



Trawsgrifiad Gwrandawriad

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| Prosiect: | Fferm Wynt Alltraeth Mona |
| Grandawriad: | Gwrandawriad Mater Penodol 2 (ISH2) – Rhan 5 |
| Dyddiad: | 18 Gorffennaf 2024 |

Sylwer: Bwriad y ddogfen hon yw i gynorthwyo Partion â Buddiant, nid yw'n air am air.

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Hearing Transcript

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| Project: | Mona Offshore Wind Farm |
| Hearing: | Issue Specific Hearing 2 (ISH2) – Part 5 |
| Date: | 18 July 2024 |

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Mona_ISH2_18 July_PT5

Created on: 2024-07-17 15:15:23

Project Length: 01:04:05

File Name: Mona_ISH2_18 July_PT5

File Length: 01:04:05

FULL TRANSCRIPT (with timecode)

00:00:05:07 - 00:00:30:23

Okay. Good morning and welcome everybody. So it is now 930. And time for issue specific hearing to resume. Can I just check that everybody can hear me clearly. And could I just ask that everybody turns all devices and phones to silent please. Just going to check with Mr. Stevens at the live streaming and recording of the event is commenced. Great. Thank you.

00:00:33:11 - 00:01:01:10

I'd like to welcome you all to the resumption of issue specific hearing to on onshore and offshore environmental matters and the draft DCO in relation to the application made by Marina Offshore Wind Limited, who we will refer to as the applicant. It would really shorten housekeeping and introductions today if we do not have anybody new in the room that has not heard all the introductions this week. Do I have anybody here who hasn't heard at some point this week?

00:01:03:15 - 00:01:05:19

It's great. I don't have to bore you with that. Then,

00:01:07:13 - 00:02:01:08

just before we move into the agenda. Uh, just following on from something, um, the applicant raised with us, uh, last night and trying to be as helpful as possible as we can. Um, we've got a few things that we can sort of tell you that we will be looking at, um, today, if that's helpful for further, uh, further down in the agenda, um, in terms of the landscape and seascape section, uh, one of the things that we will be bringing up, uh, our discrepancies between the MDS in table 8.17 of app 060 and figure 8.4 of app 060 and paragraph a .1.1.1.2 of app 104.

00:02:03:27 - 00:02:06:07

Is done on behalf of the applicant. Thank you. Ma'am. One more.

00:02:06:20 - 00:02:43:28

Sorry, there's some more. Um, for onshore ecology, um, some of the things we'll be looking at. Uh, I have, um, environmental statement onshore ecology, which is app 066, table 3.3 for significance of effect and residual effects. Clarification. Clarification regarding hedgerows and historic hedgerows. Um. Example sheet 11 tree and Hedgerow plan EP 019 and also EIA methodology and its application.

00:02:44:00 - 00:02:57:12

And an example would be uh environmental statement extended phase one habitat survey technical report app 122. Figure 1.37, sheet 35.

00:02:59:16 - 00:03:00:18

I hope that helps.

00:03:00:29 - 00:03:04:01

Lasdun on behalf of the applicant. Thank you madam. That was very helpful.

00:03:05:17 - 00:03:12:07

Okay, in that case, then I'm going to hand over to Mrs. Powis, who will continue with item seven.

00:03:14:11 - 00:03:46:08

Thank you, Mrs. Jones. Um, and just to mention to the applicant, if you've got new witnesses today that you want to introduce us to. So as we go through, that's fine. Okay. So under this item, we're exploring the potential effects of the proposed development on aviation and defence. And we invited Blackpool Airport and we invited Nats en route to PLC and the Mod Defence Infrastructure Organisation to attend today's hearing. But unfortunately they'll not be appearing. And we do have a request to speak on this item from Mr. Innes, who's representing the Orsted interested parties.

00:03:46:10 - 00:03:53:16

And I think yesterday, Mr. Innes, you said that your focus was on part B of this agenda item. Is that correct?

00:03:54:24 - 00:04:15:10

Comments in behalf of the Orsted IPPs? Yes it is. And it's particularly in relation to two of the IPPs which are the Berbera extension limited with the relevant Rap 007 and Walney Extension Limited relevant Rep 088, but the parties have the more direct interest in this matter.

00:04:15:22 - 00:04:47:12

Thank you. Thank you very much, Mr. Innis. We'll bring you in as we get to those points. So we're going to start this morning, in essence, as anybody else in the room who's expecting to contribute or indeed virtually on this topic, I'm not sure there is. Okay. So we're going to we're going to look at um, we've got two main parts of this agenda item, um, the first of which is about the significance of effects on Blackpool Airport, minimum safe altitude. And I'd just like to start by looking at the approach to the assessment conclusions.

00:04:47:14 - 00:05:14:12

So I'm not going to ask for lots of documents, but I am just going to ask Mr. Miss Chappell if you could put up um, we're looking at app 075 and it's table 1.19, which is, um, for everyone else's benefit. It's the the aviation and radar chapter of the environmental statement. And it's page 54, if that helps. Um, this table is essentially a summary of the assessment.

00:05:16:21 - 00:05:18:15

And we're looking here at the project alone.

00:05:23:06 - 00:05:24:09

It's right at the end.

00:05:34:03 - 00:05:35:13

It's 1.19.

00:05:44:00 - 00:05:44:23

Thank you.

00:05:48:21 - 00:05:56:10

That's the one. Okay. Um, so that's the summary of the effects of the project alone. Um.

00:05:58:28 - 00:06:18:17

I'd like to start just by looking. So we're looking here at row three of the table, which is about creation of a physical obstacle to aircraft operations and talks about instrument flight procedures. So I'd like to start then by asking the applicant just to briefly explain the issue in relation to Blackpool Airport and the effect of the mono offshore array on instrument flight procedures, please.

00:06:27:06 - 00:06:28:28

Gerry Vella for the applicant.

00:06:31:26 - 00:06:36:19

So our impact assessments, um, found that there is.

00:06:40:17 - 00:06:52:09

A potential, uh, there is an impact on the minimum sector altitude for aircrafts flying under instrument flight rules. Um, with respect to Blackpool Airport.

00:06:54:14 - 00:06:54:29

Um.

00:07:04:13 - 00:07:06:24

Stuart Hill for the applicant. Um.

00:07:09:11 - 00:07:11:28

Could you just introduce yourself, Mr. Neil? Thank you.

