



Hearing Transcript

Project:	Morgan Offshore Wind Project Generation Assets
Hearing:	Issue Specific Hearing 2 (ISH2)
Date:	26 November 2024

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FULL TRANSCRIPT (with timecode)

00:00:05:03 - 00:00:17:19

Oh, come back at the time is now 1215. And reconvene this issue specific hearing to. And we're still on item number three of the agenda shipping and navigation. And I'll pass to Mr. Bradley. Thank you.

00:00:19:24 - 00:00:27:20

Thank you. Um, we have a hand up from Mr. Salter. I think, uh, let's go to that first. I can't.

00:00:29:01 - 00:01:09:20

Thank you. Um. Thank you. I just wanted to add something to the conversation that we had, um, before the break on safety zones and where I mentioned that in UK waters, if it overlaps the territories in e z, it's it's not, not an issue. But in this instance, on the, on the western boundary of Morgan, where it butts right up to the Isle of Man territorial sea, any safety zone couldn't overlap into Isle of Man waters. So the turbines would either have to be set back at appropriate distance by 500m or, um, the radius of the safety zone is less than 500m.

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Thank you. That's very helpful. It was something that I think we'll we'll need to pursue a little bit more. Um. It's done.

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Uh, Liz. Done. On behalf of the applicant, um, I suggest this is probably something we address in writing given, um, but it is worth noting that, um, safety zones are voluntary. They are not a legal requirement. There are something that are put in place voluntarily, um, by a project. Um, and, uh, they are not something that exists, um, for they don't sit around a turbine for the they are there, uh, for times of, uh, maintenance or operations and are typically there for construction.

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Um, in addition, safety zones are often rolling safety zones, so they don't affect a whole area. So I just want it to be and we will make further submissions, um, if necessary on the approach to safety zones. But, um, I would suggest that isn't one of the, uh, more pressing issues around the, um, the proximity of the boundary between UK waters and Isle of Man territorial waters. Um, in respect of those would operate, but we will address those separately.

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We did also want to just come back on, um, something that Mr. Hunter from Steam Packet um, said just before the break. Are we able to to just come back on that point? Thank you.

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On the.

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Uh, Andrew Ross, on behalf of the applicant. Um, just just referring to Mr. Hunter's response then, um,

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in terms of the mitigation of that gap, um, between the twin, the two, then there is likely to be insufficient space to develop a traffic separation scheme or some other routing measure. Um, just given the the amount of space available and the necessary widths of things like the traffic lanes and the and the separation zones, uh, equally, it would probably serve little benefit given there isn't a huge amount of two way traffic which a traffic separation scheme is principally for that.

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As I mentioned, the most likely user is going to be the steam packet and it is a single vessel, so it can't necessarily collide with itself. So, um, the benefit of having two way designated routes is lessened. Um, equally, how that area could be managed under some sort of vessel traffic management scheme is, is very undefined. And there is no precedent really in the UK for such a scheme. So the most likely the most beneficial way of mitigating that is to increase the available serum.

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I think that's a good starting point for this next part of discussion, actually was I think we just wanted to kind of establish some some some facts and understand more about the geography here. Um, the spatial angle seems to me where we should be discussing for the next few minutes. Firstly, what is the distance between the Mve AFL boundary and as you know it at the at present and the proposed development boundary.

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Lies done on behalf of the applicant? I think it might be helpful if we share one of the documents, um, within the

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figure 6060 from the navigational risk assessment. Yeah. 61 okay. Which I think has those distances marked on it.

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Good.

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Yeah. Um.

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Would it be helpful for us to to talk you through what that shows?

00:05:11:21 - 00:05:17:22

No, I think it's self-explanatory, actually. Thank you. That's extremely helpful. The, um.

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Questions? I'm going to. I've got prepared. I'm going to reorder here. Um, I think we don't get ourselves ahead of ourselves in terms of, uh, as as if you put it any discussion of BTS. What I do want to understand is, um, what the impact of rolling safety zones might have here. Uh, that's Distance of 2.5 nautical miles. Gross. If we start to erode this with safety with 500 meter safety zones, then we have even more restriction.

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And I think what would be very helpful here is.

