

Morgan Offshore_Liverpool_10 SEPT_ISH1_PT2

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FULL TRANSCRIPT (with timecode)

00:00:04:23 - 00:00:34:26

Welcome back. It is 355 and resuming is your specific hearing one. So we're straight into agenda item six which is a review of relevant representations and procedural deadlines submissions. Um, so we'll jump straight into ecology and ornithology. Um, as part of this agenda, we'll cover some of the issues raised by the statutory nature conservation bodies in relation to methodologies in the relevant chapters of the ES.

00:00:35:03 - 00:01:10:22

Um, along with some other points which we feel need to be raised early in the examination. So specifically for ecology, several IPPs, not least Natural England, the Marine Management Organisation, Isle of Man Government, Natural Resources Wales, um have expressed concern around the lack of post-construction monitoring for benthic ornithological marine receptors as well as fisheries, fish and shellfish ecology. Now we note the applicant's position that there, as there are no significant effects are predicted.

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And as a project does not represent an adverse effect on the integrity of any associated Special Protection Area, that no post-construction monitoring is necessary. But we question whether it's not good practice just to undertake monitoring to at the least verify whether the environmental assessment is robust. We specifically want to ask what might the consequences be if the predictions in the ES are incorrect, but no monitoring is in place to calibrate whether additional mitigation may be required.

00:01:43:20 - 00:02:05:28

Um, and we ask why the applicant resists adopting additional clarifying paragraphs on adaptive management to condition 29 of the DMs that was requested by the Marine Management Organization in its relevant rep, R zero 20. Paragraph 3.8.4. Or just there directed at the absence would come to you, Mr. Monroe.

00:02:06:24 - 00:02:43:24

For the applicant, in respect of monitoring, the applicant considers that the environmental impact assessment was undertaken on a precautionary basis and using the Rochdale Envelope approach, and therefore has confidence in the conclusions within the environmental statement. The applicant doesn't consider that there is a need for monitoring and simply to verify those conclusions. And as the applicant has set out in his relevant representation responses, it considers that monitoring would be appropriate where there's a potential for significant effects, but not where the conclusions are that the effect would not be significant.

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And the applicant will, of course, continue to engage with the marine management organization with Natural England and within our W on um monitoring points And we'll consider any specific monitoring that they request that they put forward. But at the moment, the applicant does maintain its position that any ecological post-construction monitoring isn't and isn't needed based on the conclusions of the environmental statement.

00:03:13:01 - 00:03:48:03

At that point, Mr. Munroe. Much of the environmental statement is based around professional experience and professional judgment. So particularly looking at the ecological chapters where you might have a could fall into moderate or a minor adverse impact, and therefore either is significant or not significant judgments being made to make those assumptions. But if that assumption is incorrect and there is an implication, we've got no post-construction monitoring and therefore no adaptive management should something arise, so

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should we not express some precaution over that.

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Attachment of the applicant. The concern is certainly understood. I don't have instructions. Any further on that point today. Um, in respect of Post-construction monitoring, it's certainly something the applicant will take away. And

00:04:10:14 - 00:04:41:13

the applicant is aware that the marine management Organization asked for a very specific requirement relating to adaptive management, um, and for the Post-construction monitoring, which it has responded to. The applicant's understanding is that that was included on a recent development consent order sharing. Sean does an extension Offshore Wind Farm Order 2024, based on the specific aspects of that project and a recommendation from the examining authority that due to the potential impact sensitive habitats and species, it was justified there.

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It's not one that the applicant is aware of being included in other development consent orders for offshore wind farm projects. Um, what the applicant responds is that that isn't necessarily justified for this application. Um, but again, if the if the marine management organization expand on their position, the applicant will consider that and we'll continue to engage with them on this point.

00:05:07:25 - 00:05:23:25

Thanks. I'm sure it's going to play out through statements of common grounds. Um, but it is something which we are very mindful of. Um, as an ex a and so you can expect some written questions on that and we'll be pursuing it through the examination. Um.

00:05:27:03 - 00:05:57:26

In terms of seasonal piling restrictions, we've obviously received representations from marine management Organization and fisheries on potential seasonal piling restrictions in relation to herring

and cod spawning. Um, now we note the applicant's opposition to this. Um, and I suppose at this stage, what we need to understand is what impact the seasonal piling restriction could have on the construction time frame of the array.

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Um, and we'd like to understand if the applicant is continuing to engage with the MMO and the fisheries on this matter to try to resolve it, because clearly it's a it's a big issue.

00:06:16:13 - 00:06:36:07

For the applicant. And the applicant is certainly continuing to engage with the MMO on this point. Um, I don't have um, instructions on the implications for the construction schedule. I'd be grateful if that's a point that we could come back on in writing as a follow up action to this hearing.

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Okay, yes. That's fine. We'll put an action down for you to come back on that in response. Um, as a follow up to this ish, what you've suggested that you will continue to engage with the MMO, but the fisheries are also concerned about this particular point, particularly over herring, as I understand it from the representation. So more engagement is taking place with the Fisheries.

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Act of the applicant. The applicant is continuing to engage with all of the fisheries groups and as it has done through the pre-application phase as well, and will continue to do so through the examination phase. And those discussions recently have been focused on the um, fisheries liaison and coexistence plan. And outline has been submitted to the application and but the applicant will continue to engage them in all of their concerns.

00:07:25:01 - 00:07:36:06

Yeah. Thank you. I just wanted to be clear that there was discussion happening over this issue with herring spawning, um, the seasonal planning restriction. So thank you very much. Um, I'll hand on to my colleague.

00:07:38:01 - 00:07:38:16

Miss Hunter.

00:07:40:05 - 00:07:45:11

Thank you. I've got a couple of questions on ornithology. Um.

00:07:46:27 - 00:07:54:07

Madam, apologies for interrupting, and we've got a number of topic specialists and if you'd like to ask that, and that would be great.

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Thank you.

00:08:11:21 - 00:08:14:17

I can just ask Mr. Hazelton to introduce himself briefly.

00:08:15:11 - 00:08:17:12

Hi. Matthew Hazelton for the applicant.

00:08:24:00 - 00:08:28:09

Sorry. Can you repeat Matthew Hazelton? Hazelton. Thank you.

00:08:34:11 - 00:09:09:24

Okay, so chapter five, the environmental statement ornithology and which is app 023 and the accompanying Annexes 5.15.6. I'm not going to be asking any detailed questions. Um, today on those rather focusing on on the relevant representations which you'll have seen, uh, relevant to ornithology, primarily Natural England, Natural Resources Wales, as well as the um Royal Society Protection of Birds, or RSPB.

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The Isle of Man Government and the Northwest Wildlife Trusts have also submitted comments, um, relating to potential effects on birds. So in summary, as I understand it, there there are concerns from from the statutory nature conservation bodies and the other interested parties regarding a number of matters, including primary collision risk modelling, collision and displacement assessments and portioning. And you have answered a number of those comments already, and we understand that there's ongoing discussions and more documents to come.

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And for now, as an examining authority, we just want to be assured that these matters are in process. They can be feasibly agreed within the examination period. Um, so.

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If you just make a just a brief comment on the main issues that are outstanding and predicted timescales for resolving those issues, please.