00:07:15:00 - 00:07:26:16

Okay. Stewart heald. Um. I'm, um, employed by Osprey Consulting Services, who, um, have assisted in the assessment of aviation impacts,

00:07:28:02 - 00:08:04:29

um, to explain instrument flight procedures. Um, instrument flight procedures are a part of an aerodrome, uh, established for the safe and efficient flow of aircraft when the weather is particularly poor. So when the aircraft can't fly in visual flight conditions, um, in instrument flight conditions, the aircraft normal aircraft cutting can't normally see outside of the cockpit to navigate safely. So

therefore he operates under these instrument flight procedures, which have been published by the airport.

00:08:05:01 - 00:08:12:28

And the instrument flight procedures provide a safe minimum of 1000ft. Obstacle clearance, um,

00:08:14:21 - 00:08:54:24

that the battlefield doesn't have a radar system. So, um, it is slightly different in that the one aircraft are approaching the airport. They operate down to a minimum level, which is established through a minimum sector hold tude and that minimum sector altitude is established, um, based on the built environment to provide that minimum 1000 foot clearance between the aircraft and the obstacle below, um, the maximum tip height of the development would breach the southwest sector of that minimum sector altitude for Blackpool Airport.

00:08:56:10 - 00:09:04:18

Um, so, um, that that is required to be mitigated, uh, on agreement with the airport.

00:09:06:01 - 00:09:45:00

That's very helpful. Thank you, Mr. Heald. Okay. And so we can see in that table there that the significance of the effect is found to be moderate adverse during the construction, operation and decommissioning stages of the offshore array, which represents a likely significant effect in EIA terms. Um. I know in the applicants comments on relevant reps, um, there was a reference to it being an issue during operation and maintenance, but that does contradict what is in the EAS chapter, which suggests it's also in construction and decommissioning too. Could you just confirm that the ES is correct in that regard? So this is a potential effect during the construction of and potential decommissioning as well as operation.

00:09:50:09 - 00:10:08:24

Jerry Weller for the applicant and possibly we could have been clearer than in the in the environmental statement. It's from the first erection of the turbines, the towers and the nacelle and rotors. So, so during the construction period, once the first turbines are in place, then the effect commences.

00:10:15:01 - 00:10:25:23

And so this is about the physical presence of the structure, not about it moving. So it's about it being installed rather than it being operational is my understanding. Is that correct. So even if it's installed but not yet.

00:10:25:25 - 00:10:27:27

Commissioner fellow for the applicant. That's correct.

00:10:27:29 - 00:10:59:13

Thank you. Okay. That's helpful. And therefore the same implies in reverse when it comes to decommissioning logically. Um, okay. And as we've already heard from Mr. Heald, um, then there's some further mitigation identified, which is about the raising of the, um, impacted minimum sector altitude to a level that then achieves that 1000 foot that you've discussed. Um, you can take down

table 1.19 for the time being, and we will come back to it though. Um, so I'd like to look at that mitigation. A little more detail, please.

00:10:59:17 - 00:11:16:27

Um, I'm, I'm, I think I'm understanding kind of how that works in practice that makes, um, there's a logic to it. Um, and my understanding from the material is this isn't something the applicant do, but the Blackpool airport is going to have to make this change in order to achieve this mitigation. Is that correct?

00:11:17:02 - 00:11:19:12

Gerard Vella for the applicant? Yes. That's correct.

00:11:20:04 - 00:11:27:13

Can you say anything about what the process is by which the airport, um, makes this change to the minimum sector altitude?

00:11:27:26 - 00:11:58:00

Gerard Feller for the applicant. I'll start. And I think I can do this, but I may bring in Stuart. Um, so so it's a change to the instrument flight procedures. Um, in the case of, um, Blackpool Airport is the change from 2000ft to 2000 2200ft. Um, that is a change that will be made by by the airport or by the airport's appointed procedure designer.

00:11:59:14 - 00:12:03:13

Just to clarify. You said it. So it's a change from 2000 to 2200ft.

00:12:03:29 - 00:12:05:24

Jerry Fowler for the applicant. That's correct.

00:12:06:13 - 00:12:07:11

Thank you.

00:12:14:29 - 00:12:16:23

Do you want to add something or you're happy?

00:12:21:11 - 00:12:54:09

Let's do it here for the applicant. Um, the process is, um, defined and accepted by the Civil Aviation Authority. Um, the minimum sector altitude is reviewed on a five year annual basis, or it can be reviewed beforehand if any, of the instrument flight procedures change or for operational or non-operational reasons. Um, the airport, as Mr. Vella has said, Commissioner um approved Procedure Design Organisation, which is approved by the CAA to complete the work.

00:12:55:09 - 00:13:11:11

Um the airport then present that to the Civil Aviation Authority after they completed the um, flight safety assessment. Um, and the CAA are the people that approve the change to the minimum sector altitude.

00:13:13:04 - 00:13:16:21

That's extremely helpful. Thank you. And, um,

00:13:18:12 - 00:13:42:15

bearing in mind that this project is taking a Rochdale envelope approach with the eventual is there any difference in what could be the the eventual minimum sector altitude, depending on the eventual blade tip heights, the maximum height of the structures? So for example, will it reflect the maximum design scenario or will it reflect the actual blade tip height? I'm trying to understand the sort of timing of these decisions.

00:13:48:11 - 00:14:15:04

Gerard Vella for the applicant. So the mitigation that's been identified is based on construction of the project using, um, the scenario two turbine with a max tip height of 364m over low astronomical tide. So, um, if we were to build out the project using, um, the wind turbine under scenario one, um, there may not be a requirement to change the IFP that the instrument flight procedures.

00:14:16:27 - 00:14:23:24

And so you're pursuing that process on the basis that you've you might need to for the worst for the maximum design scenario.

00:14:46:09 - 00:14:54:12

At Gerrard Villa for the applicant. We're proceeding on the basis of ensuring that we have the mitigations in place for the maximum design scenario.

00:14:56:14 - 00:15:23:27

Thank you. And you've already touched, I think, on the fact and we've seen in the submission the written submissions that, um, there's discussions on going between yourselves and Blackpool Airport. Um, and we've seen, I think, in your latest submissions, uh, that there's a more strategic view of proposals now being taken by the airport. Um, can you tell us anything more about the timescales for that work or any further update on the status of your discussions with the airport?