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Could we have the take away two action points? Um, firstly I would like to have an enlarged study of this gap between I think it's not just the, um, the 2.5, uh, nautical mile gap, but it's the whole of that cluster, um, gap between the adjacent windfarms. And I think we need an enlarged view of this, which shows any safety zones tries to understand, uh, the any any constraints to navigation.

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Uh, I don't know whether there are any, uh, for instance, um, any, uh, ila markings that are going to be in the C space, which will further restrict

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room for manoeuvre, um, desirable clearing distances

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for vessels passing in all directions and turning corners and taking into account any, any vessels that would

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potentially be deviating, uh, around the the cumulative developments that we were discussing earlier this morning.

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And I think that there's two parts of this study. I think one is

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let's call it a normal conditions. And the second part is, uh, looking at reasonable worst case adverse conditions. where the clearing distances may need to be for prudent passage. Increased.

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Tallies done on behalf of the applicant. Um, I can appreciate, um, the request. Um,

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however, I'd just go back to the points I made earlier. The the the the more valid project that's being considered at the moment is, is

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is an unrefined project boundary that doesn't take into account in any respect, any mitigation that may be required in respect of that project. There is a navigation, uh, there is a hazard workshop planned for December, as we understand it, which, um, the uh, Morgan Generation Project has been invited to. Um, and our expectation is that as that at that workshop, this is entirely the matter that is going to be discussed between the parties.

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And our expectation is that the more Valin Project will be presenting something which says, we recognise that there is an issue between these projects, and this is the mitigation that we are proposing in respect of our project, in the same way as the Morgan Generation Project. Um, uh, through the hazard workshops, um, increase the gap between itself and Walney Extension, and the same way through those hazard workshops that the uh, mono project boundary was refined and the Morecambe Project boundary were refined.

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It's part of that process to produce something at this point which considers a project which hasn't been through that process. Um, with all due respect, seems entirely premature. Um, and put the parties to a significant amount of work. Uh, for something that may actually not be necessary going forward. Um, as I say, our hope and expectation, having not been party to the navigation risk assessment that's been produced and have not been invited to those discussions with more than in.

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Um, our expectation is that as at those workshops, this is exactly the type of points that will be discussed. It is not for us to undertake. It is not for the applicant to undertake more than ins navigation risk assessment and to seek to identify what that project should do. Our view is the more vanity project needs to do something to increase the gap between the projects, in the same way, as I say, as the Morgan Generation project, uh, increase the gap between itself and the new project.

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So, um, I, I, I can understand the concerns. Um, but I feel that producing this amount of material at this stage is actually premature, given where we are with the information that's coming forward and the indication that, um, further, further information is coming forward, um, from Morven in that actually will clarify this situation in terms of of what the project is actually looking at, submitting and take that forward.

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I'd just like to make one more point, which is you made a point at the start about, um, the sort of issues for consideration by the examining authority in respect of this, this kind of boundary. Um, the challenge that there is between having a project which is entirely an Isle of Man waters and a project which.

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Could I just hold your thoughts on that? Because I have something else to say on that. And you can perhaps wrap up your observations as a response to that. Uh, I think it would be fair to do it that way. Um, I think we'll get out of sequence otherwise. Yeah. Uh, I think in terms of, of trying to understand, uh, what this.

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Gap between the, what we have is a cluster of windfarms. We have, um, a gap here which is clearly recognised as presenting unacceptable risk as it currently appears. But we're only talking about a notional boundary. We're talking about an agreement for lease. So we accept your point in, uh, in part. But what I would suggest is that we, as an examining authority, do not yet have from you an understanding of all of the constraints in this space.

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Um, I think what we need to do is to be comfortable that you've redressed the issue of any safety zones which may be, um, applied for around, uh, in particular, uh, turbines at the northern extremity of the proposed development

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relationship to the territorial boundary. Understanding I was going to be asking questions of the TSC of, uh, where, um, any vessel traffic services, uh, coverage extends to um, and I have no idea at this stage yet whether that sea space is, uh, under radar surveillance from, um, from Douglas or not.

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So there's a whole range of information which we need to take into consideration in looking at the trans boundary matters here.

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Um, so the request for you to consider submitting an analysis. Um, stands. Uh, we're also going to ask the more modern developer to submit the same analysis. And the reason for this is that whilst this, um, process of NRE is starting to accelerate for more than in, we need to make sure that we have some feedback from that process early enough in this examination to be able to do something about it, to use the, uh, the input from that, uh, work that's going on in December in our considerations.