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Look for the applicant. Yes. I can, um, briefly speak through the list as, as you said, there's a number of commitments from the applicant to submit clarification notes. Um, the first of those is a comment that was raised by Natural England in respect of the cumulative effects assessment and what Natural England had requested was a quantitative analysis of historic offshore wind projects, and when the applicant had conducted its assessments based on a qualitative analysis, and Natural England and in that interview as well, had discussed this with the applicant and shortly before the application and methodologies had been discussed.

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The applicant met with Natural England and has been progressing that work. They met with Natural England and the EWG on the 29th of August, and and I can confirm that the methodologies have been broadly agreed between the parties. And there's just a few minor points of clarification. And the applicant is, uh, has that work as well advanced? The applicant will be submitting that note, a deadline one.

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And based on the work that has been undertaken, the applicant can confirm that it doesn't change any of the conclusions in the environmental Mental statement. Cumulative effects assessment.

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In respect of the, the other um notes that the applicant has committed to produce in which relevant rate responses relating to methodologies. Um, the applicant is confident that those will clarify the concerns of Natural England and is hopeful to reach agreement on those points. And there are a number of notes that I can just briefly run through. The first one relates to displacement rates and that will be submitted at deadline. One

00:12:15:13 - 00:12:51:06

second is a regional populations note and that was submitted at the procedural deadline. There's a note on apportioning that will be submitted deadline one. And there's a further note on the treatment of data abundance estimation. Again that will be submitted at deadline one. And those are the the notes that will address the comments raised by Natural England as the matters that they highlighted red in there and in their relevant representation. There is one final note on ornithology which relates to a comment from RW, and that's a clarification on the Great Orme.

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And that's going to be submitted at deadline one as well. And again, the applicant considers that this would address the concerns that have been raised.

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Okay. Thank you. So these clarification notes at deadline one there will be separate notes on each topic of concern.

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Thank you for that. Yes that's that's correct.

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And will these be updated or these intended to be an addendum or clarification.

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Action of the applicant. It's considered these are clarifications rather than additional assessment information.

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So the so-called gap filling exercise that's been labelled as a technical note rather than a clarification note. Can you just explain that, please?

00:14:05:09 - 00:14:37:05

Yeah, for the applicant, the applicant considers that the methodology that has applied and the cumulative effects assessments and the combination of assessments to look at historic projects on a qualitative basis is an entirely appropriate way to reach a robust conclusions in the EIA and in the

HRA. What Natural England and other parties requested was that there was a quantitative exercise undertaken to effectively ratify or sense check.

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That qualitative assessment. What was proposed by those parties was a by Natural England, was a methodology and data sets that could be used to do that exercise and provide them with that additional comfort. Um, and that's, that's the exercise. It's now being undertaken.

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Okay.

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Well, obviously with more information to come, we will await this prior to the detailed questions which which will come at some

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of the first first round questions at the end of October and potentially the next set of hearings at the end of November. Um, because we'll see how this plays out. Um, because obviously then the SNC boards will need to comment on those additional clarification notes. Um. Technical notes.

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The.

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Just wanted to.

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Explain again the the errata sheet that was provided at the procedural deadline. PD 1003 and that the number of values and estimates that were incorrect. Um, so those errors don't make any difference to outcomes in relation to ornithology. That is is that correct.

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Portion of the applicant? Yes that's correct. There at the sheet was um was corrections to typographical errors and other minor errors within that environmental statement document.

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So the ES won't be updated.

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Faction of the applicant. The errata will be incorporated as part of the environmental statement and will be, um, one of the documents that would be certified as environmental Statement through schedule five of the DCU at the end of the process.

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But what the applicant isn't proposing to do, or was not proposing to do, is attract change, update to the environmental statement and introduce updated chapters. Um, it was just proposing to have the errata sheet that would be read alongside the chapter documents.

00:17:07:20 - 00:17:51:01

You can see the logic given we've been saying throughout this morning and at the start of Saturday, trying to limit the amount of information that comes into the examination. But it seems a bit clumsy that you read through the. Yes. And then you've got to actively keep looking at the errata sheet to know, particularly when you're talking certain figures which might change, which might be intrinsic to particularly, you know, how we Write up our recommendation at the end. You're following that process with the errata. I wonder if there isn't something that we need to contemplate whether towards the end of the examination, you know, we get a final copy of an ES with any errata changes that have come in into the last set of documents.

00:17:51:20 - 00:17:55:13

Um, but I can certainly see the logic of not updating the ES at every.

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Yeah, I think that was my thinking. It's it's unusual to get an errata sheet rather than a track changes to, to the. Yes. So it's, it's obvious in in the read sections what's been updated. And um.

00:18:12:26 - 00:18:30:10

But I can also say the benefit and having an errata sheet that that can be updated over over several deadlines. But it's whether there's any merit in having the, the update to to the. Yes. The relevant chapters at the end.

00:18:31:27 - 00:19:03:22

Of the applicant. There's not anticipated to be any further additions to the errata sheet. Thereafter, sheet was a correction of minor errors that had been identified after the application was submitted. Um, I think there are two sheet was partly produced based on feedback from the applicants. Teams had in previous examinations that the volume of material from updating can can cause some difficulties with cross-referencing and so on. And the approach that applicant decided to take was that thereafter, sheet might be the preferred one here.

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Yeah, I can understand that. Um, I think we'll have to see how it pans out, because there may well be further updates that are required over the next six months. We just don't know that yet. Um, we'll see what comes in.

00:19:18:15 - 00:19:20:15

With the applicant. Yeah, we'll keep that under review.

00:19:41:17 - 00:19:47:12

So I was just a few more questions, which you've actually already answered. So I'm just scrolling down.

00:19:53:24 - 00:20:24:16

Yeah, it's just a clarification about, um, Natural Resources Wales comments that they, they refer to ongoing discussions, um, internally at Natural Resource, as well as regarding the development of approach, which may help address the issue of the uncertainty with the qualitative assessments and for the for the for the older wind farms, which data is unavailable? Do you know anything else on that? And further to your meeting in August?

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I don't know if the applicant know the applicant doesn't have any further information on that at this stage.

00:20:29:26 - 00:20:32:17

Now we'll ask a question of Natural Resources Wales.

00:20:34:06 - 00:20:34:27

Thank you.

00:20:46:15 - 00:20:50:01

Mr. Ennis, you've got your hand up online.

00:20:52:16 - 00:21:34:26

Yes. Yep. There are many comments on behalf of the Orsted IPPs. I just wanted to follow up with with one matter arising from the questions which you've been taking from the applicant. Um, the Orsted IPPs have been engaging with the applicant, discuss a number of environmental concerns relating to ornithology and also cumulative impact assessment of proposed project. Um, particularly in relation to the complex relationship between the offshore wind farm developments and the Orsted IPPs stripes have an interest in ensuring the effects of the new proposed developments are properly assessed, and at this stage, we're not convinced that the assessments are robust and we sent that out to our relevant representation.

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In addition, we've also followed with interest a number of the comments made by Natural England in relation to the approach to assessment. And certainly we're not here to duplicate them, but we will seek to engage further. But there is one matter that I think is relevant, um, throughout this afternoon's discussion. Mr. Monroe, on behalf of the applicant, has suggested that in relation to the cumulative projects that effectively the extent of the analysis which is going to be produced is a sensitivity analysis. Um, and I think, um, uh, our concerns in relation to that are whether that is actually robust, if there is additional information which goes to and would inform the cumulative assessment, it should be properly reflect and updated and it becomes even more crystallized in the context of considering appropriate assessment, where the purpose of the information is to enable the Secretary of State, ultimately to carry out that exercise.