00:15:24:25 - 00:15:59:19

Gerard Vella for the applicant. Um, yes. We were engaging on the um on the required change to the instrument flight procedures in December 2023. But at that stage, the airport, um, made us aware that the Civil Aviation Authority had asked the airport to update its five year procedures and to consider all of the proposed projects coming forward, um, with potential effects on the airport. Um, and therefore, um, they, uh, informed us that they would need to undertake that process.

00:15:59:21 - 00:16:22:11

In the first instance, they gave us an indicative timescale of sort of six months, and we have a meeting next Thursday on the 25th of July to receive an update from the airport and to prepare the Statement of Common Ground for submission at deadline one, which will hopefully provide a current position and next steps.

00:16:23:27 - 00:16:45:10

That's helpful. Thank you. And so hopefully we'll see. Um, the outcome of that meeting through your statement of common ground. And possibly if we get a written representation from the airport through that method to at deadline one. Um. Are you aware of any impediments that could, um, prevent the airport from agreeing to raise the minimum sector altitude for this project?

00:16:46:22 - 00:16:48:23

Jerry. Valid for the applicant. No.

00:16:50:23 - 00:17:24:11

Thank you. Um, Miss Chappell, could we have the same table back up? Just for a moment, please? Which is so again, table 1.19 of AP 075. I just wanted to return then to the assessment. Um, so in row three, as we've seen, um, the mitigation that you just discussed is there as in terms of further mitigation, um, and therefore, uh, the assessment says that the residual effects will be reduced from moderate adverse, which is of course significant in EIA terms to minor adverse, which is, uh, treated as not significant.

00:17:25:01 - 00:17:54:18

Um, my question is about the approach because as we've just heard, that required mitigation is not it's not within the gift of the applicant and it's not currently secured. And there is some uncertainty about the timescales for it. So given that context, is it a robust approach for the environmental statement to take account of that further mitigation, uh, in reducing the residual effects to a minor level here in the assessment Or should the ES conclusions actually reflect the fact that we have a moderate effect that is actually as yet unmitigated?

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Gerard Villa for the applicant. Um, it is a standard procedure. Um, I'm we're not aware of any impediment on securing that procedure. And for that reason, we concluded residual effects as minor.

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I suppose I'm just thinking forward to, um, the scenario where we don't have agreement and we need to wait in the planning balance. It's not to say that it's something that could, you know, bring the whole project down, but it's certainly something we need to give the appropriate amount of weight to.

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It's done. It's done on behalf.

00:18:42:16 - 00:18:43:13

Of the applicant. Um,

00:18:45:00 - 00:19:19:13

I think we've we've sort of talked through the is the standard process and procedure and it's something that happens on a regular basis. Um, appreciate the the recent discussions have um, about the CAA sort of seeking for Blackpool Airport to do that on a more strategic basis. But it is it, it it is something the airport will need to do in order to, um, ensure safe operation in the event that it's not just this scheme, but, uh, other schemes in the Irish Sea are able to proceed.

00:19:19:24 - 00:19:52:21

Um, we appreciate that it isn't something that is within the control of the applicant, but on the basis that it is effectively a technical process that doesn't involve cost to the, um, uh, doesn't involve cost to the airport. It's not about, um, as with other mitigation where there's a new radar system or those sorts of things. Um, it is and, and that it does come as part of this five year process. So if a block of flats was built near to the airport, they have to continue to consider whether how that affects their minimum sector altitude.

00:19:52:23 - 00:20:24:18

So it's it's part of a kind of regular process of running the airport. That's why we've assumed that it's mitigation will be forthcoming, and that it would then give rise to a minor, that there would only be a minor adverse effect. I suggest we update when we've spoken to the airport. Um, next week, um, we can update, But, um, it would be quite surprising if something like this was not something that could be put through as part of a process in that, as I say, it doesn't. It's not it's not buying a new radar.

00:20:24:20 - 00:20:35:02

It's not, um, putting in some sort of radar mitigation or fix. It's just an update to a process and procedure that exists and is done on a regular basis. Anyway anyway..

00:20:36:09 - 00:20:55:10

Thank you. It's, I suppose from our perspective, a loose end that we would need to report on. And therefore we're I'm trying to think forward to the end of the examination. And if we were left with that loose end, how we would report on it and what what might need to be done. I don't think we need to go any further. And Miss Chappell, we can take that table down for the time being. Thank you. We just had to come back. This done?

00:20:55:12 - 00:21:19:22

Yeah, it is done. On behalf of the applicant. I think what we could what we can aim to do is to, um, in agreement with Blackpool Airport to describe how that process will happen, what the expected timescales will be to, therefore, I think provide some comfort that it is it is going to happen and it clearly it does need to be in place by the time the turbines are erected that, you know, we completely understand that.

00:21:20:16 - 00:21:26:08

That would be very helpful. Thank you. Okay. Um.

00:21:29:24 - 00:22:00:17

So, are we having to ask you to take that table down? I'm going to ask you to put it back up again just for a final point on the table. Um, which again is here, we're looking at rows one and two, which relates to, um, the creation of a physical obstacle to aircraft operations in terms of military and low flying operations and helicopter operations. I appreciate these aren't particularly controversial matters. It's just about, again, that presentation of the effects that we've got. Um, the significance effect in the first row is noted as minor adverse. And then there's no further mitigation noted.

00:22:00:19 - 00:22:17:14

But then there is a residual effect is noted as Na. It's a presentational matter perhaps, but it's just a question mark about why the residual effect is not the same as a as the the effect. Noted as is na meant to mean not applicable.

00:22:19:22 - 00:22:37:07

Let's done on behalf of the applicant. I think what will have happened is because there's a minor adverse effect in, um, just looking in the significance of effect, it then doesn't it doesn't follow into the residual effect table because effectively it's it ceases its journey through at that point.

00:22:37:24 - 00:23:11:27

That makes sense. That's fine. Thank you. Helpful to have that clarification. You can now take that table down. Thank you. Um, is that before we finish then on item seven A, is there anything else anyone wanted to raise in terms of the Blackpool airport issues. No. Okay. We're going to move on to part B then. And this covers the significance effects, significance of effects on civil and military radar systems. Um. We're going to consider this in two parts. So we'll firstly look at the civil civil radar systems and then we'll look at the military radar systems.

00:23:12:21 - 00:23:14:15

Um, so.

00:23:16:26 - 00:23:49:13

Again in terms of what summarised in that table for the project alone, we can see that this is about, um, potential effects from wind turbines causing interference to civil primary surveillance radar systems. We'll probably talk about them as PSR systems. And in terms of the potentially affected civil PSR systems, we have, well, three main groups, those operated by Nats en route plc. And then we have Ronaldsay, Isle of Man Airport and Liverpool Airport.

