06:14

Next I have on list is representative of maritime and Coast Guard agency.

06:21

Good afternoon, sir. Good afternoon, everybody. My name is Vaughn Jackson. I'm the offshore renewables

06:27

offshore renewables lead at the northern coast guard agency to speak on agenda item 3.2 if required, Mr. Jackson will be fine. Thank you. Thank you.

06:40

Next I have is representative of horn c1, limited the collective of commercial operators

06:50

at Princeton Mason's LP. We, I'm sorry, uh, we didn't catch clearly. Can you please repeat yourself? Yeah. Hi. Can you hear me now? Yes. Hi there. So afternoon, I'm Alex president. I'm an associate at Pinson Mason's LP, and we act for the collective of parties known as the austed IPs, which includes the to you reference there. Would it be helpful for me to just quickly list the names of those? Yes, please? Yeah, no problem. So that's Hornsey one limited. And then we have the collective OF BRI sea limited, soundmark Wind limited, sunning may limited, and Optimus wind limited. Those four together being the Hornsey two companies, we then have Orsted Hornsey project three, UK Limited. Orsted Hornsey project four, limited links, wind farm limited, western most rough, limited, and finally, race bank, wind farm limited. So I propose to refer to those together as the authored IPs, and will make clear during my submissions which of the projects I'm referring to, and we anticipate only speaking on behalf of those parties in relation to Agenda Item 3.2,

07:59

thank you.

08:01

If there is anyone else in the attendance who is to speak in this hearing, please let me know now.

08:10

No, thank you.

08:12

I will now briefly explain the purpose of this space issue specific hearing too. This hearing is intended to address matters and questions identified by us through our reading of submissions to date regarding the applicant's offshore environmental matters. If particular issues raised by interested party do not appear in the agenda, this does not mean that the examining authority will not take them into account or potentially raise them later in the process.

08:40

However, we remind you all that the examination is mainly a return based process, and so it may be the case that not all issues are discussed orally,

08:51

a list of post hearing actions will be taken by Mr. MacArthur as they arise. It would be also be helpful if the applicant to make a list of action point as they arise. In order to ensure that no importance important actions are overlooked

09:07

at the close of the hearing, we intend to go through the list of actions which will then be issued in writing as soon as practicable after the close of hearing,

09:16

unless agreed otherwise post hearing, actions will be expected at deadline three, which is Friday, 13th, December.

09:25

If there are any questions at this stage, please raise your hand using the teams function now,

09:34

or else I will now hand over you to the Mr. James, who will lead us through an agenda item, 3.1,

09:41

thank you.

09:45

Thank you. I'll now deal with the issue specific topics in turn, in line with the published agenda, starting with Agenda Item 3.2, oil, gas and other offshore infrastructure.

09:59

I.

10:00

Within that agenda item, first of all, consideration of potential wake effects and implications for energy yield at other offshore wind farms.

10:11

We note the responses to our first written questions, particularly question OG 1.2 from parties, including the applicant, that's rep 2051

10:22

and the Orsted IPs, that's rep 2076

10:27

as has been described, they represent Swansea, 1234,

10:31

links, wind farm, race, bank and Wester, most rough. We note the content and purpose of the array, layout study, yield study that was published

10:42

on behalf of the crown estates, and that's rep 2056,

10:46

so thank you for that information and those respective submissions. I think at this point it'll be helpful to hear a high level summary from the applicant just to set up their position in relation to wake effects and the extent to which they should be assessed. If the applicant could just kick things off by providing a fairly high level summary of their response to that question, please. That'll be helpful.

11:13

Very wood Philpott Casey on behalf of the applicant, so I'll do that, if I can start with some introductory observations by way of an overview before I provide that summary. So as you've indicated, the applicants provided a response to the first round question, written question OG 1.2

11:34

which explains why it doesn't consider an assessment, specific assessment, of Wake effects, to be necessary or appropriate, but it also addresses the implications for decision making, including, specifically the requirement that was imposed on the hourly Moore DCO. And you'll have seen what we say about that. We've also recently seen, of course, the altered IPS d2, deadline, two submissions. Rep, two, zero, 76,

12:06

and so, as you will have seen yourself, they include a significant amount of technical material, which we are in the process of considering and will respond to in writing in due course. And our intention is to provide that response at deadline four

12:27

in order better to understand the altered IPS position and explore the technical issues that arise. The applicant has approached or stood to seek, to open a dialog, and we've now had a response, and the two parties are seeking to schedule a meeting between them in order to take this matter further forward, we thought that you might find it helpful if we seek to do that and agree what we can but at this stage, therefore, the applicant's not yet in the position to provide a full and detailed response towards this most recent submissions, but as I've indicated, the parties are engaging with each other and will provide you with a more detailed response in due course. So so what I then propose to do against that background is respond to your invitation to provide a brief summary. But what I won't seek to do is to anticipate and seek to respond to the altered submissions at this stage on the basis that that is unlikely to be helpful, and it may prove premature in some respects, until we've explored matters with them.

13:39

So sir, if you're content, I'll then provide a high level summary. And so the main points that we've articulated in our written response could be summarized as follows, when the twin factors of the distance between arrays in this case and the evidence from the crown estates yield study of likely impact over such distances are taken into account. We say it's apparent that no further assessment is required, either by reference to NPS policy or by reference to normal environmental impact assessment principles. That's because the evidence that has been referred to in that response indicates that no likely significant effect, no likely significant impact, would occur. And thus, first of all, it's reasonable to scope this out of assessment. And secondly, it would be both unnecessary and disproportionate to require the applicant to go beyond what has been done and to undertake a further assessment. The same conclusion, as we've said in that response can be drawn with or without the introduction of the orba.

14:59

But of course.

15:00

Because the effect of its introduction is to increase the distance between the arrays and reduce any weight loss yet further,

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we've also looked at the hourly Moore decision and identified what we say are appropriate reasons to distinguish this case from the position that arose there, but also, and in any event, not to regard that decision as being a good precedent to follow.