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So moving on from that, I think, again, we need to preface, um, very clearly that we're in no way prejudging what the recommendation to the recommend the sows will be on this proposed development. But at the moment, the conclusion of unacceptable navigational risk is, uh, very problematic to us.

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Now, whilst we have a statutory duty, as, uh, most people participating in the hearing will appreciate, I imagine that we have a statutory duty to make our recommendation three months after the close of this examination. We've got no control over when the decision is actually made.

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And so we've got to consider in the round the ramifications of the two proposals not actually being in the same sequence that they currently are.

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Um, and the in particular, the contingency that the Morven in proposal might be consented quicker, despite it not yet being applied for then this proposed development. Some wind farms have had a delay of of nearly two years after the examining authority's recommendation.

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And so we may be looking here at non planning matters as well, which may in fact be uh, transboundary legal and diplomatic matters.

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So if the assessment of unacceptable cumulative um navigational risk is still present at the end of the examination, we may have to consider conditioning our recommendation such that in the event of a decision after a consent for more than in,

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in order to avoid any breach of policy or law. the Secretary of State would need to impose a requirement of DCO requirement and marine licence condition that control of all navigational risks to allow up and tolerable, must be agreed by the MCA and the Manx Navigational Authority before construction could commence.

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So I'd like both the applicant and the TSC to give this consideration. Uh, we may come back to, uh, the, uh, the this later on. There's still some further information that I'd like to gather in this part of the hearing, but, uh, as you can see,

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there's a procedural element here which is particularly important. And, um, I'm going to leave that with you for the moment. Uh, unless you'd like to make an instant response. Um, certainly will give you plenty of opportunity to respond before lunch.

00:17:38:24 - 00:18:14:19

Thank you. Sir. And on behalf of the applicant, um, I think that it's really important that we separate out the jurisdictional matters and how, um, as I said, that boundary between UK territorial waters and Isle of Man Waters operates. And what actually are the key considerations around that boundary? Um, we aren't helped, I don't think by, um, the fact that the Isle of Man government's legislation dealing with this only came into force in October this year.

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And from, I think, the Isle of Man government's representations, there is presently, I think, quite a lack of clarity Around the various standards and procedures that um will apply to the more than in application determination. Um, and um, I think greater clarity for all parties on that would be of great assistance. Um, I appreciate the comments around and the concern that, uh, there is the potential for the more Valin application to be determined.

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Uh, before the Morgan generation application, there has been submission, I believe, as to what the expected expected timescales for these projects are. Um, and I think a clear marker has, as far as it can be been put down by both more than in in the Isle of Man government to say that they don't expect the more than an application will be in before the end of this examination. So there is to that extent, um, uh, um, a degree of um, uh, on.

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the clarity that perhaps you would like, as an examining authority to be able to say, this is what the application is, this is how the impacts have been assessed. And for the Morgan Generation project, to then take that into account and effectively update its assessment. My expectation, I think most parties expectation is that that won't happen before the close of this examination, and therefore there will be there will have been perhaps some additional information around what the more vanity project looks like in terms of its application, but they may well not be.

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And that's another important consideration. Um, in that context, it's also very important that, uh, the Morgan Generation Project isn't being asked to do an assessment for the Morven in project or speculate on what that project might be. That is not the role of this project. And if we are talking about judicial review risk, That's when we get into real, really challenging territory. Dare I say so? I think there is a very real prospect that the more than in application, uh, will not be in before the close of this examination and therefore you, as an examining authority, will need to make a report which says there is this project we're not entirely what is sure what it is and how it's dealt with.

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And therefore, I think the focus on the jurisdictional issues between, uh, between the Isle of Man government and how you manage that interaction between territorial waters. Uh, I absolutely agree. I think it's something that you need clarity on, and we would be happy to make submissions on. And we would ask that the same question is asked of the Isle of Man government so that I'm not an expert on Manx law. Um, so that they are, uh, equally explaining how they expect the process to work. Um, and the various considerations and those key points that you, you have raised around, you know, how is navigational safety going to be dealt with? Will MDM 654 be applied across both projects? Can you know to what degree is there certainty there in terms of what happens at post your, um, post your report to the Secretary of State? Um, it isn't a position that people want to be in, but there is often a situation where circumstances have changed between the close of the examination and for the Secretary of State to then ask questions of an applicant and others.