00:23:49:15 - 00:24:24:03

So I'd like to start with the gnats. Um, PSR systems and the environmental statement identifies likely impacts on systems at Lough the Hill, Saint Anne's and Great Dun Fell. And we've had an objection from Nats at the relevant reps stage on that basis. Um, I've seen in terms of the latest evidence, there's no mitigation of yet. Agreed. But I can see that Nats has recently provided the applicant with the draft mitigation and service contract.

00:24:24:05 - 00:24:35:16

So I would ask that questions if they were here, but I'm afraid I'm going to have to direct those at the applicant. As much as you could answer these, um, could you just provide an update? Firstly about the status of your discussions with Nats en route, please?

00:24:36:07 - 00:24:52:11

Gerard Vella for the applicant. Um, we have received the, um, the draft contract from Naz, and we are in the process of reviewing that contract. Um, we have recently also had a statement of common ground meeting with Nat's, um.

00:24:55:04 - 00:24:56:21

Which was.

00:25:00:21 - 00:25:25:16

Um, the 11th of July, uh, where we managed to, um, uh, in principle, close out all of the agreements with the exception of, uh, mitigation, of course. Um, and we have another meeting prior to submission of that statement of common ground at um, at deadline one. So that will provide an update. But essentially at this stage we are still reviewing the, um, the, the MSK contract from Nat's.

00:25:27:16 - 00:25:28:21

Did you want to come in? Yes.

00:25:28:23 - 00:26:05:23

Loads done on behalf of that can, um, your next question or another question next after that might even be that there isn't anything in the draft development consent order, um, or a requirement securing um, that mitigation. It is the intention that that will go in. It wasn't included in the original draft because we hadn't had the information from Nat at that stage, and others as to what the necessary which particular radars it would. It was that we're going to be. So our options were to put in a requirement which had lots of gaps in it, which may well have raised a whole number of questions.

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We're aware that there will need to be a requirement securing that mitigation. Um, and there's there's fairly standard drafting around that. And that's one of the things we're in discussion with and that's about.

00:26:18:14 - 00:26:24:09

That's helpful. Thank you. Is it fair to assume that it's still those three sites that I've mentioned that are still in contention with Nap.

00:26:24:23 - 00:26:31:04

Jury valor for the applicant? That's correct. Um, great. Dumfries and Ann's and, um.

00:26:33:14 - 00:26:34:08

Now the Hill.

00:26:35:16 - 00:26:46:00

And, um, is it agreed? So this is again, this is an operational stage only. This is when the turbines are moving because that's when the clutter is generated. Is that correct? So it's an operational stage effect.

00:26:47:03 - 00:26:54:29

For the applicant. Um, yes, but it is from first erection of the wind turbine towers. So at the back end of the construction period.

00:26:58:13 - 00:27:05:08

Thank you. And so we might be looking at a requirement similar to the one that was put in for two of those sites in the AOL and more DCA.

00:27:06:03 - 00:27:08:14

List on on behalf of the applicant. Yes that's correct.

00:27:10:17 - 00:27:14:04

And might that be available at the next update of the DCA?

00:27:14:06 - 00:27:18:05

Then it is done on behalf of the applicant. Yes, it will be.

00:27:18:26 - 00:27:20:15

That's very helpful. Thank you.

00:27:24:03 - 00:27:40:04

Uh, please stand on behalf of the applicant. We do need to agree the wording of that requirement with, uh, with Nat. So, um, we in discussion with them, I think it'd be helpful if we put some wording in, but it'll be clear that that has to be subject to agreement with Nat's as well.

00:27:43:15 - 00:27:48:07

And presumably that will be part of the statement of common ground process. That could be the place where that's agreed.

00:27:48:19 - 00:27:51:08

Jerry Vella for the applicant. Yeah. That's correct.

00:27:54:07 - 00:28:20:20

Thank you. I'm going to move on then to look at Ronald's way. Isle of Man Airport, PSR. Um, again, so the environmental statement indicates its potential to affect the PSR at that airport. Um, a number of possible mitigations are discussed in that's chapter. Um, again. Could you just provide an update on the status of discussions on that one? Thank you.

00:28:21:20 - 00:28:57:06

Jerry Vella for the applicant. Um, yes. So so the the key mitigation that's identified within the environmental statement and and discuss with Ronald's white airport, uh, related to, um, blanking of their radar and then, um, an airspace change for, uh, transponder mandatory zone, TMZ over the wind farm area. Uh, essentially the same mitigation as required for gnats. Um, additionally, there we were discussing, uh, inclusion of some secondary surveillance radar within the wind farm area.

00:28:57:08 - 00:29:03:13

Um, these are referred to or the system that we were discussing is referred to as Max. Um.

00:29:05:20 - 00:29:46:12

And, uh, we make quite good headway in discussions on that, but there was a requirement to, um, to, to seek to understand Nat's position with regard to blanking and the TMS first, uh, before we could complete those conversations in the interim. Um, the Isle of Man, um, airport decided that it wanted to undertake a, um, a surveillance strategy, uh, for the next 20 years, to look at how it would maintain aviation safety, uh, or safety of operations at the airports in light of, um, a number of offshore wind and onshore wind farm proposals.

00:29:46:19 - 00:30:25:06

Uh, so the the airport, um, made us aware of their intention to undertake this surveillance strategy in February of 2024. Um, they also said that in terms of the outputs of that strategy, um, that would be something that they would implement, but they would be looking for support from, um, uh, the uh, projects, um, that may be affecting the airport. So, um, at that stage, they did ask for, um, support from, um, the various projects that are being proposed, um, that could affect the airports.

00:30:25:08 - 00:30:57:26

And we have agreed that this seems like a sensible approach and we are supportive. Um, since that point, we haven't had any further engagement. But we do have a stake in the common ground meeting set up with the Isle of Man Territorial Seas Committee within Department of Infrastructure, which is one of the government departments that oversees the um airports on the Isle of Man. So we're hoping that we will be able to provide a update at deadline one.

00:30:58:05 - 00:31:21:03

Um, and we also notes within the Territorial Seas Committee, um, relevant representation that there isn't an objection from Ronald's Way airport, but they are keen to continue engagement. So at this stage, um, we are keen to continue engagement and we will provide the examining authority with an update at deadline one in the first instance.