15:33

So in that case, the two offshore wind farms were significantly closer to one another at 5.1 kilometers, whereas the closest point between the arrays here is between 20 kilometers and 59 kilometers. And in that case, the anticipated weight loss at the nearby rill flats offshore wind farm was, on a worst case basis, predicted to be in the region of up to 2%

16:05

the Crown Estate yield study which we've put in, which is rep two, zero, 56

16:12

suggests a range between 2%

16:16

and nought point 5% between two and 20 kilometers, which is consistent with the analysis that was conducted in the hourly Moore case. Here, of course, we're just beyond the 20 kilometer distance, and so one would expect any loss to be less than the lower end of that range. Now, in terms of decision making. You'll have seen that in the owl in Moore case, consideration of the issue by the examining authority ultimately led to the imposition of a requirement,

16:52

but neither the examining authority's report nor the decision letter either explicitly or implicitly grapple with the question of whether that requirement satisfies each of the tests for imposition of a requirement, in particular, necessity, precision and overall reasonableness, including Avoiding requirements that are disproportionately burdensome. And

17:22

as we've indicated in our written response, when one looks and properly examines those issues, it becomes apparent that it would be unnecessary, unreasonable and inappropriate to impose such a requirement here.

17:37

Furthermore, Even even a pessimistic view would lead to the conclusion that any likely weight loss impacts would be relatively modest when seen in the context of the additional capacity that the outer dowsing offshore wind farm would create, and therefore, it's plain that they would not outweigh the very substantial public interest benefits of the proposed development, or threaten the viability of any of the other offshore wind farms in the area.

18:12

And hence, the applicant's case is that those impacts would neither lead to overall conflict with the National Policy Statement, nor make any significant difference to the balance to be struck under section 1047

18:26

of the Planning Act, let alone any difference that might credibly displace the policy and statutory presumption in favor of the grant of development consent

18:41

and as the applicant's response explains, there are also legal issues that arise as to whether these effects are properly to be regarded as falling within the ambit of the relevant policy provisions in the national policy statement, or whether, alternatively, these policy provisions are directed to effect on other infrastructure and other industries, ie other than offshore wind farms.

19:11

Fortunately for you and your colleagues, sir, and also for this examination, those issues are going to come before the Secretary of State for determination before this application falls to be decided, because they are being debated through the examinations into the Mona offshore wind farm and the Morgan offshore wind farm. Both of those projects are further advanced in their examinations than outer dowsing, and at this stage, it is reasonable to assume that one or both will be decided first. Now the applicant in this case, has considered the arguments advanced by the applicants in those two examinations. And as matters stand, it doesn't have anything material to add. And so, in short, either the second.

20:00

State will decide the applicants in those other cases are right, in which case, much of this issue would fall away, or that they're wrong. In which case, attention would then focus on the case specific matters that the applicant has set out in response to the examining authority's written question. And so we've dealt with it on that basis, rather than

20:24

seeking to rehearse those matters

20:27

extensively in writing. And the applicant's view is that in those circumstances, there's nothing to be gained from inviting you and your colleagues to spend time and effort inquiring into those legal points yourselves and instead, our respectful suggestion is that the parties should be invited to make written submissions in due course on the implications for the decision that the Secretary of State will need to make, and on the implications for The report that you and your colleagues will have to write, depending on which way those debates go in those other two examinations. So there's nothing to be gained, in short, by duplicating the work if the issue will be settled by the Secretary of State before this one is decided. It's really just about the implications of the outcome of those debates for decision making here. So So that's by way of a very high level summary of what we put in at deadline two. And if you're content, I will hold off from providing a response to the altered submissions until we provide a comprehensive response at deadline four. Thank

21:42

you for that summary, Mr. Philpott, and I appreciate

21:46

the position you've got in terms of the meeting. So just to clarify, the intention would be to meet with allsted agree certain matters, and that would then feed into your deadline for submission.

21:59

Could you perhaps elaborate on what the nature of those discussions are likely to be, and the points upon which you might like to see agreements or otherwise. Is it still too premature to to outline that

22:10

Harry would fill on behalf of the applicant? I think so. It is too early. I don't have an agenda for those meetings. My understanding is that, as you might anticipate, where you have two offshore wind farm developers dealing with the question of weight loss. There are quite a few technical matters that they will

22:30

that they will want to discuss. I don't know. There may well be other matters, but I'm not privy to a list, and I don't think, as far as I'm aware, that a meeting has yet been diarized. I know that their parties are seeking to do that, and therefore I'm not aware that there's natural agenda drawn up, but one can anticipate that at the very least, it will seek to look at the technical issues that have been thrown up. Because at the moment, you've got quite

22:59

a lot of technical material, but not much to guide you as to how it applies in this case.

23:07

Thank you,

23:10

Mr. Treasurer, and I don't know if you have any initial response to that, or whether you'd also prefer to wait until deadline for Thank you, because on behalf of the Orsted IPs, I don't have much more to add to that, which the applicant's representative has set out in that I agree with the approach he's proposing. So similarly, the Orsted IPS have noted the applicant's responses to the relevant written question from the examining authority being discussed, and obviously, obviously have listened to the points made just now in this hearing, and we welcome the fact that the applicants representatives have reached out to arrange a meeting to discuss weight loss effects, which the auster IPs are very keen to to diarise and set an agenda for as you've as you've requested there. I think it does make sense to have that meeting first before responding to the applicant's submissions of deadline two, which would therefore be at deadline four, given the proximity to these hearings of deadline three, next Friday. So in summary, I think the approach is agreed. Obviously the ORCID IPS position remains that a wake assessment is required for the reasons we set out in in our deadline to submission. But I appreciate that that submission contained a substantial amount of technical evidence, which will take time to review and and will be the subject of those discussions referred to. So in summary, I'm content with the approach.

24:39

Thank you.

24:42

On that basis, that does

24:45

close off a number of my questions that I may have had at this point. However,

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there is still a thread I'd like to discuss if, if that's okay. So we we note,

24:58

sorry, bear with me. I.