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Indeed, where there's been a changing position. Um, I won't be the only person that's worked on projects where it hasn't been possible to undertake a detailed, cumulative assessment of a project at the point where the examination closes, and I appreciate that there is always that desire for that certainty. But actually, until you've got enough proper information to be able to undertake that assessment, it's pretty meaningless without being able to consider what mitigation might be required and how the how projects would fit together.

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And dare I say it, that's exactly what the Morgan, Miner and Morgan projects have sought to do in respect of this navigation issue. So it would be for the Secretary of State to request, insofar as there's an application that has been made by that point, to request that information from all parties, and for the Secretary of State to consider that material and the extent to which anything further is required of the Morgan Generation Project to take into account, the more, the more Valin project as applied for.

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Um, there's also questions, obviously, around the consenting of each of those projects. And if either project doesn't come forward, what that means for the others. So there's a degrees of conditionality, um, that sit around that I would just though, go back to that point around the decision making, um, in respect of the, um, in respect of the more than in project, our understanding is that, um, the and the Isle of Man government, the expectation is that there will be an application at some point in March.

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Uh, may or may not happen. Obviously, we've we've explained the position in respect of the two navigation, um, risk works, hazard workshops that were carried out for the for the Moana and Morgan and more projects. It may well be another of those needs to take place, depending on what the more than in position is out there. So assuming that does go in in March, our understanding is that, um, that will then be an examination for between sort of up to nine, ten months could well be longer than that.

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There is no statutory. And again, the Isle of Man government will confirm. My understanding is there's no statutory timescales been put into the legislation. So unlike the Planning Act process, where clearly we do have statutory timescales, That's not the case. So and it will be the first application that the Isle of Man government is dealing with. And the information we have is that the earliest decision from the Council of Ministers would be a year after that application was made. So that gives us March 2026. Appreciate the comments around, you know, potential delays to offshore wind projects.

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I'm hoping that those days are passed, um, and that there is more expedient decision making. But clearly, if there are issues outstanding at the end of examination, you know that the Secretary of State's decision could be extended. Um, and so so I think we have to look at this in a, in a kind of realistic context of what's likely to happen and come forward and without wanting to put it. Ultimately, my my view is that this will end up being a matter for the Isle of Man government and the Secretary of State because the Isle of Man government will have an application before it, and the Secretary of State will have a decision before it.

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In terms of how this is, this is dealt with and and I do have very serious concerns about speculation on what the morning application may or may not look like, what mitigation may be required, and any weight being placed on that in the absence of any application being in front of the Isle of Man government for that project. So, um, as I say, very happy to to make those submissions and, and put in further detail around the sort of legislative framework and context.

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But I think there is a there is a real risk that that there is too much, uh, speculation around these projects that ultimately, um, if any reliance is placed on that in terms of decision that actually creates significant risk to decisions based on that.

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If I may just. Before I give Tsai an opportunity to respond. Um, just a little bit of fact checking here. Um.

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The NRA work that envy are undertaking in December that they've told us about in their deadline three submission. Um, they've invited, uh, the applicant to that. Um, I assume that you're willingly taking part in that. Um.

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Have you got to the point of engagement with the more than in developer, at which you understand where the principle areas are? Difference are. I mean, clearly, the point that we're talking about right now is the separation distance between the two proposals? Um. Have you got an engagement underway as yet?

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At least on. On behalf of the applicant. I mean that there is engagement between the parties, but in the absence of any material. So as we've we've made clear, the applicant hasn't been provided with the NRA at this stage. So in a sense, there is nothing tangible to be engaging on.

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Is there anything that we as the essay for your proposal do to help?

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At least on on behalf of the applicant, just continue to ask for information from Morven in um, in respect of I think, I think you had made a request for that navigation risk assessment. I do not believe it's been provided. Um, certainly the outcomes of the hazard workshop. I think the challenge there is, is, um, the applicant's on the hook for a lot in these examinations, but other parties participate as they want to. Um, and that can make it very difficult, particularly where an examining authority feels that there is specific information that would be helpful to them.