00:31:21:27 - 00:31:29:28

That's very helpful. I'm going to I think you're probably pre-empting my next question. Mr.. About would that would that necessitate anything in the DCO in terms of requirements?

00:31:34:03 - 00:32:05:08

Placed on on behalf of the applicant? It could do depending on on what's done. I think for Ronaldsay Airport, um, there is mitigation available which is suitable and can be implemented separately from the review that's happening of everything. So I think it's it's important to be clear that it's there is there is suitable mitigation. The airport are looking at doing something more strategic, which may give rise to a different form of mitigation.

00:32:05:10 - 00:32:26:06

But if that doesn't happen, there is there is suitable mitigation available for this project, um, um, which could be implemented. So I think that, that that's, that's what we need to be working through with the airport. And any requirement, um, will need to reflect that in terms of, of what is available at this point.

00:32:29:06 - 00:32:50:00

Thank you. And you'll keep us posted on how those discussions go. Thank you very much. Um, I was going to ask about the Isle of Man government. It sounds like, um, that's a good way of also reflecting some of those discussions. So they have any other interest in the airport other than kind of wanting to make sure that its vitality is maintained?

00:32:51:28 - 00:32:55:14

Uh, Gerard Vella for the applicant, I, I'm not sure, to be honest.

00:32:57:02 - 00:33:09:01

And then we'll turn to Liverpool Airport, PSR. Um, again, we know that there could be a need to mitigate effects there. Could you provide an update on Liverpool Airport, please?

00:33:09:19 - 00:33:40:26

Gerard Vella for the applicant. Um, so I think I think the first, um, well, I'm going to come to, to, uh, Stuart in a moment on the, on the nature of the, the impact. But we do note that the airports have not submitted a relevant representation. Um, we have reached out to, um, to ask. The airport's confirmed that in not, um, submitting a relevant representation, that they're not objecting to the project and they don't intend to take part in the examination, and we haven't had a response.

00:33:40:28 - 00:34:00:19

So, um, I'm, uh, yeah, that's the position we're at in terms of engagement with, with Liverpool Airport. But my, my understanding on the basis of that is that they're not going to be involved in the examination. And Stuart is that could you briefly outline, um.

00:34:11:13 - 00:34:53:21

As to here for the applicant, um, we completed a red line of sight, um, analysis between the Liverpool Airport primary surveillance radar and the maximum blade tip of the array area. And we had mixed results. Uh, I think it's quite obvious that the area closest to the Liverpool airport radar position provided, um, the potential theoretical potential of, um, a radar impact through the creation of clutter, through detection of the operational wind turbines and that that was closest to in the southeast corner of the array area and spread across the middle.

00:34:54:21 - 00:35:23:23

Um, we approached Liverpool about that result, and initially Liverpool indicated that they may be able to manipulate the radar system to take into account, um, the effect that we predicted. Um, and they were going to speak to the radar manufacturer Raytheon to see whether or not manipulation of the radar could be completed. But we've not heard anything back from the airport with regards to what that conversation concluded on.

00:35:27:19 - 00:35:43:17

Thank you. And so, um, you're it sounds like you're not actively pursuing apart from trying to understand whether or not they're engaging with the examination, you're not actively in any discussions about further mitigation.

00:35:44:01 - 00:35:46:21

Uh, Jerry Vella for the applicant. That's correct.

00:35:53:13 - 00:36:07:25

Jerry Vella for the applicant. Um, Stuart's just reminding me that, uh, that the the TMS would be applicable to Liverpool Airport as well. The TMS that we are engaging on for, uh, Nats would be applicable to the airport.

00:36:14:00 - 00:36:17:03

As in, it would be able to mitigate the effects there as well.

00:36:17:23 - 00:36:20:07

Uh right,. Gerard Vetter for the applicant. Yes. That's correct.

00:36:22:25 - 00:36:23:16

Okay.

00:36:25:14 - 00:36:27:08

So I think we're going to have to see.

00:36:30:00 - 00:37:02:24

Excuse me. Just finishing my notes. Otherwise I have half finished sentences, which I don't understand when I come back to you, but, um, we'll have to see how this plays out. Um, we'll be watching over the next couple of deadlines to see, and then we'll, um, hopefully we'll have some positive news. That means we've been able to tie some of these ones up. Um, I don't have anything else on the civil radar side of things. My understanding, Mr. Innes, is that you're going to want to come in on the military radar. So you're talking about water and air aerodrome. But I'll just check. You don't have anything on civil PSR matters before we move on.

00:37:04:09 - 00:37:08:16

Uh, Colin is on behalf of the state IP staff. That's correct. Thank you.

00:37:08:27 - 00:37:39:14

Thank you. Okay, then we will turn to look at the potential effects of the Mona array on military radar systems. Um, now, uh, the table that we looked at earlier, I won't ask you to bring it up, uh, once again, but obviously in that table which summarises the assessment outcomes, there aren't any effects identified on the military or defence radar systems. So we can see in the environmental statement that the effects on RAF Valley and Warton Aerodrome were scoped out of the assessment.

00:37:40:03 - 00:37:40:18

Um,

00:37:42:12 - 00:38:04:03

I understand now that obviously we have a relevant representation from the Defence Infrastructure Organisation of the Ministry of Defence. Um, and they are um, despite, uh, submissions that you had at the PR stage, they are now raising some concerns about the potential impact on the operation of the radar systems at Warton Aerodrome and RAF Valley. Um,

00:38:05:28 - 00:38:32:12

uh, I've obviously we've obviously invited the Defence Infrastructure Organisation, but they're not here today. So I'm going I'm afraid to come back to the applicant again. My understanding of the submissions, rather than going into things in huge detail, is, is that the change in position from the Ministry of Defence comes down to the increased maximum design scenario in terms of tip height between section 42 and application submission is. Is that something you're able to clarify?

00:38:32:26 - 00:38:42:07

Gerard Vella for the applicant, that hasn't been made clear that the change in position is clear, but the reason for the change in position has never been made clear.

00:38:44:10 - 00:39:15:01

Okay. I mean, what we do know is that the maximum blade tip height did increase. Um, between that. Um, PR stage, didn't it, from um, 324m to 364m. So, um, without having a further explanation from the Defence Infrastructure Organisation, that's the assumption that I'm trying to make. But perhaps it's also to do with different information being available. Um, I'm going to ask same question. Are you able to give any update on how discussions are going with the Defense Infrastructure Organization?