25:00

Yeah, we note the offset IPS response to OG question 1.2

25:08

which refers to the potential implications for weight loss for the project assessment of climate change benefits.

25:17

Can the applicant just confirm whether the existing assessment before the examination has considered wake in terms of the overall net benefit for climate change.

25:31

Harry wood, Phil put on behalf of the applicant, so my understanding I'll be corrected if I'm wrong, is that the assessment of climate change effects does not include an allowance for weight loss. What I would say, just though to enter a couple of caveats at this stage. First of all, you'll have seen that the applicant's view is that any weight loss in this case is likely to be very small and therefore not material for the purposes of assessment. But the second point so we will, and we'll deal with this in more detail, in writing. But just to flag the point up,

26:10

one of the difficulties that arises with the hourly more requirement approach, which you'll recall, looks to the developer, The Undertaker of the new offshore wind farm to design so as to minimize weight loss at the neighboring wind farm is that if you constrain the development of the new wind farm, you end up reducing the capacity of that wind farm, and Therefore the benefits that it delivers. And so the risk is that you

26:46

have an effect on the capacity of the new wind farm, which is greater than the saving to the capacity of the existing offshore wind farm, where the Wake effect is relatively small, and in order to make a measurable distance, a measurable difference, rather to the weight loss at the existing offshore wind farm, you constrain the new offshore wind farm to a significant extent that gives rise to a loss of capacity in the new offshore wind farm, which is greater than the capacity saved the existing one. Now that obviously depends on a number of variables, but it is that relationship which one needs to bear in mind that you may end up with a situation where the overall capacity that is created by the two offshore wind farms is greater if you just let the new wind farm develop up to its full capacity and where, where to draw the line? There is a matter of technical evidence, which I'm not obviously equipped to give, but my understanding is that that is one of the issues that has to be grappled with

28:00

if you take the approach of seeking to constrain a new wind farm so as to protect an existing one.

28:07

Thank you. I know you'll provide a summary of your submissions deadline through but perhaps in that particular point you'll be used to have some form of a technical note that just elaborates on some of the points you raised in terms of how that might not work in terms of mitigation, if, if, and the best approach may be, in your opinion, if the company, when farm is allowed to proceed as as planned, without doing the mitigation. So there could be some some technical note that elaborate on those points, please. That would be quite helpful to Harry wood, Phil, but on behalf of the applicant, we're very happy to do that.

That was something we were anticipating covering in our deadline for note, in any event, so it for your for your note, just in terms of your preliminary reading into this issue.

28:57

If you look at the

29:02

the study that was put in the Fraser Nash report prepared for the Crown Estate, which is rep two, zero, 56

29:12

and if you look at

29:14

page seven, explains how the buffer distance issue was assessed. And then, if you look in having read that, if you then read what is on page 18 of the report, which explains the relationship between increasing buffer distance and the impact on the capacity of in that case, the two theoretical offshore wind farms that were modeled that should give you the kernel of the point, the essential technical issue. And then we will expand on that at deadline for in terms of how we say it ought to be taken into account here, but that that gives you the point of principle that I've.

30:00

Tried to articulate, and much more clearly than I've been able to do it.

30:05

Thank you. That's a useful sign post

30:09

there. Okay, so just

30:14

sticking on the on the climate change and carbon benefits theme, really,

30:19

whilst at IP, is obviously here representing a number of different wind farm projects,

30:26

all of which are at least 20 kilometers away from the array area of the project itself. However, we note that the Triton gnoll wind farm and the dungeon extension wind farm arrays may be closer in proximity to the projects array area. Would we all just confirm the distance of the array areas between those respective schemes and the projects array area? Please?

30:55

Harry with Philpot on behalf of the applicant, so in order to give you an accurate measurement for those, we'd like to take that away and respond in writing.

31:04

We can do that at deadline three, so so you won't have to wait long for that information, but rather than

31:10

try and scramble it together, now we think it would be best to give you a reliable figure at deadline three, if we may.

31:17

Okay. I mean, the follow up to that says, my understanding is that they are closer than the projects that Austin IPs are here to represent. And

31:26

in that context, and in the context of looking at possible effects on the overall carbon benefit, those two projects shouldn't be ignored in terms of any assessment or consideration moving forward. So it was just to see whether that was an approach you'd be willing to take on board as well, really, given that there are projects that are close to Norfolk IPs

31:48

and Harry wood Philpot on behalf of the app and so they certainly won't be ignored. My understanding is that they have not raised a concern about weight loss effects on their offshore wind farms, which may in itself be telling, given that they are closer, but it but it also so. One of the points that we'll be looking at is, of course, if you start seeking to constrain the new wind farm in order to avoid weight loss at other wind farms, if you constrain it on all sides, that effect that I talking about in terms of losing the benefits of the new offshore wind farm would increase, logically, if you're trying to protect it from all

32:29

corners, as it were, but we'll tackle that in the written notice deadline for they certainly have not been overlooked.

32:36

Thank you. I appreciate we've had no representations from over those two wind farms raising objections on this basis. So we recognize that, but I'm just conscious that, particularly in terms of things like climate change, it wouldn't matter, irrespective of not the the IPS had an objection or not, there would still be, potentially a carbon effect that possibly should be considered. So I'm just keen to explore that.

32:58

Thank you. You

33:04

okay, on that basis, that concludes my questions in relation to to wake effects, and I shall move on

33:17

to the next point on the agenda, which is updates on cooperation and agreements, including helicopter access.

33:29

We note the applicant's response to our first written questions, og 1.8 and 1.9 regarding the structured exclusion zones and helicopter access, with updates regarding protected precisions due on deadline. Four, again, this was highlighted in issue specific hearing. One. We also note that the applicant is confident reaching the agreement with perenco,

33:53

including for the Mallory platform.