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But it's perhaps not in that third parties interest, or it's not the right timing for them to be providing it. And we don't have any leverage to be able to to secure that information.

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What I started this part of the, um, the hearing with was to ask for a spatial study. Um, I think it's in everybody's interests to understand this space and the, the real hazards within it. um, at a much better level than we have at the moment. In evidence, there may be something that we haven't yet seen.

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That is done on behalf of the applicant, and I think we appreciate your desire for that information. Um, but it isn't information. It isn't information we can provide without any further information about the more than nine project, we would be guessing as to what it is they are intending to do. And, and, and as I've said, I think given the given the given the forthcoming hazard workshop and that there will be information shared there, it would frankly be premature for us to be putting that information together when it may well be information that is available.

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As a result of that, all has been provided through the through the navigation risk assessment.

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Andrew Ross and on behalf of the applicant, um, in addition to the the points about the spatial study, um what's shown there is the, um, the separation distance between the Morgen array area and the agreement for lease area. I would emphasize that the final layout of the Morgan array area is is a post consent activity through through the design plan. So therefore the locations of any individual structures and therefore safety zones as well as the the agreed aids to navigation.

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These are all agreed post consent. So we can't necessarily say exactly where what the extent of those are going to be. And we certainly can't comment on more than INS, um, equivalent um activities.

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Well, I. I take your point. I do understand, but I think what we're looking for at the moment is to understand what the reasonable worst case is, and whether that 2.5 nautical mile separation is, in fact, even worse a constraint than it appears at the moment.

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Worst case, we took a 500 off each. We've lost another 1000m.

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So at least on behalf of napkin, I think this is where actually an understanding of the safety zone position and that there aren't permanent safety zones put in place around wind turbines. They're there for, uh, construction. So they're there for construction. Um, and then, um, occasionally put in place for operations or maintenance. So, so you are not looking at something that creates, as you say, an extra 50m or 100m reduction in that gap on a permanent basis between those.

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However, we have one, uh, development which is being controlled by an English authority, another which is being controlled by Manx authority. Uh, one would hope that the collaboration is sufficiently close that one isn't going to have safety zones allowed at the same time by the two different authorities. The point being is that one or both of those safety zones may be in operation, and will be a constraint to navigation. Yes, I appreciate that.

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They're rolling safety zones and they're only there for a period of time. But I think what we're expecting here is for a reasonable worst case to be considered.

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I list on on behalf of the applicant. I do understand the concern. I think there is a question about the realistic ness of that concern coming to light. Um, and I think it's also very important that, um, this examining authority doesn't feel it has to do the Isle of Man government's job in terms of the determination of that application. Um, because the jurisdictional responsibility for that sits with the Isle of Man government and these are all matters, um, which I'm sure it's listening very carefully to and, uh, will need to be considered.

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And we've also obviously had the reassurance from the marine, um, the Maritime and Coastguard Agency that actually, um, they, they would be taking that sort of cross jurisdictional role.

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Um, Mr. Salter has his hand up actually we're going to I'm going to turn to him now to ask if he'd like to comment on that point. But mostly you have something else that you wanted to say, I think.

00:34:01:00 - 00:34:37:07

Thank you. Nick Seltzer for the mic. It's it's the it's the point on, um, a constraints assessment, which I wanted to um, firstly, um, come to in that the such an assessment is, is going to be necessary and uh, whether that's conducted by the applicant or by more than I, I would like to say I would have expected it to be more than. However, the, um, the point uh, made by Ms.. Dunn on, um, on a realistic scenario is, is entirely valid.

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Um, we have the Morven in Hazard workshop coming up in two weeks time, where we all know much more. We will have much more information about any refinements to the boundary, which is entirely possible, and any proposed mitigation that that they have. So so I agree we should we should just delay for two weeks until we have that information, rather than putting a burden on Doctor Rawson and his team for conducting assessment, which which wouldn't be relevant or useful.

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Thank you. That's very helpful. Interjection. I think that what's in a sense, comes out of that is that rather than ask for, um, this kind of.

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Analysis to be presented to this examination at deadline for which is 10th of December, which is very close proximity. Um, I don't know yet what the date of this workshop that's being talked about is to. Do we have that date.

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Is done on behalf of the applicant. I'm told it's the 12th of December. Okay.