00:39:15:19 - 00:40:01:09

Uh, Gerard Vella for the applicant. So, yeah, just just to comment on, um, the narrative you gave for engagement. That's absolutely correct. At, uh, in their response to the statutory consultation. Uh, no issues were raised with respect to aviation and radar. Following the change to project parameters and increase in maximum tip height. We did reach out to Dio to understand whether their position had changed. Um, in January of 2024, um, they apologised for having not responded to us, um, to date and that they would look at this and then within their um, relevant rep, um, 013, they raised that there was a potential issue with regard to RAF Valley and BA systems.

00:40:01:18 - 00:40:38:21

Um Wharton. Um, on the 24th of June, we received um an updated communication from Defence Infrastructure Organisation to explain that they were raising an objection specifically to be, um, Walton, not RAF Valley. So it's just B Walton. Um that was communicated to us on the 24th of June. Um, so on the basis of that communication, we have organised a meeting with BAE systems, which is next Monday on the 22nd of July.

00:40:39:09 - 00:41:14:21

Um, the communication from Defense Infrastructure Organization did state that the objection was on the basis of, um, impacts on primary surveillance radar at Bay. Walton. So we'll be discussing the nature of that impact with VA Walton next Monday. Um, and any mitigation, uh, requirements in their view, etc.. We then have another meeting with the Defense Infrastructure Organization on Monday the 29th of July, to feedback the results of the discussion with BA um Wharton.

00:41:15:04 - 00:41:52:02

Um and during that meeting on the 29th, we'll be compiling a statement of common ground with Defense Infrastructure Organization that will, um, record the the the outputs of the meeting will be Wharton and further discussions with Defense infrastructure Infrastructure Organization for submission at deadline one. So at this stage, we can't say anything more really on, um, the nature of the impact or potential mitigation requirements, etc. beyond, um, the information provided from the Defense Infrastructure Organization, which is that it's an effect on the primary surveillance radar at bay.

00:41:52:04 - 00:41:52:19

Walton.

00:41:53:17 - 00:42:19:03

That's an extremely helpful update. Um, we now need to do that. Um, come into the examination, um, in a formal sense from different infrastructure organization, but it sounds like we might see some progress. Um, in the statement of common ground at deadline one. Miss Chappell, you can take down that table now. Thank you. Um, which is very helpful. I think at this point, I'm going to invite Mister Innis in on behalf of the Orsted, uh, interested parties, which, um,

00:42:20:19 - 00:42:40:25

I specifically I know you've already mentioned this, Mr. Ennis. It's it comes down to Walney Extension and Orsted Barbour extension. Um, and this relates, as I understand it, to, um, mitigation that has already been put in place by those projects to, again, water and aerodrome. Sir. Mr. Veness, would you like to make your points?

00:42:41:14 - 00:43:27:10

Yes, Commissioner. On behalf of those two, or stripes. Um, just one matter of clarification. The the mitigation is actually still being implemented. So it hasn't been fully implemented. It is being implemented as I think the correct, uh, position. Um, and in relation and in relation to this matter, um, um, even at the statutory consultation stage, we advise the applicant that given our prior experience of developing in close proximity, that there was this potential for the potential of this proposal to impact on the water and aerodrome, and in particular, that the mitigation had been put forward in relation to the two schemes that I have identified.

00:43:27:23 - 00:44:14:23

Um, and I suppose over the the period we've reinforced that in our relevant representations. And effectively, what has happened in the interim is clearly also the Defence Infrastructure Organisation has formally made that position clear, uh, that it is likely that mitigation will be required for the, uh, primary radar, the Warton um aerodrome. Um, our interests, obviously, insofar as that we are implementing the mitigation to ensure that whatever happens, that mitigation remains effective and that there is no increase in cost associated with the mitigation that we have proposed and are implementing.

00:44:14:27 - 00:44:47:15

Um, and it is against that background that we have an interest in relation to this matter. Um, clearly at this stage, there is obviously further discussions to be held with BA systems and the applicant. Um, and although we wanted to do at this stage as to lay down the marker of our interest, um, I am I don't have any technical or other information to assist you with in relation to impacts. That's a matter for the applicant. All I'm saying is there are other interests that have interest in relation to the specific mitigation at that particular airfield.

00:44:47:27 - 00:45:02:24

Um, and it is a matter that, um, we anticipated would potentially be relevant. But at this stage, it's clear that further discussions required to be held and reported back to you. And at this stage, I don't really have anything further to add.

00:45:05:10 - 00:45:09:22

That's helpful. Thank you, Mr. Innes. With the applicant, like to come back on anything they've heard.

00:45:11:08 - 00:45:43:10

Gerard Vella for the applicant. Um, just for the record, at the at the section 42, uh, statutory consultation stage, of course, we were not aware of, um, an issue, um, on the primary surveillance radar by Walton, based on the, um, response from Defense Infrastructure Organization. And that was also the case when we met with the Orsted IPPs in November of 2023, following the statutory consultation and their request to engage on a number of matters.

00:45:43:20 - 00:46:10:04

Um, at that stage, we still didn't have any other information in terms of potential effects on on military radar. Um, I think the only other point I'd note is, um, once we did receive the, um, additional information from mid uh, on the 24th of June, uh, we did actually reach out to the all relevant Ulster IP's to let them know that our understanding of this position had changed.

00:46:12:09 - 00:46:44:18

At least done on behalf of the applicant. The only thing I'd add is that, um, we have no knowledge or understanding of what is in place in terms of the mitigation that is in place for those, um, existing wind farms. It's not in the public domain. It's not information to which we are party. Um, therefore, everything that the only thing we can do is through um, uh, defence um estates and through by Walton. So it we will need to route everything through those conversations and discussions.

00:46:45:15 - 00:46:53:05

Thank you. Mr.. Mr.. Are you able to say anything about the nature of that mitigation that's in the process of being implemented for those two projects?

00:46:54:07 - 00:46:54:22

Um.

00:46:55:03 - 00:47:06:09

No matter what? Not for various reasons. Um, and it's better I don't say anything further. I'm not instructed to give that detail whether it would be appropriate in a public forum,

00:47:07:28 - 00:47:27:12

given the nature of the installation. Um, And I do want to just come back to say that yes, indeed, the applicant and the Orsted IPPs have continued to engage and exchange information and updates in relation to the matter. So there is ongoing and active engagement between the applicant and the Orsted IPC in relation to these matters.