33:59

We understand from the environment reports for the offshore ship, the build area

34:04

and the revision to the offshore export cable corridor. And that's PD, one, dash 081,

34:12

that the the aubur has been made possible due to agreement on the principle of coexistence between the projects and access arrangements for the Mallory platform with perenco, specifically for helicopter access, transfers to and from the platform itself.

34:29

It's just a query whether or not

34:32

there are any implications if agreement with perenco is not reached for the aubur area and that change,

34:47

Harry wood, Phil but on behalf of the applicant, so I'm going to now ask Mr. Chris Jenner I referred to earlier, who sat to my left, the development manager the applicant, to answer that question. I.

35:01

Good afternoon. Chris Jenner, for the applicant,

35:05

it's probably worth just giving a sort of brief update and just to sort of slightly repeat some elements of our question in terms of the status of negotiations and discussions with perenco. We've been in discussion with perenco for a couple of years been very constructive, and in that regard, as you picked up, we feel we have sufficient confidence to have made those reductions to the and introduce the changes that are set out in the in the orbit documentation,

35:34

there are a number of other sort of elements that that form, if you like, the package that will form the basis of protective provisions that we will introduce by deadline for and it's not until we believe the elements that define the spatial extents are sufficiently verbally agreed. But it would be premature for us to sort of in advance of communicating the holistic package of other matters that would be required to be incorporated into those protected provisions, such as line of sight, communications, etc,

36:10

we feel is that sort of level of detail is something that we will bring forward a deadline for. But we don't believe it forms any risk insofar as the certainty of the reduction in the orbit documentation.

36:25

Thank you.

36:27

Appreciate you. Believe there's a small risk of no agreement with perenco, but just to confirm, if that agreement was not forthcoming, there would be no implications for the projects in terms of the orbit and the design and layouts and that would follow on from that.

36:42

Chris, Jennifer, for the applicant, that is correct. Thank you. Applause.

37:12

Sorry, so just to double check Mr. Jenner so the order could coexist without agreement from perenco on access to the platform.

37:24

My reading of the information submitted in the environmental report was that it was predicated on the agreement that was going to be forthcoming. Miss

37:34

Jennifer, the applicant, as I as I said that the distances and the verbal agreements we have with perenco at this point in time. Give us sufficient confidence the other, other outstanding matters which need to be incorporated into protective revisions will not affect the matters in relation to the orbit, so you are correct in your assumptions.

37:54

Okay, thank you.

38:02

Okay, moving on. He also notes that discussions are progressing, or due to progress with shell with a meeting in December, again, with a view to updating. Was it deadline for so I'll raise no further questions on that at this stage.

38:18

Moving on to the maritime and Coast Guard agencies response to our first written questions OG 1.7

38:25

regarding the helicopter access reports, which appeared to query some of its assumptions and headline conclusions, namely, that search and rescue aircraft may not be able to provide support in certain conditions such as poor weather or overnight. In addition, the the MCA also made the point that commercial air traffic helicopter availability can be more of a logistic logistical issue than implied in the helicopter access reports, as it can also be called upon to support in emergency situations.

39:02

Again,

39:03

I appreciate you will be like to submit a response to this in due course. But does the applicant have any initial comments to make on that particular point from the MCA? So Harry wood, Phil Park Casey, on behalf of the applicant, I'm going to ask Mr. Ali McDonald marine risk expert from Anatec limited to respond to that question, sir, thank you. Ali

39:27

McDonald, on behalf of the applicant,

39:31

we noted the Mallory platform is inside the wind farm, and there will be currently commercial air transport operations under the visual meteorological conditions only will be permitted.

39:45

But in terms of search and rescue, we acknowledge that the platform is not normally man, normally unattended. So in extreme weather, you wouldn't expect to have Manning inside the wind farm, and if there was.

40:00

It will be similar to wind farms today, where you have platforms within the wind farms, which are accessed by search and rescue helicopters.

40:08

I also note

40:12

that search and rescue is carried out by the Coast Guard, and the availability of cat helicopters is not always guaranteed, because the airport isn't open all the helicopters having contracted to be available to carry out such such operations.

40:27

I'll also ask my colleague, Mark Pryor, aviation specialist and helicopter pilot, to come in and comment, thank you.

40:37

Well, Mark Pryor, on behalf of the applicant, just to support the points made by Mr. McDonald,

40:47

it is usual for search and rescue to get involved in severe cases, because commercial air transport helicopters cannot fly people who are impaired. So if you have have a person with a broken limb or injured in any way, they cannot be flown by a commercial aircraft because they cannot wear the survival suits and other PPE, if the helicopter was to ditch, they could not self rescue, because, of course, these machines do not have have the cabin crew, so it is extremely uncommon for commercial air and transport aircraft to actually fly In injured people. That is a task for the MCA. And in addition being a new E we would only expect this platform to be manned up in the daytime during good weather, so access by search and rescue aircraft is not an issue, and as indeed, it is acknowledged, I think, at the end of the MCAS submit mission where they say that this is not so much of an issue for a new E,

42:16

thank you,

42:18

Mr. Jackson of the marathon Coast Guard agency. Do you have any comments in response to what you just heard there at all? Please Good afternoon. Von Jackson, for the MCA. And I agree that that's

42:31

very clear on the part of Mr. McDonald and Mr. Pryor. Yet the it was just to point out from the early paragraphs. So paragraph 12,

42:43

but that is a limit on site operations. It's not infinite. That's all. That's all the point was trying to make,

42:53

just to make sure that was clear. Yes, it does state it's not the same as commercial air transport. Which it which it isn't. There are higher limits, but of course, there is a finite limit for which such a rescue cannot cannot be carried out.

43:09

But the points made by Mr. McDonald and

43:13

Mr. Pryor, we accept that, and that's that's clear for us now.

43:19

Thank you. So just to confirm then there's no further remedy or action that you think is necessary in response to that that point, it was just a point of clarification from your submission there. Yes, sir, that's right. That's correct. Okay. Thank you. Thank you.