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So it's not just a question of the applicant turning round and saying, my conclusion is the same as it was before. The issue in relation to in combination assessment is that material and that information needs to be robust to allow the Secretary of State to make decisions in relation to those matters. Um,

and therefore we do have at this stage and raise a concern about the level of information that's being provided in relation to cumulative projects, and merely to flag that at this stage I have nothing specific or at this stage, but I just wanted to to make that point because it seemed appropriate time to do so.

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Yeah. Thank you, Mr. NSO. Yeah. I think your comments have been echoed by, say, ourselves and another number of other organisations as well relating to cumulative effects assessment. We will be asking more questions on this. It's our first written questions. Um, and for the for the Orsted IPS and any other IPS that have got comments that they wish to make on ornithology, um, we we'd expect to see those within their forthcoming written representations and or statements of common ground as, as, as time moves on.

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Um, but is there anyone, anyone else present that would like to make any comments regarding ornithology? Interested parties?

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Yep. Can't see any hands up.

00:24:29:27 - 00:24:38:01

Yeah, that's that's everything I've got on ornithology for now. And I'll pass on to Mr. Bradley to deal with shipping and navigation. Thank you.

00:24:39:04 - 00:24:44:12

Thank you. Uh, in the interests of moving on quickly, uh, we'll limit questions.

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Apologies up there and interrupt again. If we can just have a short moment to rejig the applicants team, that would be very grateful.

00:25:04:11 - 00:25:08:01

Thank you. Would your colleague like to just introduce himself for the recording?

00:25:10:12 - 00:25:17:06

Good afternoon, Doctor Andrew Rawson. Um, working for Nash Maritime, we undertook the shipping and navigation assessment on behalf of the applicant.

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Was that Robson at Rawson.

00:25:20:29 - 00:25:21:18

Rawson.

00:25:24:18 - 00:25:27:28

Good afternoon. I'm Dominic Bell from Brooks Bell on behalf of the applicant.

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And thank you, Mr. Ross and Mr. Bell. So moving on is fairly swiftly. Uh, we just want to cover some points, which I think will be more effective now than waiting for written questions. Um, firstly, uh, a fairly simple question. Will the statements of common ground with the IPPs concerned with shipping and navigation cover acceptance not only of the NRE for the project, but also the cumulative regional and Ras.

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And yes, that will be in the scope of the statements of common ground.

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Thank you.

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Next, a framing question about the Marine Navigation Engagement Forum, or Reno, Nev. Uh is continued operation of the NDF intended to continue post consent.

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Of the applicant? Yes, that is the intention.

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And next question. And post-construction.

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Natural fab at this stage has not been determined whether it would carry on post construction.

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Uh, did we have an action then for you to consider and make a submission at deadline? One of what your thoughts are on a suitable period. Second question then on that is, um, would, uh, continuation of this stakeholder engagement post-construction in the circumstances of the, uh, the risk assessment be a condition of compliance with MGM.

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654. I wouldn't expect an answer right now. And the next thing to consider in this note that I'd like you to do for deadline one is, um,

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how would the continuation of the MF be secured? Firstly, post consent and secondly, depending on the framing of your answer, um, post-construction.

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And patronage of the applicant. Those points are all understood and certainly something we can come back to you in writing.

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Um, before we move on to the next one and just an opportunity for any other stakeholders to come in and comment at this point.

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No, no. Uh, a hand from Mr. Ennis.

00:28:16:09 - 00:28:55:04

That colonists on behalf of in this respect only extension limited and more can win limited. Uh, those are the, uh, uh, two owners of wind farms who are more directly affected by shipping and navigation matters. Um, um, based on the, um, the concern assessment, we understand that, um, the project would result and change the level of risk at these two projects. Um, we understand that the applicant has committed in the year and recorded its response to the relevant reps, uh, to continue engaging with stakeholders on this issue and to implement certain measures to manage their rising risks.

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Um, we just want to make a two general points. The first is that insofar as there are a range of different interests that are affected, we understand that the applicant will be engaging with a range of parties, uh, if agreements are reached with those parties, it can have knock on consequences for how risk is evaluated. We're keen to make sure, uh, throughout this examination process that there is a transparency in relation to any agreements or commitments made to ensure that the wider implications of those can be properly understood by those engaging in the examination.

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Um, and the second general point, which I think has already been alluded to is that in terms of, uh, potential mitigation, uh, we're keen to ensure that any of the risks in relation to, to our consent agreements and operations are properly managed and a process of engagement has been put forward. And I think you've already identified, um, the potential for making it a requirement. And that's certainly a matter of which we have a direct interest in.

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And we look forward to receiving the applicants response to your question, but I just wanted to set out our interests in relation to the matter and some general points in relation to the examination of this stage. Thank you.

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Thank you, Mr. Innis. I think speaks to one further point, and that is that the, uh, the regional, uh, N.R.A. Is one which is, uh, almost by definition a a um, uh, an iterative, um, risk assessment. And I'd like you to perhaps consider this as a specific item within your paper for deadline one, as to, uh, what sort of periodicity you think would be appropriate for, um, taking on board the point that Mr.

00:30:57:23 - 00:31:13:12

Anderson has just made that as agreements are reached on, uh, in particular on mitigations, how that then feeds into the rear appraisal of risk on a cumulative basis in the region.

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Thank you.

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Now, um.

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A couple of simple clarifications here. Uh, firstly, uh, in up, uh, zero 25, this states that the Hessian to Douglas normal crossing time is two hours, 45 minutes. Should it read three hours, 45 minutes?

00:31:53:11 - 00:31:56:07

Ago. And yes, that should be three hours. 45.

00:31:56:18 - 00:32:02:18

So perhaps you can have a correction for deadline one. Thank you. Um, there's a hand up from Mr. Proctor.

00:32:10:00 - 00:32:15:03

Uh. Good afternoon. I wonder, is it possible for me to make a short statement with regards to the position of sterling?

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Uh, certainly. I was intending to invite that, but, uh, carry on.

00:32:22:05 - 00:32:56:19

So just to give you an overview of, uh, Stanley's position, um, we operate six passenger and freight ferries on three strategic routes which transit the seaways between the Isle of Man and the UK mainland. Uh, we are currently managing our response to development of all 4 or 3 projects across the two jurisdictions. And the fourth one, of course, being the more well-known project. Um, Walton Road is specifically affected by the proposed development of Morgan. And that's been our service between Belfast and Liverpool, which is currently serviced by three vessels.

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Two of these are passenger rovers and one is a freight Roro vessel. Um, each of these vessels, uh, transit the the area uh, twice a day. So it has a significant effect on our our operations.

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While our vessels do have the option to transit either north or south of the Isle of Man. The implications of the overall oil redevelopment in the area will necessitate us to review those options, both from a navigational safety and a business model in the future. We are currently engaged with the applicant with a view towards developing a statement of common ground, but that's still, uh, in its early stages,

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uh, with specifically with regards to navigational safety, uh, Stena Line has engaged with the stakeholder and with Nash Maritime as the representatives. Uh, since Q2 2001. Since then, we've participated in several marine navigational engagement forums, simulator exercises, and resulting

hazard workshops. Uh, these, uh, this process has looked at both the original and the reduced Red line boundaries. And for all three projects,

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this this approach has very much been welcomed as a as a process. Um, one of the things we do need to flag is that the more valid project was treated, possibly somewhat differently to the initial three projects, and we appreciate that there's a different timeline for the development of Morwenna. But, uh, from stem lines perspective, it's an adjacent trans boundary project. And we do have concerns with its proximity to the Morgan project.