00:47:30:07 - 00:47:43:25

That's welcome. We appreciate there are obviously sensitivities when it comes to defence interests, but it's encouraging that at least the parties are talking to each other. Um, and we'll we'll keep an eye on this issue as we go. Mr.. Is there anything else you wanted to raise today?

00:47:44:14 - 00:47:46:15

No, thank you, madam. Thank you very much.

00:47:46:23 - 00:48:22:00

Thank you for your time. And then just finally, before we finish on this point, um, we've had some submissions from other proposed offshore wind farms. So from Morecambe Offshore Wind Farm Limited and from more than an offshore wind Farm Limited. Just talking in general terms about coexistence and cumulative effects, and, um, aviation is one of the matters that's raised in their submissions. Um, we don't have specifics on that. And I appreciate these proposed projects, but, um, there's, there's talk, uh, of about whether a coexistence agreement, for example, might be something that, um, would assist.

00:48:22:02 - 00:48:26:16

I just wonder if the applicant has any update on discussions with either of those two parties.

00:48:50:21 - 00:49:21:24

It is done on behalf of the applicant. Um, we are obviously aware of those submissions, and, um, it may well be that a lot of the projects are looking at the same form of mitigation and going forward and that, that if the projects do come forward, there's a sense in coordination of that mitigation. However, each project also needs to secure its own mitigation in the event that those projects don't ultimately come forward. So, um, there is a need for each project to, um, to secure its own mitigation.

00:49:21:26 - 00:49:32:02

There's clearly sense in cooperation and coordination. Um, but that can't be can't create a situation where each project also can't deliver its own mitigation.

00:49:35:04 - 00:50:12:07

Gerard Vella for the applicant. Um, of course we we we do, uh, have regular dialogue with other projects being proposed in the Irish Sea. Uh, in terms of, um, mitigation in the form of transponder mandatory zones, those are placed over each individual project. So following on from Liz's point, um, projects that require to implement that, we'll need to implement that. Um, in terms of Ronald's way, airports, um, they were made it very clear that they're keen for developers to be, uh, discussing and aligning on, um, uh, mitigation.

00:50:12:09 - 00:50:50:16

And we did have a few conversations about that with other developers. However, the airport then changed its position to undertaking or leading on undertaking its own 20 year surveillance strategy, using an independent third party which would consider all of the the projects that could potentially affect the airports. Um, so again, we as I as I mentioned earlier, we did respond positively that we supported that process. Um, and we would anticipate that other relevant projects are feeding into Ronaldsay Airport independently on that.

00:50:52:08 - 00:51:35:00

That's helpful. And there is logic in strategic approaches. It's encouraging to see that the various, um, bodies are looking at these things strategically. But obviously we accept what you're saying about, especially when you're towards the front of the pack, that you need to also be able to mitigate your own effects. That's fine. Um, I just since we have a little time, um, I've got a couple of, uh, more detailed questions about, um, embedded mitigation, some of the measures that have been adopted as part of the project, if I may. So, um, I just want to look at briefly the design plan, which is DML

condition 18, requirement three, which is on aviation lighting and then aids to navigation, which is DML condition 15.

00:51:35:02 - 00:51:49:00

So just a couple of questions, which I think for expediency, I might be able to just whip through quickly now rather than waiting for written questions. Um, we've already obviously turning first. I have somebody hand up. Ah, Miss Cressy from the Welsh Government. Good morning.

00:51:50:21 - 00:52:17:21

Good morning. I'm Chris from Welsh Government. Um, apologies. There was a bit late coming into the meeting, but I was just wondering The applicant referred to Valley, but I was just wondering whether the consultation. They reached out to the smaller pots of Mone now and uncles and potentially dinner settings as well. I couldn't find anything on them.

00:52:19:04 - 00:52:24:21

Thank you. I'm going to ask the applicant whether they can respond. So you're talking about other airports on very.

00:52:24:23 - 00:52:30:01

Small airports on the island and to the west of Carnarvon.

00:52:31:15 - 00:52:32:06

Thank you.

00:52:33:24 - 00:52:51:26

Let's do it here for the applicant. Um, the analysis of the baseline takes into account the operations. And, um, in fact, the type of aircraft operation that is conducted at all aerodromes um, the minor aerodromes um

00:52:53:23 - 00:53:43:29

in the main do not have a primary surveillance radar system um including Blackpool in fact and the the aerodromes that have been mentioned that do not have that radar system now that that takes away the radar, um, potential problem However, we have also considered whether or not um, the, the, the development might impact the operation that those minor aerodromes, um, the uh, array areas offshore, um, and normally um, the general aviation aircraft that are based at those minor aerodromes can operate offshore, but mainly they follow the coastline, uh, in case of, um, problems with the aircraft.

00:53:44:01 - 00:54:17:13

That's not to say that they can't operate offshore. And when they do operate offshore, they would be operating mainly below controlled airspace in class G, uncontrolled airspace, where the rules of the air apply in that, um, if the aircraft are flying visually, they avoid the grey area visually by the required minimum. If they're flying on instruments which they can, they'll be flying above the minimum safe altitude, which is slightly different from the minimum sector altitude, um, and may be in receipt of a radar service.

00:54:17:15 - 00:54:25:14

So the minor aerodromes have been considered. But, uh, in professional opinion, they won't they won't be impacted by the array.

00:54:28:01 - 00:54:32:12

Thank you for that helpful explanation. Does that cover your points, Miss Cressy? Would you like to come back?

00:54:32:14 - 00:54:49:01

Yes. Electricity from Welsh Government. I was just wondering. Sorry about the airports. How often people lag airports as well, which is delivering the, uh, you know, the big planes to the Airbus site.

00:54:50:22 - 00:54:51:11

Mr. Heald?

00:54:51:23 - 00:55:23:28

Stewart Hill for the applicant. Um, we have considered had an airport as well. Um, we completed a radar analysis of Harden. And due to the location of the PSR. Um, it won't theoretically detect the array. Um, the operations of Harden have been considered, and, um, when the aircraft departs, it usually turns to the east along the controlled airspace and would be under the control of Nats en route. And we have considered Nats en route with the impact to their radar system.

00:55:28:09 - 00:55:30:01

Thank you for that explanation.