43:41

Moving on, then,

43:51

the oyster IPS response to question OG 1.5

43:56

alluded to the need for further consultation consideration, to provide a mechanism to ensure that they are directly consulted in respect of any operational procedures for the outstanding housing projects related to construction and operation traffic

44:10

to and from the I said IPS developments. Given what was discussed at the start of the hearing, is that a matter that will be considered in the forthcoming meeting to try and agree an approach to that Herod Phil Park Casey on behalf of the applicant. So my instructions are that that is something we would be happy to add to the agenda when it emerges for that meeting, or to have included from our part, we think that that would be a sensible thing for the parties to discuss, and then we can report back to the examination. Once that's happened.

44:49

Thank you, Mr. President, would you like to comment? Because then, on behalf of the Boston IPC, I agreed that it would be it would make sense for the parties to discuss that in.

45:00

The meetings referenced earlier, and we have some updates in relation to cooperation and proximity agreements and the position on protective provisions, which I can summarize now on behalf of the ORCID IPs, if you like, or if you I'm not sure we're going to come to that in a moment.

45:16

Please go ahead now, that'd be welcome. Thank you. Thank you. So on Friday the 29th of November, the ORCID IPS received a draft cooperation and proximity agreement for this project, export cable corridor and the offshore route area for the links offshore wind farm, which is a draft that is welcomed. And as I said, the fact that discussions are ongoing between the parties is welcomed by the auster IPs and and links intend to review and provide comments on that draft as as soon as possible, with the intention of seeking an agreed form before the end of this examination. And the auster IPS also note that the applicant in that correspondence stated that it intended to replicate the proposed terms in a similar such agreement for the race, bank, offshore wind farm. They also these haven't yet received this draft. But again, that may be because the applicant is waiting for the links agreement to be agreed before doing so, and we welcome the production and of that. And again, we'll review and provide comments as soon as possible, and intend to get an agreed form before the end of this examination as

well, and then, pending a review of the content of those agreements, the authored IPS may need to seek protected provisions as appropriate to protect the Lynx and race bank offshore wind farms. If those end up being requested, then obviously, the ORCID IPS will engage with the applicant and submit details of the requirements into the examination as soon as possible. And as you, I'm sure, have been able to tell from my submissions so far, the focus of the orthodip is on links and race bank, but agreements might also be needed on the other projects subject to those discussions that are going to take place with the applicant on Wake effect and the potential impact on energy yield that have been referenced earlier. So again, following those discussions, we will confirm the position into the examination as soon as possible. And the only other point I was going to mention on the theme of cooperation was in relation to the outline cable specification and installation plan and the outline vessel management plan, both of which documents, links and race bank requested to be consulted on as part of their preparation, and this has been touched on. I'm sure those will be picked up in discussions with the with the applicant as well.

47:34

Thank you. So would it be fair to say they're all possibly due from deadline four as well?

47:41

Not time for any working towards, Yeah, Alex President, on behalf of the Austrian IPs, I think, yeah, we can certainly

47:49

aim for that. We'll aim to set up meetings either side of the Christmas and New Year period, I expect. And we'll certainly have an updated deadline for Thank you.

48:01

Okay, that concludes that particular gender item,

48:08

I shall take us into agenda. Item 3.3.

48:11

Civil and military, aviation and communication

48:20

points around the primary surveillance radar mitigation for the new said and Saxon walls air defense radar,

48:29

we note from the defense infrastructure organization response to our first written questions. That's rep two, dash 072,

48:39

and question cm 1.1

48:42

that it questions the suitability of some of the potential mitigation measures for primary surveillance radar as identified in chapter 16 of the ES.

48:54

The DOI also clarify that the next generation primary surveillance radars will not be implemented before the operational period of the project commences.

49:05

The applicant states that mitigation will be secured through an industry stranded air defense radar Mitigation Scheme agreed through the work being undertaken as part of the air defense and offshore wind farm mitigation Task Force. And the applicant is confident that mitigation solutions will be in place before the project is operational, and further updates are due at deadline four. I understand as well from the applicant on this,

49:31

can the applicant provide a brief update if it's aware of the timescales for the outcome of the air defense and offshore wind farm mitigation task force, so that project is ongoing, looking at the broader problem and possible solutions. Is there a time frame that you have available for that at all? Please? Harry wood, Philpott Casey, on behalf of the applicant, so I'm going to ask Mr. Jenner to respond to that. Do.

50:01

Chris Jenner for the applicant,

50:03

I should preface any response I give on this in so far as we note that the discussions with the mod underneath the

50:13

mitigation Task Force, etc, are subject to non disclosure agreements with the with the mod and the other developers that have been part of that initiative, I should note that the applicant has been fully subscribed member of that task force for the last couple of years, working collaboratively, collaboratively with the members to deliver a strategic, multilateral solution with the mod and as you note, we plan to negotiate a radar mitigation service agreement with the mod through the offshore wind industry Task Force, and also through the delivery of a program that is termed New Order. And the details of those programs are subject to confidentiality that we are not able to divulge its full details to

51:08

this this particular examination process, but we certainly have had assurances within government that

51:17

they're fully committed to funding The technical solution to ensure it is in place by 2030 and we are therefore confident that the measure has been put in place to deliver and meet that timeline will be

51:32

delivered in time before The project is operational.

51:38

I'll pause there. Thank you. Applause.

51:43

Thank you.

51:46

I also note from your response that you intend to insert requirement into the draft development concerns order to address these points at deadline four.

51:58

Could you elaborate on what that might consist of, again, if it's not premature to do that,

52:06

and can you also confirm if that's likely to echo requirement 32

52:11

in the latest draft, DCO to ensure that No

52:17

wind turbine generators can rotate

52:21

without radar mitigation being in place, noting the defense infrastructure organizations concern about the rotation, or any rotation of blades prior to mitigation being in place.