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Uh, while the rest of the process has reduced or has reduced residual risk effects, uh, being given as ALP and for the majority of risks identified. Uh, we do contend that despite this as being reduced, that the overall risk to stand line as a stakeholder, um, is increased above its current level. Um, Stena Line will continue to own that risk after the development of the project, and therefore, we feel we should be able to reserve the right to determine what is acceptable risk, uh, with regards to that.

00:35:19:02 - 00:35:49:00

Um, we're very mindful that the, the in managing this risk, the vessels that we are operating carry up to a thousand passengers and crew on each crossing. So therefore it's something which we must take the utmost care in controlling the residual concerning issues for us from a navigational safety perspective is obviously the fact with four projects in the area, there is an increased funneling of marine traffic into reduced seaways. Um,

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from this we anticipate there will be additional vessel encounters, particularly at the corners of the the four projects. And in addition to this, the reduces the weather routing options for our vessels masters and during periods about versus weather, which I suppose is a fair comment to say that we're increasing more notable weather events in the past couple of years. And while our vessels are designed to operate in heavy seas and swells, we're very conscious that the passengers that we carry on board and the cargoes that we carry, uh, may move or shift during that causing injuries or damage to to cargo.

00:36:29:18 - 00:36:39:04

Um, I don't know if it's appropriate for me to, uh, to comment on commercial, uh, impacts or we prefer if I just keep to, uh, the navigational aspects.

00:36:44:19 - 00:36:46:11

Sorry. Sorry. You're muted. It won't.

00:36:47:05 - 00:37:19:27

Uh, it's been very helpful, but I, I think that, uh, what I would say is that, um, there's quite a lot that of, um, your commercial points which could be put in your written representation for deadline one, and I would suggest that it's very likely that we will be devoting a significant amount of time in November to a specific issue on shipping and navigation. Uh, if you're content to, uh, to, to, to hold fire until that point.

00:37:20:15 - 00:37:22:11

Absolutely, yes. Thank you for your time.

00:37:23:06 - 00:37:39:23

Thank you very much. What, um, I would like to just comment on here is, um, and in fact, perhaps, uh, I before I comment, I should ask Mr. Van, uh, Hashimi to come in his hand up for a little while.

00:37:50:15 - 00:38:34:16

Uh, hello again from me. Uh, so, yeah, I just had a quick question in terms of the, Uh, the two uh survey, 14 days uh, surveyed summer and winter that the applicant, uh, is supposed to conduct based on energy and, uh, 650 uh, for, uh, these surveys have been, uh, undertaken, uh, and summer, winter 2021, uh, from 21st of November to 5th of December, uh, we which would not capture, uh, any scallop fishery, uh, in our area.

00:38:35:03 - 00:39:28:18

Uh, similarly, the, uh, summer uh survey was undertaken from 15th July to 29th of July, 2022, uh, where, uh, no major fishery, including the uh, pelagic fishing activity in the area, was not included. Uh, Similar surveys have been conducted in 2023, of which, uh, match with the previous one. I was wondering that what is the criteria for planning of these, uh, service for this service? And was the fishing industry considered before planning to, uh, conduct this survey in order to make sure any fishing activity, especially the, uh, Queen, uh, scallop and the pelagic like herring, uh, fishery to be included in the survey.

00:39:28:21 - 00:39:29:06

Thanks.

00:39:31:25 - 00:39:49:16

Thank you. Um, I think this may be a tricky one to answer directly, uh, in this hearing, but let's pass this to the applicants team. Uh, if you would like to defer this to a written answer at deadline, one that would be satisfactory.

00:39:51:06 - 00:39:54:12

If you've got comments that you'd like to make straight away. Do go ahead.

00:39:58:14 - 00:40:00:21

Uh, are you with me? Sorry.

00:40:03:03 - 00:40:08:06

One of the applicant. I think it'd be better if we came back in writing on this. And to clarify the point.

00:40:10:00 - 00:40:16:18

Um, Mr. Hashimi, will you be happy to wait until, uh, deadline one to have a written response from the applicant on that?

00:40:16:27 - 00:40:26:16

Sure. No problem. Just that was a concern that we had in terms of baseline data, and I wanted to make sure why that happened. Thanks.

00:40:27:12 - 00:40:33:02

Oh, apologies. Um, we do have actually the answer. I'll ask Doctor Rozen to address that point.

00:40:36:12 - 00:41:07:29

Uh, Andrew Rawson, on behalf of the applicant. Um, the the core guidance for undertaking shipping navigation assessments is the marine guidance note 654, which is produced by the Maritime and Coastguard Agency. Within that, they set the requirements for the amount of data that needs to be collected, namely 214 day surveys which they say should be seasonally representative. Typically, this is 14 days during the summer and 14 days during the winter. Um, for this particular project, we actually took 414 day surveys.

00:41:08:11 - 00:41:40:27

Um, so a total of 56 days of survey data rather than required. 28. Um, the first survey was undertaken during winter. Um, typically that's during the, uh, November, December, January period. For summer, we're typically trying to understand recreational vessel movements. So we undertook consultation with the RA and the MTA to plan that survey period. Um, in July, in addition, we undertook a dedicated fishing survey, um, which was undertaken in in May 2023.

00:41:40:29 - 00:42:12:06

And this was undertaken in consultation with the fisheries liaison officer for the project. And during that period, we were specifically targeting the scallop fishery fisheries to the northwest of the Imogen Array area. Within that survey, we understand from discussions with the flow that we we were recording a busy representative um scallop fishery period. Um, with up to a dozen boats operating um, simultaneously.

00:42:12:15 - 00:42:38:13

Um, so we believe that from that, um, additional survey, we were able to gain a much greater understanding of, of, um, the fisheries activity. But it also helped inform things like the navigation simulations, where some of the ferry operators had had rates and potential, um, concerns about the representative representativeness of the fishing data. We were we were testing in those simulations.

00:42:41:00 - 00:42:49:06

Thank you. Um, I take it that, uh, you'll cover that point in a follow up note to this Hearing.

00:42:49:24 - 00:42:54:00

I wonder if the applicant. Yes, there'll be a written summary of all of those submissions submitted.

00:42:56:07 - 00:43:25:15

Would you be able, in that response to provide for the Scottish um Fishing Federation, the reference, the examination library reference to where the methodology around that survey came from, you made a reference to a particular guidance document. I'm sure this is in the examination library, but for the purpose of the fact that it was an interested party that asked the question, it would be helpful for them to be directed specifically in your from your response to the document that covers this.

00:43:25:17 - 00:43:26:06

Yes. Certainly not.

00:43:26:13 - 00:43:27:00

Thank you.

00:43:28:24 - 00:43:34:14

Um. Mr.. Uh, if I may, Hashimi. Another point from you.

00:43:44:22 - 00:43:46:06

You're still muted, I'm afraid.

00:43:50:20 - 00:44:25:16

Uh, well, uh, thank you for the explanation. And, uh, just a follow up point on this, uh, as I said, uh, I appreciate the, uh, 4th to 18th of May 23 was undertaking during port of scallop and, uh, king and queen scallop fisheries. Uh, however, most of the fisheries, uh, of that type or undertaking out with that specific period, we would be happy to share any plot or data to show a specific, uh, period of uh, fisheries taking place within the area area if needed.