00:55:32:21 - 00:55:45:14

Okay, so we're just coming back then to the points that I was just, um, flagging on were coming up, which is um, firstly in relation to the design plan to the DML condition 18. Um,

00:55:47:13 - 00:56:07:08

now, my understanding of your case is that the relevance of the design plan to aviation and defence interests or effects is essentially that it comes down to the commitment to the two lines of orientation for the layout of turbines, which would assist with military and low flying operations and helicopter operations, and that includes search and rescue. Is that correct?

00:56:08:15 - 00:56:27:06

Jerry Vella for the applicant. I think that the third point you mentioned there, search and rescue, is a key thing, which is, um, traditionally addressed through shipping and navigation and, and falls within the remit of the Maritime and Coastguard Agency rather than an aviation and radar matter.

00:56:29:12 - 00:56:47:23

Okay. And so, um, have you considered whether any of the aviation stakeholders should be named in that condition? So thinking about the Civil Aviation Authority or the Defence Infrastructure Organisation, obviously the MCA and Trinity House are named in there for the reasons we've just discussed. Would it be appropriate, um, to include those other parties?

00:56:51:07 - 00:56:54:01

Gerard Butler for the applicant. No, they wouldn't be relevant.

00:57:04:20 - 00:57:26:06

Okay. And then just to have a quick look at requirement three, which deals with aviation lighting. Um, and that's about aviation safety lighting for the offshore array and advanced notification of offshore works. I just wanted to check whether the wording of that requirement has been agreed with the Defense Infrastructure Organization and the Civil Aviation Authority.

00:57:31:19 - 00:57:52:00

Jerry Feller for the applicant, uh, within the Defense Infrastructure Organization's response to the statutory consultation on the pier. They did confirm that the um um the the draft requirement include the requirement included within the draft DCA at pier uh was correct.

00:57:55:02 - 00:58:00:12

The, uh that would be part of the discussions you're having on statement of common grounds. That will be a place where we can see that recorded.

00:58:01:14 - 00:58:04:08

Jerry Gerard Vella for the applicant. Yes, we'll do that.

00:58:06:09 - 00:58:29:28

And then in terms of um, requirement three one, which refers to um, lighting installed specifically to meet Mod aviation safety requirements, must remain operational for the life of the authorised project, unless otherwise agreed with the Mod. Um is the same not true of any lighting that's installed as directed by the Civil Aviation Authority. Anything?

00:58:50:18 - 00:59:19:22

Lasdun on behalf of the applicant. The intention is that that lighting will be there for both civil and military interest. I think the answer to it may be that the Air Navigation Order 2016 covers one element of it, and then the sea. I think we need to take it away. The intention is it will be there throughout the life of the development. It isn't an intention that it will only be there for for one particular stakeholder.

00:59:21:06 - 00:59:41:04

Thank you. Yes. If you could just have a look into that one. Um, and again that requirement talks I think it talks about Ministry of Defence and Defence Infrastructure organisation safeguarding. I don't know whether um, they are one and the same or whether we could tighten up the wording so that they're just a consistent way of referring to the, to the interests of the Mod.

00:59:45:06 - 00:59:46:03

Was done on.

00:59:46:05 - 00:59:55:01

Behalf of the applicant. That wording is also something we'll pick up with the defense states when when we speak to them about it. Um, but other matters.

00:59:56:03 - 00:59:58:26

Perfect. Thank you. Um.

01:00:02:09 - 01:00:13:07

Again. So the three two, which stipulates that the undertaker must notify the Defence Infrastructure Organisation. Again, is it appropriate for the Civil Aviation Authority to also be notified?

01:00:14:27 - 01:00:20:10

We're talking here about the commencement of the offshore works. If they have an interest, should they also be notified?

01:00:21:24 - 01:00:32:29

Lays down on behalf of the applicant, potentially. Um, there is we will I suggest we take away the, uh, the drafting of that requirement and just make sure that it it meets everybody's needs.

01:00:33:06 - 01:00:58:28

Thank you. While you're doing that, um, again, three to B, which talks about the expected date when turbines are first brought into use. Um, as we've heard earlier, this is about their installation rather than their operations. So whether that wording needs to be amended to reflect the fact that this is about or is that is that the case.

01:00:59:12 - 01:01:22:23

Um, is done on behalf of the applicant. I think that that the conditions there. So you've got the date of the commencement of construction of offshore offshore works, which will notify of the start of construction, um, uh, and then and then it's the date they're going to be brought into you. So we will look at it. But the intention is there are suitable controls and notifications there of the relevant timings.

01:01:24:18 - 01:01:44:27

That's fine. And then finally on on a requirement three part three talks about, um, the lights being installed in accordance with the subparagraph one are operated at the lowest permissible lighting intensity level. Now I'm assuming this goes back to keeping other effects to a minimum, but could you just confirm the justification for that? Part of the provision.

01:01:45:29 - 01:02:08:15

Is done on behalf of the applicant. That's a, um, predominantly a seascape landscape and visual matter to ensure that, um, there are there are there is now the ability to install lighting, which operates at lower levels in good conditions so that they're not, um, they're not very bright in those conditions. Um, and that's the that's the intention behind that part of the requirement.

01:02:10:16 - 01:02:17:25

And there is, um, precedent for that in a number of other development consent orders. It was included in the recent hourly more DCO.

01:02:19:28 - 01:02:28:14

Thank you very much. And then I think finally just on uh, DML condition 15, which is aid to navigation.

01:02:37:06 - 01:02:37:21

Um,

01:02:39:04 - 01:03:11:11

again, so 1505 requires the aid to navigation should be laid down in the event of exposure of cables, which is a cross-reference to condition 1312. But should condition 15 five also apply in the event of damage to the authorized scheme more generally? So, if there was something that happened and to the authorized scheme, the need to lay down a navigation, so should there also be a specific reference to condition 1311 in condition 15 five? Again, probably one to take away.

01:03:15:24 - 01:03:20:05

I think that's an approach. Precedent is another DCO or DMs.

01:03:20:24 - 01:03:23:26

Is done on behalf of the applicant. Will take that one away and confirm.

01:03:25:16 - 01:03:27:22

Thank you. Okay.

01:03:29:19 - 01:03:36:15

That I think brings my questions on aviation and radar to an end. Um.

01:03:39:04 - 01:03:56:18

I think what we'll do, given the time, because we're going to switch over and I know the applicant will need to change their team as well, is that we're going to take a slightly earlier than normal break. Um, so we'll take 15 minutes now. And when we return, we'll come to item eight on landscape, seascape and Visual Effects. So 1050 will be back in the room. Thank you very much everybody.