52:35

Harry wood Philpot, on behalf of the applicant, so I don't have instructions as to the precise form of any such requirement, but what I do understand is that the form of the requirement is something that we would wish to discuss with the mod before putting it before you, because clearly what we don't want to do is to put something forward and then find the mod Something different. So we would intend to seek to have an agreed form of words which is inserted into the development consent order, or at least one that we've been able to obtain the mods input before we put it forward. And that's as far as I'm able to go on instruction at the moment. Sir. Okay, thank you. Noted,

53:26

moving on to primary surveillance radar mitigation for chroma and claxby so the NATs facilities and again, notes the new requirements go into the draft DCO the

53:41

draft statement common grounds with Nats. That's rep 1031

53:46

indicates the mitigation with a transponder. Mandatory zone has been signed off by NATs, but a liaison with the mod is, is required? Has that particular appointment progressed with the mod, and does that have any implications for requirement 32 that's now in the draft development consent order.

54:08

I'll ask Mr. Jenner to deal with that, sir. Thank you.

54:13

Chris Jenner, for the applicant, we we seek engagement with Mod to discuss that particular interface between the civilian and military radar

54:25

systems are fully aware of that, and would seek to include any

54:30

requirements or provisions associated with providing the necessary assurances to the MSD that the measures and the mitigation, when it's put in place, will provide the necessary mitigation to ensure that the project can be operational. But at this point in time, those discussions haven't progressed at this point, but

54:53

that's likely to be an issue that is discussed in your forthcoming conversations with with the mod. Yeah.

55:00

Chris, Jennifer, the applicant, that is correct. That is very much we have we've put in requests for a meeting with the mod to discuss both the form of the military RMSA agreement and the interface with the civilian radar systems and the dependency of mod using those civilian radar systems.

55:19

Thank you. Um,

55:23

I was going to ask a question around requirement 32 and level of engagement with Nats. But a note from this morning's hearing that they have requested a few tweaks that are due to be made to requirement 32 in the next iteration that we're due to see. I think at deadline

55:38

three. Is that correct? So there has been, has been some discussion with with nats on requirement 32 so Harry would pop it on behalf of the applicant. Yes, that those are my instructions. That is correct. Thank you.

55:55

Okay, that concludes my questions on that particular agenda item. Then I shall hand over to Mr. Jones for Agenda Item 3.4

56:06

Thank you, Mr. James.

56:09

I'm afraid this will involve rather a long preamble by me, but it will eventually lead to a question.

56:16

I hope you have deduced from the wording of the agenda for this item that it's concerned with having a discussion about the management of documents going forward. I don't intend this afternoon to get into in depth considerations about the actual ornithological issues and methodologies.

56:38

The Orbit change request now it's been accepted would alter the predicted mortality figures for a number of species. In addition, the applicant in some of its September the 19th submissions, those beginning with the EI ref, PD, one has also taken the opportunity to present figures that incorporate the amended jncc guidance on collision risk modeling that was published in August 2024

57:05

therefore, taken together, the predicted mortality figures are different from earlier submissions, and this has both environmental statements and HRA implications.

57:17

Table three of the applicants change request document dated 27 November 2024 which is rep 2065,

57:28

lists all the documents that have been submitted and whether there has or has not been a change due to the Auba and the revision to the offshore export cable corridor.

57:39

The XA is aware that some of the deadline two submissions, such as the updated predator control evidence basin roadmap, which is rep 2025,

57:50

do now cite the amended mortality figures that take account of the aubur and the revised methodology. However, there would appear to be a number of documents that are listed as no change in Table three, of rep, 2065,

58:07

but which would, in fact, require updating to reflect the changes in predicted mortality figures as a result of the order and the aforementioned revised methodology.

58:19

Just to give one example, I won't go into too many details of all of them, but

58:24

the HRA for the orbone revision to the offshore ECC document, which is PD, 1091,

58:33

in table, two point 10 indicates that the annual total of predicted guillemot mortalities would reduce from 25.9

58:42

down to 22.5 under the orbit assessment approach. However, the earlier figure of 25.9

58:50

annual Gilmore mortality is that's using your predicted your preferred methodology of 50% displacement, 1% mortality.

59:00

That is the figure that is still cited in a number of documents, and these include the report to inform appropriate assessment.

59:08

Table 3.9 of the derogation case. Table 2.1 of the without prejudice guillermot compensation strategy. So basically, the point I'm getting at is that you've got, you've got potentially updated figures that reduce the predicted number of Gila Mott mortalities as a result of the aubur but that's not reflected in some of your earlier documents.

59:31

And as well as the amending the project alone figures, of course, they've been cited for Gilliam, Mart, Kitty wake and Razorbill. The order would also change

59:42

the cumulative and in combination figures as well, potentially,

59:47

therefore, having regard to this, can I ask you, the applicant, to explain how you intend to deal with the submission of documents

59:55

to reflect all the figures that need amending for both the project alone?

1:00:00

And cumulatively or in combination, across various documents, but which haven't been so far so as to ensure consistency across the various relevant documents going forward in the examination.

1:00:16

Sir Harry would Thorpe, on behalf of the applicant, can I start by saying, on behalf of the applicant, we're grateful for your picking up those points will obviously seek to make sure that they're addressed in an effective way. I'm going to invite Miss Emma Reed, Director of Shepard and Wedderburn, just to explain the approach that was proposed to be taken if, as part of that, she's able to identify how those particular matters to be picked up. No doubt she'll explain. If not, that may be a point we have to take away having heard the explanation, but I'll pass on to Miss Reed and see if she is able to provide any assistance at this stage.

1:01:05

Thank you. Emma Reed, for the applicant, just a point of clarification. First of all, in relation to table three in the applicant's change request, the reference to no change in that table is perhaps an over summary. It is a summary of the conclusions and that the introduction of the orba results in no change the conclusions of those documents. But as you've identified, it might not necessarily result in no change to the content.