00:44:25:27 - 00:44:28:05

Just, uh, supporting comment. Thanks.

00:44:30:19 - 00:44:55:22

Thank you. Uh, I think that, uh, raises a sufficient, uh, interest that maybe there is some additional data that could be taken account of. So if we could have an action to, um, uh, Mr. Hashimi, if you would please share that data as soon as it's convenient after this hearing and at deadline. What if we could have an appreciation of that? That data from the applicants team?

00:44:55:25 - 00:44:57:23

Thank you. Secondly, no problem at all.

00:44:58:20 - 00:45:29:25

Uh, I wanted to, um, have a clarification, which speaks to, let's call it the the wider issues raised by, um, Steno just now. And that is, uh, is it correct that the, um, the interests of the um, marine, Maritime and Coastguard Agency extends to the, uh, the 200 mile E-Z and, uh, if that is correct.

00:45:30:04 - 00:45:38:10

Um, who is representing the interests? Uh, in particular, safety matters. Um, beyond that limit.

00:45:46:06 - 00:46:20:18

Andrew Rosson on behalf of the applicant. The Maritime Coastguard Agency is the navigation authority for UK, Ireland and the Isle of Man, and within other jurisdictions they have their own um equivalents, such as the Marine Safety Officer of the Republic of Ireland. Um. Internationally, there are various international conventions led by the International Maritime Organisation, which do provide some guidance and um, uh, applications in the case of navigation safety.

00:46:22:04 - 00:46:34:02

Uh, thank you. I think the, the speaks to, um, any effects which, if you like, involve the interests of Northern Ireland. Uh, what about Republic of Ireland?

00:46:55:11 - 00:47:04:17

Action of the applicant. Can we just clarify? Is this in consideration of a transboundary impact on on the Republic of Ireland or on um.

00:47:05:08 - 00:47:11:09

Indeed, Republic of Ireland is what is really this is where I'm going with that question.

00:47:18:03 - 00:47:40:27

I think it sounds to me it's it's certainly not obvious from my own, um, reading on the matter from the, the application. Uh, I'll leave this with you as a, as a takeaway, um, to look into and see whether, as part of your stakeholder engagement, the needs to be another party hooked in to cover transboundary matters.

00:47:43:04 - 00:47:46:00

Yes, we can certainly respond on that as an action point.

00:47:47:15 - 00:48:20:04

Um, the second really quite simple, um, point for action, I think, which really can't wait until written questions is, um, the outline, um, vessel traffic management plan, uh, needs a clarifying edit. Um, it currently reads there is no formal guidance on the development and content that should be included within a TMP. Um, in the absence of formal guidance, this plan is based which provides um, there's something just in the, in the, in the the drafting there.

00:48:20:06 - 00:49:04:27

Could you please submit a clarify on that? Thank you. Um, moving now to a more cross-cutting matter. Um, in PD 1017, the applicant made no specific response to concerns from Representations about increased environmental impact resulting from deviation of routes, um, that would be necessitated by the proposed development. Um, just for reference, both standalone and the UK Chamber of Shipping made this particular comment, which referenced in including increased carbon emissions and fuel consumption.

00:49:05:21 - 00:49:55:10

Um, could the applicant comment now? And if not, this can be followed up at deadline one. Um, should an additional assessment be made of increased carbon emissions, uh, in this specific request of uh, resulting from deviation, um, and should it be cumulative uh, with other projects? That's the first question. Um, and the second question, which I'll ask at the same time, which you can bundle in and answer is, uh, is there any relevant legal precedent that might suggest a vulnerability to legal challenge if that, um, assessment of cumulative environmental impact is not addressed?

00:49:57:19 - 00:50:07:21

Across the applicant? I think um giving the a set follow up question, it's probably safer if we take that one away and respond in writing than respond to that. No thank you.

00:50:10:24 - 00:50:19:02

Do you want to address the first part of the question now or again would you like? It's certainly in the interests of time. Very happy for you to take that one away.

00:50:20:24 - 00:50:34:20

I think the two are probably interlinked. Um, the if, the if the answer, the second one is that legally it needs to be considered, then clearly the first one is determined as a result of that. So I think it's better if we answer that as a rounded point.

00:50:34:25 - 00:50:36:09

Where I understand my answer. Thank you.

00:50:42:26 - 00:50:45:27

So I think, um.

00:50:51:09 - 00:51:05:24

What we will do now, unless there are no hands up at the moment for points that are urgently required, it's just an opportunity. If there are any other points that I want to jump in now on shipping and navigation before we turn to commercial fisheries.

00:51:08:27 - 00:51:11:11

No. Good. Uh.

00:51:17:10 - 00:51:21:03

Again, I'm going to keep this as short as we sensibly can.

00:51:28:23 - 00:51:35:09

There's just a point which, um, came up in that one of the.

00:51:38:03 - 00:52:11:13

Matters of security for proposed mitigation of potential adverse effects to queen scallop fishers. Uh, is that the, um, we have the proposed scallop mitigation mitigation zone, the SMS. Um, it's not, as far as I'm aware, referenced on the works plan. Uh, and the outline fisheries liaison and coexistence plan refers to an indicative, um, SMS.

00:52:13:00 - 00:52:15:24

So the question to the applicant is,

00:52:17:09 - 00:52:33:08

is that sufficient, or should we be not only indicating that SMS on the works plan, um, and should therefore coordinates for the SMS be included in the draft DCO And the.

00:52:34:07 - 00:53:02:22

Action of the applicant. At this stage, the the area is indicative only and is still under discussion with various fisheries stakeholders and the intention of the applicant would be to secure the final Aim, Scout and Mitigation Zone through the Fisheries Liaison Coexistence Plan, um, rather than based on the outcome of those discussions, rather than amending the work plans. And certainly at this stage, the applicant is not in a position to commit to a precise area.

00:53:04:22 - 00:53:05:07

Thank you.

00:53:07:11 - 00:53:07:26

Um.

00:53:14:21 - 00:53:39:27

Just a very small point here. Uh, the figures in app 059, the, uh, Commercial Fisheries Technical report, um, appear to be missing data sources. Uh, could those data sources be, uh, added and revised? Uh, documents submitted to the email.

00:53:43:23 - 00:53:54:00

Back to the applicant. I believe those may be in the errata, but in our follow up note to the submissions on this hearing, we can include a post hearing note. Thank you. Attention to where that is.

00:53:56:04 - 00:54:05:21

Uh, I'm just going to give an opportunity to see if there's anything else on fisheries from IPS before we continue. No. Hands up.

00:54:07:12 - 00:54:09:06

Uh, Mr.. Faheem hashimi.

00:54:12:19 - 00:54:22:20

Uh, hello? Uh, yes. Uh, I was wondering that if I would get a chance to speak about the points that I want to raise, or I can, uh, summarize my points here.

00:54:25:19 - 00:54:26:09

Please go ahead.

00:54:28:05 - 00:55:12:02

Uh, Yep. Uh, thank you very much. And, uh, first of all, in terms of commercial fishery, this, uh, proposed Mawgan array area is very important for fishing industry, uh, both for scallop, uh, like queen scallop and, uh, king scallop, as well as herrings or pelagic fisheries, especially the northern, uh, western corner of the proposed development. So, uh, they're all, uh, our members who are fishing there and all mainly, uh, reliant on this fishery, especially West Coast Sea Product Limited, who have historically been relying on this, uh, area for ages.