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So, um, could we ask for this kind of, um, feedback to be from the the workshop to be presented both by the applicant and by the more than in developer for deadline five, which is the 16th of January.

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Let's done on behalf of the applicant, um, the applicant is certainly happy to provide a summary of the outcome of that workshop insofar as, um, it has material and information to be able to do that, but it will be present at the workshop and therefore will be able to provide an update in response to it. And I suggest the same request is made of more than in.

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Thank you. We'll do that. Um, Mr. Salter, anything further to add?

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On that point? No, no, I think that's the right way to go. Um, the your query on safety zones. I'm afraid I've. I've forgotten what that was. So I ask you to read it, please.

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Um.

00:37:07:07 - 00:37:32:06

I think the, uh, the safety zones matter is something which will clearly need consideration at the workshop. It's part of the hazard identification in that, uh, whilst this may be obviously clearly temporary, we've got to consider, um, what that sea space restriction actually looks like in its worst case.

00:37:34:26 - 00:38:02:18

The Nic solves for the MCO a yes. And yeah, I agree with you there. Um, I'll make the point that, um, any turbine Located near the boundary will be set back to allow for the blade length. So um. Eh, it's not realistic to say that a safety zone would encroach 500m beyond the boundary. Um, that's not a realistic scenario.

00:38:06:00 - 00:38:28:21

Thank you. No. That's helpful clarification. Uh, it's, uh, nonetheless, it's still something which I, uh, would like to see presented in evidence. Um, clearly that it's a matter of degree. It's not 500m, but there's a there is an impact, which is part of this analysis. And we agreed, sir.

00:38:28:23 - 00:38:29:29

I recognize that point. Yeah.

00:38:31:03 - 00:38:31:20

Thank you.

00:38:34:21 - 00:38:43:08

So, um, I think I'd just like to ask some clarifying questions with the TSC now. Um, firstly,

00:38:44:26 - 00:38:58:13

is there any, uh, comment on what we've just heard before we move on to any other questions for Mr. Armitage first, perhaps, and then bring in Mr. Goodman if appropriate.

00:38:59:00 - 00:39:34:18

Yes, it's Richard Armitage on behalf of the elements. Um, it was firstly just to provide some information on what we currently understand the more than in sort of timescale to be, um, it is expected that they will be submitting their application in March next year. Um, is the current latest estimate. So as correctly predicted, it will probably be after this examination is closed. Um, we understand at the moment they have reached the design freeze stage of the project.

00:39:34:20 - 00:39:56:09

So, um, it would certainly be possible that at that, um. uh, hazard meeting. They will be able to provide a, um, if there's been any refinement to their, uh, to their area from the AFL and I would assume any other, um, sort of updates on their project. Um.

00:39:58:09 - 00:40:34:02

Other than that, on the process, um, of examining that, although, as rightly stated, um, not all the legislation is in place at the moment in the other month, um, our anticipation is that it will follow the, a similar procedure to the UK Planning Authority. Um, just, uh, on the Isle of Man law. So there will be the same process to go through the same consultees. Um, as I clarified before, the MCA are a statutory consultees, as are many, many other UK organisations um and bodies.

00:40:35:10 - 00:40:52:05

Um and as for timescale for the examination There there are, um, defined limits to it, but most of them are for a minimum timescale for the examination to take over, not, uh, uh, maximum time scale.

00:40:55:17 - 00:40:56:02

Okay.

00:40:56:04 - 00:41:16:15

Thank you. Thank you very much. Uh, do you have any views to add on how we might reach a resolution of this currently unacceptable navigational risk before March 2023?

00:41:20:26 - 00:41:50:06

Um, it's. Yeah. Uh, very difficult to say definitively. Um, because it's it's going to depend on either an agreement between the two parties or, um, an agreement between governments, Um, because essentially what is happening is a project on one side of a boundary is constraining a project on another side of a boundary, um, which is the sort of absolute definition of trans boundary issues. Um,

00:41:51:25 - 00:41:54:03

how do we go forward from that? Um,

00:41:55:28 - 00:42:15:20

I don't think I'm in a position to, uh, to, to say at the moment. Um, I think what will be most interesting is what comes out of the meeting on the 12th, um, between the parties to see if any, um, design refinements of um altered this or identified a way forward.