1:01:34

Sarah, you'll be aware that the applicant has committed to updating the in combination assessments in relation to the HRA at deadline four and the cumulative assessments for EIA purposes, in due course, the applicant proposes that those updates would also incorporate any clarifications to the assessment chapters required by the introduction of the orba. If that would, if that would address the point

1:01:59

the applicant intends to to make the updates the environmental statement chapters at deadline five, on the basis that firstly, an update at this stage would reflect the greatest number of potential changes to third party projects for the purposes of the cumulative assessment. And secondly, the chapters would be updated to incorporate only information that is already before the examination, and therefore it would just be the for the purposes of having a single source document and for consistency.

1:02:28

So Harry wood, Philpott Casey on behalf of the applicant. So I hope my understanding of that is, is that that has helped to clarify the relationship between table three and the other documents and the notation of no change, but hopefully also that provides you and your colleagues with comfort that where there are details within those other documents that will need to be updated, they will be updated as part of that approach. So as I said, we're grateful to you for drawing attention to those elements which need to be updated, but it sounds as though that ought to be picked up in the process that Miss Reed has just described. Thank you, Mr. Philpot. Miss Reed, yes, I suppose the point I was trying to get at is it's mainly the figures that have changed, obviously,

1:03:15

and they're not substantial changes, but nevertheless, when we come to issue with the race we need to is particularly pertinent, I think, for, you know, from a HRA perspective, we will clearly need to show a, you know, a clear evidence trail of process and where the figures have changed. Will, you know, we'll need that to be documented throughout all the documents. Just to give another example, at the moment, the compensation plans are predicated on it on a certain mortality rate for kitty wake or raise a bill or Guillermo. But again, clearly, as a result of the orbit and changes to two methodologies that that those figures will be amended slightly, either up in the in the case of Kitty wake or down, in the case of, you know, to use two examples, guillemot and razor, and there are other species as well. So I think it's just ensuring that when we come to issue the race, we're dealing with the correct figures, and we can track through how those figures have been arrived at, just to, just to sort of give a related point.

1:04:25

There have been instances thus far when you've submitted an updated version of a previous document,

1:04:33

and that version contains is done in a slightly different manner.

1:04:40

So we have to pick our way through to then find to try and cross reference between the two. And to give an example of that, it's the way you've set out table, one point 12 and one point 13 of the offshore ornithology displacement assessment, which is a PP.

1:05:00

164,

1:05:02

versus how you've gone about that in the subsequent updated document, which which comprises tables, 2.17

1:05:12

to 2.22

1:05:14

of append, of the appendix F, offshore ornithology, displacement assessment, which is PD, 1088,

1:05:22

in the first

1:05:25

document,

1:05:27

you basically

1:05:29

set out the displacement matrix using design based estimates for Gila mock breeding and non breeding seasons, but it didn't specify whether that was for mean predicted mortalities or at the upper 95% confidence interval. I'm presuming it was the mean, whereas in the tables, 2.17 to 2.22

1:05:49

you provide those for both the mean and the upper 95 point 95 CI, that's absolutely fine, but it would be very useful for us to have an explanation in that updated document as to why you've slightly changed it slightly changed the way you've you've presented the information, because that just then helps us to track it through when, as I said, when we come to do the race. So that that was really the point, or the question I was trying to make on that as well. Harry wood Philpot on behalf of the applicant. So that that point is, if I may, so may, say, so well made and well understood. I can see how that might be difficult without an explanation as to how those figures relate to one another. We've we've taken that on board, and we'll keep that in mind when we update documents, in due course, trying to make them as user friendly and as easy to understand when compared to earlier versions as we can so thank you for raising that, sir. Thank you, Mr. Philpott, if that could be made as an action point,

1:06:50

yes,

1:06:54

yes. What deadline Do you think you would be able to do that initial trawl through the documentation, to look at the figures and just to set out where they've changed.

1:07:05

Just Brendan one, we've got the reefs on the 17th of Feb. Yes, sir. Harry wood pulpit, on behalf of the applicant, dead deadline for, I'm being told that could be, that could be undertaken for that that would produce it on the third of February. That gives us a fortnight for the race that should just about be doable. I think Mr. Philpott.

1:07:32

So I'm Harry with Phil but I'm half the app that that, as I understand it, is in relation to the HRA only having regard to the deadline for the Rees, not the ES, as well. Okay, that would be a separate matter. Okay, just again. Just Just bear in mind that, for example, as 1040,

1:07:50

you're looking at some of the figures are given the array area plus two kilometers. And obviously, with the change due to the Reese, those figures would potentially change as well.

1:08:01

So

1:08:03

did you understand? Okay, thank you. I don't have any more questions regarding this, unless anybody else wants to make any further points.

1:08:14

Not seen any hands anywhere, in which case I'll hand over to Mr. MacArthur to deal with agenda item, 3.5

1:08:24

Thank you. Mr. Jones, so I have recorded four action points, and I will begin the first one incorporates two separate issues, but they're broadly across the same

1:08:41

the same topic area, the first action point, therefore, is that the applicant and the Orsted IPs to provide a written note on the question of Wake effects, which includes a summary of further discussions relating to weight loss. And then a further addition to that, that the discussion to include the provision of a mechanism to ensure consultation in respect of operational and construction traffic to and from Orsted IPS developments should also be included within that written note, and that is for the applicant and Orsted IPs To submit an agreed written note at deadline four.

1:09:24

More accurately, I think the applicant should submit

1:09:28

an agreed note between the agreement between it and Ofsted IPs to us at deadline four. I don't expect the Orsted IPs to submit the same agreed note

1:09:39

at action. Point number two is for the applicant to provide a technical notes which summarizes the applicant's assessment of how weight loss effects should be taken into account for the proposed development.

1:09:51

And that is deadline three.

1:09:55

Action Point number three is for the applicant to respond in writing with figures that confirm the.

1:10:00

Array area separation, distances between the proposed development and Triton all and also the dudgen extension array areas at deadline three and

1:10:11

on my screen, Action Point number four has disappeared.

1:10:22

I'll hand over to Mrs. Meganson, whose screen is clearly far better than mine because it's still on her screen.