00:55:12:08 - 00:56:07:10

And, uh, a lot of, uh, local people from coastal community also rely on this business. And if this, uh, proposals develop and go ahead, uh, we are afraid that this, uh. Queen scallop fishery will collapse. That may negatively impact, uh, the uh, community, coastal community. Uh, so, uh, just, uh, therefore we have, uh, two specific points to make here in terms of the, uh, environmental assessments and, uh, outline commercial lessons and coexistence, uh, plan, uh, the first one is about the significance of effects, uh, that, uh, this project has had or the environmental state shows in terms of, uh, commercial fishery.

00:56:07:12 - 00:56:30:01

We notice the significance. There is no significant effect on commercial fishery from the proposed development that we cannot agree with. Uh, mainly, uh, for, uh, one reason that most of the assumption, uh, data was, uh, Assumption which has been made or based on the, uh.

00:56:32:04 - 00:57:03:02

Expert judgment and no evidence. However, our experience from other, uh, wind farms such as Seagreen, which is similar to, uh, uh, Morgan, uh, Ouray area, we are uh, and see green uh, king scallop exist uh, show that there are significant effect on fishing industry specifically in two stages, one construction and the second is, uh, operation and maintenance.

00:57:03:12 - 00:57:43:10

Uh, for the construction, uh, we experienced from seagreen that the construction took two years and no fishing. And, uh, vessels were able to get access to Ouray area due to a pre-lit inter array cables. Uh, and after that, the, uh, isolate design came out very late, which exacerbated the, uh, a special squeeze on fishing industry. And in terms of, uh, maintenance, operation and maintenance, we also know that the there's no significant effect on fishing industry, that we cannot agree for a couple of reasons.

00:57:43:12 - 00:58:33:19

First of all, as we said, scallop fishery, uh, is uh, is dominant within the proposed array area. So uh, any uh cable, uh, which are not being buried or any cable protection as well as crossing would severely cause, uh, snagging hazard, uh, for uh, uh, queen scallop and king scallop within the proposed array area. Uh, in addition, the existence of, uh, wind turbines, uh, will, uh, ban our pelagic fishing, uh, vessels to fish within the array area due to the risk of collisions with w g uh, with turbines or when when generating turbines.

00:58:33:21 - 00:59:09:16

So these are, uh, the, uh, grave concerns that we have in terms of significance of effect. And we would propose that the significance of effects for construction period and operation and maintenance, uh, maintenance period should be increased from, uh, minor to medium and high. Uh, in terms of, uh, mitigation measures, we appreciate that the outline, uh, mitigate, uh, coexist, uh, fish relations and coexistence plan, uh, is a good plan that we have seen so far.

00:59:09:18 - 00:59:41:08

However, whatever has been proposed here would not eliminate the impact of the, uh, developing on commercial fisheries. So, uh, therefore we would, uh, we would, uh, have the following, uh, quick

comments to make in terms of the, uh, mitigation measures. First of all, uh, as it was discussed earlier, although it is indicative and the place has not been specified, uh, the, uh, scallop mitigation soon.

00:59:41:18 - 01:00:29:21

So this, uh, based on our discussion that we have had with, uh, applicants so far, uh, we are of the view that the indications would be in the western, uh, corner of the, uh, development, uh, based on the importance of that, uh, fishing ground to fishing industry, because both, uh, green, uh, scallop fishery and uh, herring, uh, fishery take place there. Uh, so but uh, we still have if that, uh, Western uh, scallop mitigation zone triangle is considered, we think does not serve as a true SMS for our members, for the fact that it will be bound by turbines around the perimeter of it.

01:00:30:08 - 01:00:55:04

And as for the outline fishery lessons and course action plans, uh, cables will be probably brought through it. So this will undermine the purpose of the SMS and make it a symbolic one. We want the Western SMS triangle to be free of any turbines and cables in order for fishing to continue and disrupted.

01:00:57:04 - 01:00:57:19

Uh.

01:00:59:25 - 01:01:33:14

Well, the next point is about the existence of artillery cable. Uh, although it is, uh, it has been proposed that there will be lower, uh, cable protection. Uh, however, that would not mitigate the impact of, uh, development on a scale of fisheries. So, uh, we would recommend maximum effort to be made in order for cables and or array export to be, uh, buried at depth of burial.

01:01:36:09 - 01:02:17:06

Uh, the increase, the spacing between, uh, when to a point has been welcomed. However, the number of vessels fishing within an area at any one time is greatly reduced. Therefore, efforts and earning will significantly be reduced. And so there are some other small points that I want to skip it at this stage. Annual uh, included in our final comment or response on the proposed development, I would conclude that given the unique importance of the, uh, green scallop fishery for the Scottish Whitefish Producer Association members and importance of the herring fishery for our, uh, Scottish pelagic fishery.

01:02:17:08 - 01:02:30:04

As Fishermen's Association members, we will be submitting a response, a written response, by the deadline of 3rd of October 24, which will be strongly objecting to this application. Thanks.

01:02:32:20 - 01:02:33:25

Thank you sir. Um,

01:02:35:16 - 01:03:06:05

I'm going to pass this to the applicant. There's a lot of points there. There's obviously a substantial, uh, written representation on its way. Uh, is there anything you would like to respond to now bef uh, or

would you like to take this away and respond? Partly. Uh, if it suits you, uh, as a deadline, one, uh, response and then obviously you'll be waiting with great interest, the, uh, written representation.

01:03:07:20 - 01:03:44:27

For the applicant. There were just a couple of minor points to raise at this stage. Um, the first one being in relation to construction, The intention of the action is not to exclude vessels from the area throughout the construction period, and the applicant is proposing to deploy rolling safety zones, which would be a 500 meter radius around construction activities that would progress as the development construction period progressed across the array area. Um, in respect of the operation and maintenance fees, the applicant has had very positive pre-application engagement with fisheries interests.

01:03:45:00 - 01:04:16:24

That is reflected in the updates that were made to the application, increased spacing, distances between turbines and the ongoing engagement between them on the Fisheries Liaison Coexistence plan, which the applicant will certainly continue with all of those parties to seek to address concerns wherever possible. I just wanted to reassure the Scottish Fishermen's Federation of that point, and in respect of the other matters, we have taken a note of them and we may respond to some of them at deadline one, and otherwise we respond in writing. Following receipt of the written representation.

01:04:18:15 - 01:04:57:11

Thank you. Very clear. Uh, it seems to me that there's an interesting challenge ahead if you are going to seek to combine, um, success with different elements of the fishing community. Um, different fisheries may well be taking quite different stances on different issues. Um, it is a challenge, I understand, but obviously from the point of view of the examination, I think it will be very helpful to identify where you can have combined SMGs, uh, sausages and where you can't.

01:04:58:26 - 01:05:29:24

And, you know, I think the different fisheries, um, over the next month will, I suspect, be, um, an important priority For the for your progress here. Uh, there will. I seem to recall there are about eight or so different IPS here that, uh, all have slightly different, uh, interests. Any further comment on that at this stage?

01:05:30:24 - 01:05:50:14

Action with the applicant that that is recognized. The applicant did write to the various fisheries interests that have made representations, um, yesterday, suggesting where there might be a combined statement of common ground, but certainly recognizes that that might not be the best way to approach measures, in which case it would split it back out and do it on a party by party basis.