00:42:18:21 - 00:43:02:17

Yes, indeed. I mean, I think that we, in the ideal world, would be moving in December towards understanding at what distance that gap between projects diminishes the risk. uh, to a residual acceptable level. And whether we've got there by March 2023, I'd certainly like to be able to report to the Secretary of State that if the gap were of X nautical miles, then we believe that analyzing the movement in this space, that unacceptable levels could disappear from there.

00:43:02:19 - 00:43:09:24

The problem I think this is really the essence of, of of what we're looking at is.

00:43:10:10 - 00:43:10:29

Through.

00:43:11:01 - 00:43:23:24

December, um, for submission at deadline five to us is a, an assessment of how we're going to reach a reconciliation on this problem.

00:43:26:00 - 00:43:26:17

Yeah.

00:43:26:19 - 00:43:29:26

So I think Mr.. Sorry.

00:43:30:12 - 00:43:54:03

Richard Armitage, on behalf of the Social Security. Yeah. And, um, I certainly wouldn't have a figure for, uh, for that distance, but I'm sure either my colleagues or the steam packet would be able to advise what? And actually the MCs, MCA as well as to what the, um, specific figure would bring that down to help.

00:43:56:18 - 00:44:15:02

Other, um, Mr. Armitage first, and then I'll pass back to the applicant. Are there any other stakeholders here who have an important voice in this risk assessment? Uh, for instance, this should stand alone, be in invited to that workshop.

00:44:19:15 - 00:44:49:15

Uh, Richard Armitage, on behalf of the territory overseas, um, I would take it from the figures that we've seen. Yes, but, um, to be fair, we don't specifically consider Stena Line because they are um, between Dublin and um, so it's it's not really in the Isle of Man's interest, um, for that. But yeah, uh, from, from an economic point of view, um, and that side of things, but certainly in the marine space then.

00:44:49:17 - 00:44:52:23

Yes, they, they would be, would be relevant.

00:44:55:20 - 00:45:24:04

It's slightly out of sequence, but I've got a question which I, uh, I wanted to fact check. Um, is there any, um, any vessel traffic services, control of the space that we're talking about? Uh, my guess is that,

uh, NFTs from Douglas is quite a long way inshore of this space, but could I just have an a, um, guidance from TSC on what the facts are?

00:45:26:16 - 00:45:35:29

Oh, Richard. Um, David Graham, TSC. Tsk. Uh, no, the Aliman does not have any any. Tsk. Um, and so any VA within their waters at all.

00:45:37:02 - 00:45:37:18

Okay.

00:45:37:20 - 00:45:38:05

Thank you.

00:45:40:18 - 00:45:41:03

Um.

00:45:44:23 - 00:45:55:21

To the applicant. Are there any other stakeholders that you feel would be important to bring into this discussion in December? It's I know it's not your workshop.

00:46:00:16 - 00:46:08:15

At least done on behalf of the applicant. We don't know who's brought in. It's not for us to say I'm sorry. That's going to have to be a question for. For others, not for us.

00:46:08:26 - 00:46:09:15

Understood.

00:46:17:20 - 00:46:47:15

So I think we've got to sum up at this stage, this particular item. And, uh, we will be asking from the Morven and developer, uh, to give us some guidance, uh, as to the intent of the workshop on December 12th. Um, and we'll be asking for them to produce a report as an output from that workshop for deadline five.

00:46:50:12 - 00:47:03:10

Um, and as mentioned earlier, for more, Vernon will be asking them to submit a spatial study of this space between, uh, the proposed windfarms and indeed, the existing wind farm.

00:47:05:16 - 00:47:06:01

Um.

00:47:15:24 - 00:47:44:12

I think before we leave this topic, um, I think possibly we'll have a quiet chat about what the timing for the rest of the morning should be, um, before we break, but I think that I would like to just raise the possibility that, worst case, the may need to be give and take from both developers and to increase this sea space.

00:47:46:04 - 00:47:53:06

And for a consideration from the applicants as to whether, if that were so, would it present a material change?

00:47:58:29 - 00:48:04:16

Because if it were to, what would the timing consequences of that be for this examination?