1:10:30

Yes, just to pick up on action point number four, that is, again, for the applicant documents to be updated to reflect the changes to figures as a result of the Ober introduction and to ensure a consistency of presentation for any updated figures with explanations where necessary. And that was by deadline. Four I can hand back to Mr. MacArthur.

1:10:55

Thank you, Mrs. Higginson, can I

1:10:59

following

1:11:01

conclusion of those action points to ask the applicant whether they have any further action points that they believe should be included with Philpott Casey on behalf of the applicant. So not so much action points to add to the list, but just some clarifications, if I may, in relation to the list you've just gone through that the first point in relation to the position that will emerge from the discussions between the applicants and the altered IPs. If it is possible to have an agreed position in a note by deadline for we will, of course, provide that. If not, we'll have to seek to provide something which is agreed and disagreed. And it may be that if the disagreed matters are dealt with in our deadline, our main deadline for response, but we'll seek to agree something

1:11:56

for deadline for but if it's if it's skeletal, well, there it is, and we'll have to put the other matters into our main responses. So I just wanted to manage expectations, because so far, we haven't discussed with the Orsted IPS the production of an agreed note. We will seek to do that, but that wasn't a positive part of our suggestion. We'll do it if we possibly can. We'll try and make it as useful as we can, but I wanted to manage expectations. The second point on the list, what we had volunteered to provide by deadline three in relation to weight loss, was the distances to the two other offshore wind farms that were mentioned by your colleague, where we didn't have figures to hand the other response, the response generally in relation to weight loss, which would incorporate what we say about the implications of potential weight loss to other offshore wind farms, including those not within the Orsted IP group would form part of the overall response at deadline four. So the deadline for response will make the substantive points about the other offshore wind farms as part of the overall explanation where it would most naturally sit, but the distances those other offshore wind farms, we will confirm at deadline three, because that should be relatively straightforward.

1:13:30

Thank you. Mr. Philpott, in terms of the first action point, I appreciate perhaps my optimistic nature expected an agreement where one might not realistically emerge at deadline four, and that point is taken, yes,

1:13:48

a summary of the discussions at that point is realistically what we expect, and apologies for trying to inflict an agreement on you where it may be premature.

1:13:59

I in terms of the second point,

1:14:03

your your take is noted. We will take that away and discuss. I had misunderstood what my colleague, Mr. James has said, perhaps in discussion with you, but we'll, we'll confirm amongst ourselves and and update as as we need to

1:14:20

Harry Bucha on behalf of the applicant, so that's understood, as I said, when it comes to looking at the effects of weight loss and the way in which they ought to influence the decision or not,

1:14:32

it does make sense to consider all of those matters, including the implications for Those wind farms, which are charged closer but whose owners have not participated in the examination all in one go. But we appreciate that the factual clarification is something we can provide quickly. That was the simple point.

1:14:53

Thank you. In terms of that factual summary is

1:14:59

the action.

1:15:00

And I have refers to a technical note is that is that, are we talking about the same thing Harry with Phil, but on behalf of the applicant. So as I understand it, the information is essentially to confirm, hopefully with a degree of accuracy, the distance to those other offshore wind farms. So

1:15:20

whilst that might be accompanied by an explanation of how the distance has been derived. I think to call it a technical note, might be to build up anticipation as to what's coming. It will be, I think, relatively short.

1:15:33

I think we're talking about slightly different things, but we will, we will discuss and clarify exactly what it is the action point two. So that is my action point three, which, which, which you're essentially talking to. And we'll, we'll, we will clarify. And it may well be that action point two disappears. If not, we'll make it clearer to you what it is that we're looking for.

1:15:58

And with that, unless there are any other action points that anybody wishes to raise,

1:16:06

we will move on then, and I will hand you back over to

1:16:10

Mr. Joshi.

1:16:15

Thank you, Rod, moving on to the agenda item 3.6

1:16:19

we have dealt with other item as we have moved through the agenda. However, we do have one matter to raise with the applicant here,

1:16:31

with regard to the discussions today under the agenda item, 3.22

1:16:35

3.2 around the climate change assessment, I would like to highlight the feature rulings, which establish the correct procedure for considering the indirect effect of downstream greenhouse gas emissions. There have, there have been three Finch rulings considering the finch three, which is the supreme court ruling where South Lake Land action on climate change and France of the earth contested the Secretary of State for leveling leveling up Housing and Communities now Secretary of State for Housing Communities and Local Government is a ruling that builds on previous case law relating to the assessment of greenhouse gas emissions. We are interested in understanding the implications of these rulings on the assessment of greenhouse gas emissions for the outer dosing offshore wind farm examination, as detailed in the chapter 31 climate change of the application. So specifically, two questions, can the applicant explain the implications of this ruling on the assessment of GHG emissions for this examination? Has the applicant carried out the adequate assessment as per the finch rulings specifically regarding the downstream greenhouse gas emissions, the applicant may choose to give a brief response now and a detailed response in writing at deadline three, or a detailed written response in writing at deadline three, the

1:18:03

Yeah, Harry wood, Phil Park, on behalf of the applicant. So the principle is well understood. We're obviously familiar with that litigation and its outcome. I don't have instructions on precisely how that

relates to the assessment that's been undertaken here. So rather than giving an ill informed response, if I may, we'll take that away and respond in writing.

1:18:28

That's fine.

1:18:32

The examining authority does not have any further matters that it wishes to raise at this point. But before I move next, I will just check if any of the other parties present have any final matters that they wish to raise in this hearing.

1:18:50

No, okay, we will move on to the 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 13, December 2024, unless otherwise agreed. Specifically, the recording of this hearing will be published on our website as soon as practicable after the hearing. Finally, a reminder that the issue specific hearing three, onshore environment matters will begin tomorrow morning at 10am with registration commencing at 9:30am

1:19:26

thank you for everyone's participation today and for your submissions which will assist us in making our recommendation to the Secretary of State. The time is now 3:49pm

1:19:38

and issue specific hearing two on the offshore environment matter is now closed so.