01:05:53:23 - 01:06:04:22

Thank you, Mr. Munro. Um, I have no further questions on shipping and navigation or fisheries at this stage. I'm going to pass back to Miss Hunt for item seven.

01:06:10:07 - 01:06:13:07

Oh, that's still a hands up, huh?

01:06:15:02 - 01:06:19:02

I'm sorry I missed that hand, Mr. Faheem. Hashimi.

01:06:21:18 - 01:06:52:22

Uh, yes. Faheem Hashimi. It's on behalf of the Scottish Fishermen's Federation. Uh. Thank you. I appreciate the engagement which have been made with fishing industry, uh, from applicants. Uh, we have had a couple of meetings, uh, pre-application meeting and other commercial fishery updates. Uh, however, uh, our main concern remains that, uh, we should have, uh, meaningful engagement, uh, not just for meeting for sake of meetings.

01:06:52:27 - 01:07:43:03

And, uh, that's one of the, uh, point that we have always emphasized. And we appreciate that some of the, uh, measures that the applicants have taken in terms of the, uh, rolling out safety zones that would somehow, uh, permit the, Uh, fishing vessels to fish within the area area. Uh, however, uh, for us, this scallop mitigation zone is very important. And we re-emphasize, uh, the, uh, leaving the restaurant, uh, triangle of the proposed area free of any, uh, infrastructures, if that is subsea infrastructures, uh, wind turbines or, uh, cables, because that is a very important fishing ground for fishing industry, both scallop, uh queen scallop, king scallop as well as pelagic, which is herring.

01:07:43:05 - 01:08:11:17

So, uh, just I would like to conclude here and, uh, re-emphasize the importance of the area not only for fishing industry, uh, fishing, commercial fisheries, but for spawning and nursery of herrings and, uh, shellfish. Uh, and just I wanted to remind that there is a advice from Ices, uh, and then, uh, 24, in relation to, uh, hearing, uh, respond, uh, spawn and uh.

01:08:13:27 - 01:08:42:14

Uh, as well as nursery, uh, area uh, within the Irish, uh, sea. So, uh, which bans any significant, uh, uh, impactful, uh, activity on the herring, uh, nursery grounds. So, uh, I would appreciate the, uh, examiner and the applicant reconsideration of that advice as well. And that is, uh, from me. Thank you very much for your time and consideration. Thanks.

01:08:44:03 - 01:08:57:05

Thank you. Sir. Um, I wonder if there's anything further that needs to be said at this stage, in particular in response to that, um, comment on the it's, uh, I see, it's, uh, advice.

01:09:02:00 - 01:09:34:00

Do you see chef uh, fish and shellfish ecology technical lead on behalf of the applicant. Um, our fish and shellfish ecology assessment presented in, uh, app uh 021 uh, fully assesses both uh, herring spawning and nursery and uh, king and queen scallop as well. Um, the Ices advice that's come out recently. Um, whilst it's not directly factored into the assessment due to the submission timelines, the assessment that we've undertaken is highly precautionary.

01:09:34:12 - 01:09:42:21

Um, therefore, we don't foresee any change in the way that we've assessed for spawning and nursery sensitivities. Um.

01:09:44:25 - 01:10:07:00

The assessment predicted a potentially moderate adverse effect to herring, uh, as a result of piling during the herring spawning period. Uh, as a result of that, we have explicitly incorporated herring and also cod, uh, into the underwater sound management strategy, which is app 068. Um,

01:10:08:19 - 01:10:49:00

to ensure that we we're committing to managing those effects to herring and also to cod, uh, to non-significant levels. Uh will be liaising with the relevant stakeholders to outline and further develop that plan, post consent, uh, to ensure that the measures that are put forward are, uh, appropriate and proportionate, uh, to the risk. Once the final design parameters and construction schedule are known, uh, it will encompass consideration of a very a wide variety of measures, including, uh, seasonal planning and other measures where, where appropriate.

01:10:49:10 - 01:10:49:25

Um.

01:10:51:27 - 01:11:02:21

So we're confident in the assessment that we've undertaken and that it is sufficiently precautionary to not require any further updates based on the latest advice from Ices Premises regarding the stock.

01:11:03:19 - 01:11:08:29

Thank you. Just for the recording, I didn't manage to get your name properly.

01:11:09:01 - 01:11:17:24

No problem. It's Lucy, chef. Chef? Yes, chef. For Freddy. For Freddy. I'm not very good at phonetics. Apologies.

01:11:18:02 - 01:11:19:02

Thank you. Um.

01:11:20:00 - 01:11:54:26

Because we really ought to be trying to draw this hearing to a close. Um, I think we won't perhaps ping this backwards and forwards, but just an action, if I may, for, uh, Mr. Fame Hashimi to, uh, listen to the recording, if possible, and to respond following this hearing, uh, to anything that you've heard there, which will, I think, speed things up if you wait until you've seen the written, um, record at deadline one that's putting us one loop out of the process.

01:11:54:28 - 01:11:58:16

So are you happy to take on that action, listen to the recording and respond.

01:12:02:00 - 01:12:09:17

Thank you. Very good. Uh, yes. No problem. Thank you very much. Yes. Thank you. Let's now pass to item seven.

01:12:11:24 - 01:12:42:06

Yeah. Uh, so we're on agenda item seven. Any other matters? And there's just two other matters I wanted to add is particularly because we've got Mr. Innes here for the Orsted IPPs and Mr. Solar for, for BIA and, um, they've, they've raised particular concerns about, um, the aviation radar and weight loss as, as two particular issues. I'm not going to ask any detailed questions because it's not they're not matters that were on the published agenda.

01:12:42:26 - 01:13:10:09

Um, but just to flag up the have received the relevant representations. And at the procedural deadline, we've had the joint submission made by what's titled the the Orsted IPPs PD 1024. And that relates to Barrow, Barbeau, Walney Extension, Morecambe, Walney and Bobo. And common to all of those are concerns relating to weight loss.

01:13:11:26 - 01:13:57:16

And I'm not going to ask Mr. Annis to to go through it in any detail right now, because I'll expect him to expand further on on concerns relating to weight loss in his written representation at deadline one. Um, but just just wanted to ask a couple of questions. So you've asked for a weight loss assessment, um, Mr. Ennis, and are you able to explain what sort of assessment you like the applicant to carry out in terms of weight loss effects on energy yield? What was this assessment involved? What would it look like, and would it be in relation to all six listed offshore wind farms.

01:13:57:18 - 01:14:27:24

I know some some are closer than others in terms of distance. Um, it's table 9.8 of chapter nine sets out the the distances between those other wind farms. Um, so whether you would like all of those other offshore wind farms to be in this assessment that that's, that's if such an assessment is carried out the proviso and is there a policy basis for requesting such an assessment?

01:14:28:13 - 01:15:07:18

Mr. Innis points on behalf of the Orsted IPS. Um, and I won't go into an extensive submission. I'll just cover it off briefly. Um, but this afternoon we got into a discussion on deviation of vessel transit and asking for the carbon emissions arising from that. Um, um, the, the the issue about the weight loss that will result from this project is likely to give rise in relation to the existing offshore wind farms in terms of loss of generation, which would potentially be of a much larger order of magnitude than than those losses.