00:48:05:05 - 00:48:36:23

Uh, so I can answer that immediately. Liz, done. On behalf of the applicant, um, uh, you'll be aware that there is no, um, there is no, uh, layout proposed for this project. Um, in terms of there is no fixed layout. There is a boundary. Um, Uh, the applicant's position is that it has already mitigated the effects of, uh, in respect of shipping and navigation, um, in the Irish Sea. And it needs to see what more Vernon's proposals are in that regard.

00:48:36:25 - 00:49:06:25

I think we've made that very clear. Um, uh, speaking hypothetically, if the point was made as to how that, um, increased separation would be secured, um, I'd suggest it wouldn't need to change to the application. It would just be that there would be some sort of condition which said that there needed to be a minimum distance between turbines of X, and it wouldn't involve a boundary change or anything like that. That would involve a change to the application. That's off the top of my head.

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

But, um, I think it is something, as I say, we do not think it's something that should be done, but I think it's something that could be managed through a DCO requirement or something like that.

00:49:23:04 - 00:49:42:14

Thank you. As you can imagine, it clearly would be unattractive for it to go down a material change route. Um, but, uh, I think it's, uh, it's very helpful. Uh, hypothetical response. And taken as such in, in the spirit of this hearing.

00:49:42:16 - 00:50:04:19

And sorry, said one further point, les done on behalf of the applicant, given I think it sounds like it very much sounds like more planning won't be, um, submitting before, uh, the close of the Morgan Generation Assets application, it would be entirely inappropriate for any permanent changes to be being proposed for an application that hasn't yet been submitted.

00:50:12:26 - 00:50:26:14

So I think before we close on this sub item of the agenda, I think I should just give the opportunity for any other IPPs. Mr. Salter looks to have a hand up again. Um, please, Mr. Salter.

00:50:27:12 - 00:50:27:27

Thank you.

00:50:28:00 - 00:50:28:16

Um. Come in.

00:50:29:09 - 00:50:36:26

Thank you. Um. I've just had a look at the invite list for the Morven in Hazard workshop. And Stena ah have been invited.

00:50:39:15 - 00:50:40:00

Thank you.

00:50:40:17 - 00:50:48:12

Can I also just take the opportunity to say that, um, just between the hours of two and three today, I'm not going to be available.

00:50:51:02 - 00:50:51:21

To pop out.

00:50:53:08 - 00:51:01:03

I had been alerted to that. I'm very much hoping that that won't be a problem. To your to us. Thank you.

00:51:01:10 - 00:51:02:00

Okay. Thank you.

00:51:02:06 - 00:51:14:00

Um, I wonder if there's any, uh, comment from Steam Packet Company at this stage. I think, just in fairness, if this is a good moment to come in, if you would like.

00:51:15:21 - 00:51:46:27

Uh, hello. Robert Hunter for the Isle of Man Steam Packet Company. Um, we have been engaging with both the project teams of Morgan and Morgan. Um, and we have provisionally responded to a draft navigation risk assessment to them. But we will be attending this the workshops, and we will be providing, uh, feedback to any consultations that they, um, that they request of us. I know that there are discussions ongoing, uh, but they're quite fluid at this time.

00:51:46:29 - 00:51:58:24

And there's, there's not any definitive conclusion, uh, to be drawn from it at this stage. So it's all under further development. Um, yeah. That's that's all I can add to those discussions.

00:52:00:25 - 00:52:05:22

Thank you. Any other any other. Hands up. Doesn't look like, uh.

00:52:06:03 - 00:52:06:18

I will let.

00:52:07:08 - 00:52:33:15

You in on Steve again. With with Rob. I've actually come quite late into this session. It was very interesting to hear. That's that's always my background is as a ship master would be to expect that there is a holistic look at this. And I do understand the arguments on both sides as to why it's not possible at the moment, but as an end user, as somebody that actually sells in the RHC, that's all we're asking for is a holistic look at this and how the projects do interact with each other.

00:52:36:07 - 00:52:37:04

Thank you, Mr. Turner.

00:52:38:27 - 00:52:40:00

So, um.

00:52:43:29 - 00:52:47:11

The time now is just after 1:00. Uh.

00:52:55:12 - 00:52:58:03

Yeah. I think this is probably the right time. Is.

00:53:00:13 - 00:53:09:11

This is the right time to stop for lunch. Could we make it just a little less than an hour and return it 2:00? Yeah. Thank you.