01:15:07:20 - 01:15:45:29

And there. It's an important point, but for two reasons. First, in respect of the environmental impact assessment, the applicant does have to consider the effect on carbon emissions arising from the project, and that should be the net effect, i.e. the effect taking into account the loss of generation that will result from the adjacent existing wind farms. That should probably be the net effect. And secondly, in considering the overall balance of benefits, it is that net effect of generation that should be taken into account.

01:15:46:09 - 01:16:17:15

Um, we say that it's for the applicant to do that assessment for the following reasons. Or the existing wind farms and the coordinates of the turbines are available. The turbines are available, and they have

all their internal data about their layouts that they could properly assess the lake effect on the existing wind farm projects. They can then produce those results, and they would then provide the effect.

01:16:17:17 - 01:16:47:16

And the essentially from that you can assimilate the carbon emissions as well because that would be lost generation and lost displacement. So in that context we say yes, they should assess the effect on effects on all the existing onshore wind farms in the vicinity. Um, and it can be done. There are models that can do it, and the data is there to do it.

01:16:47:18 - 01:17:41:22

And we see no reason why there should be any difference from Evaluating something like the deviation of vessels and the effects of that to the effect of the project on existing projects. And there is a policy position, its national policy statement in three paragraph 2.8.197 requires that where potential offshore wind farm is proposed, close to existing operational offshore infrastructure, or has the potential to affect activities for which its licence has been issued, the applicant should undertake an assessment of potential effects that is the basis of which we say it is quite right and proper that where those assets exist and are generating, that the effects on those projects should probably be assessed because the applicant has the ability to undertake that process.

01:17:46:03 - 01:17:59:15

Okay. Thanks very much, Mr. Ennis. Thank you. I won't ask the applicant to answer that now simply because we're we're short of time. So if that could be an action point for for deadline one please.

01:18:01:22 - 01:18:03:03

Yep. Certainly. No problem.

01:18:05:05 - 01:18:09:27

Sorry. Miss hunt, can I clarify the action? Is it for them just to respond or to respond.

01:18:09:29 - 01:18:11:16

To what Mr. Innes is saying? Okay. Thank you.

01:18:16:08 - 01:18:47:21

Okay. Just quickly moving on to radar. Um, again, this is something that Mr. Ennis raised for the the Orsted IPPs and, and Mr. Chu is here for, for b um specifically relating to Walton from and then and also relating to the costs of such mitigation that that have been um for for Berbera extension and Walney extension and whether the applicant should contribute to such costs.

01:18:48:12 - 01:19:23:03

I've seen the applicants response. Um, at the procedural deadline, which states they've got no reason to believe that Morgan might adversely affect or increase mitigation costs in relation to Walton Aerodrome. Um, but understand this as a live matter. Um, further representations will be made a deadline one but by by the interested parties. So I'm not I'm not seeking comments now. Um, so I'll await those written representations and statements of common ground and but for now, could they.

01:19:23:05 - 01:19:43:22

Well, both the applicant and bar really just confirm whether discussions are ongoing and give an indication of how long it's expected to take to reach agreement on potential mitigation, if required. Um, both to Warton and any other aerodrome which which is affected? I'll come to the applicant first.

01:19:44:12 - 01:19:59:02

I don't know if the applicant. Yes, uh, can confirm that the discussions are ongoing. Um, I can't put a precise timeframe at the moment on when those are likely to conclude. We will, of course, keep the examining authority updated as it was progress.

01:20:03:03 - 01:20:05:17

As Mr. Coelho wants to make any comment, please.

01:20:05:27 - 01:20:06:15

Uh, Graham.

01:20:06:17 - 01:20:43:02

Three wonderful BA systems. Yes. Um, I can confirm that, uh, discussions are ongoing. Um, to two lines of discussion. Um, relation to Warner Aerodrome, whether there are certain issues. Um, and the statement of common ground is being discussed on that. Uh, as part of that, we will be talking about mitigation. Um, and a separate line of discussion will be in relation to, to water and aerodrome where there are different issues. Um, and at present that's being channelled through the Dio statement of common ground.

01:20:46:27 - 01:21:03:03

Yeah. Understand that. And there was discussion on that this morning as well that um, well, I expect to see those separately. It's, uh, deadline one. And, Mr. Ennis, do you want to raise anything on radar aviation before we close.

01:21:03:21 - 01:21:32:06

Uh, colonists on behalf of the, uh, Burbank extension and Walney Extension, because those are the two projects that are engaged, um, and are currently implementing the appropriate mitigation at bay. Walton. Um, it's just to say that this is obviously a matter that was, um, um, raised. Um, but the, the, the there is now ongoing engagement with the applicant in relation to matters. And obviously we'll update you. So there is a consistent position amongst all three of us. And we'll update you when there is progress. Thank you.

01:21:34:12 - 01:21:41:17

Okay. Thank you. And I believe Mr. Armitage is your hands up okay. Right.

01:21:41:19 - 01:21:42:12

Which is on the stage.

01:21:42:14 - 01:21:58:29

Um, yeah. It's just to say that we've got similar issues with the Isle of Man Airport and the possible effects on that. But just to confirm that, yeah, negotiations are still ongoing and there will be a statement of common ground separate from ourselves for the airport with the applicant.

01:22:07:03 - 01:22:08:00

Okay. Thank you.

01:22:17:23 - 01:22:25:10

I have no other questions on any other matters unless anyone has got anything to raise. Before we move on to agenda item seven.

01:22:30:03 - 01:22:30:24

As Labour.

01:22:33:05 - 01:22:54:13

Thank you, Miss Hunt. Um, so, Jen, drive to seven is the wrap up. It's any other matters. Um, the ex have nothing further to raise that we haven't covered through the agenda, but just wanted to go and check with interested parties whether there was anything they wanted to say. Um, in relation to the agenda matters they didn't get a chance to say.

01:22:57:12 - 01:22:58:18

Seeing. Oh.

01:22:59:15 - 01:23:00:00

Oh.

01:23:01:03 - 01:23:03:20

Branch. Wonderful basis. None for me. Thank you.

01:23:04:05 - 01:23:06:07

Thank you very much. And to the applicant.

01:23:06:25 - 01:23:08:14

Not from the applicant. Thank you. Okay.

01:23:08:16 - 01:23:43:25

Thank you. Um, there are a number of actions. Um, we've been sort of typing them as we go, but they need a bit of work in progress, so I don't want to run through various scrap actions. Um, they're mostly for the applicant, and they're. We would have expected you to have followed up this issue specific hearing with a written note anyway, but there will be some actions coming out to you. And there were some actions for Scottish Fishermen's Federation as well. We will issue those as soon as we can. Um, are there Any other issues that anybody wants to raise.

01:23:43:27 - 01:23:47:07

Before we wrap up today's hearing.

01:23:48:25 - 01:24:20:29

I'm not seeing anything. So in that case, I'll move to close the hearing. Thank you all for contributing in-person and online. A digital recording of the proceedings will be made available as soon as possible on the project page of the National Infrastructure website. The rule eight letter we know is pressing, given the deadline, um, one time frame for written representation. So we will publish that as soon as we can. We're still hoping to get to the Isle of Man tomorrow. Ferries allowing for a uhs-i. Um, if not, we can crack on with the rule eight.

01:24:21:23 - 01:24:33:19

Um, but the time is now 1719. And this first issue specific hearing for the Morgan Offshore Wind project generation assets is now closed. So thank you from my colleagues and myself. Have a good evening.