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Hearing Transcript

Project:	Mona Offshore Wind Farm
Hearing:	Issue Specific Hearing 4 (ISH4) – Part 2
Date:	23 October 2024

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Everybody. This hearing is now resumed.

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Okay, so we're moving on to item four now, which is shipping and navigation. And we held an exploratory session on this topic at issue specific hearing two in July. Um, and some matters have progressed since that time. So our focus for today's session is to consider the proposed development in light of the legislative and policy tests relevant to shipping and navigation, to explore the application of the mitigation hierarchy, and also to seek some clarity on matters related to monitoring. I have the following parties who have told us they may wish to speak on this topic.

00:00:48:25 - 00:00:52:21

So firstly, um, Mr. Salter from the Maritime and Coastguard Agency.

00:00:58:01 - 00:01:30:11

Morning, Mr. Salter. Good morning. We note, um, from your statement of common ground with the applicant, a deadline three that there is, um, a large degree of agreement between yourselves and the applicant. Um, but there are a few bits that we want to pick up with you as we go through today's session. So thanks for being with us. And also, if you just want if you want to come in at any point, do just raise your hand or switch on your camera. Okay. Thank you. Thank you, Mr. Armitage. Uh, from the Territorial Seed Committee. Are you planning to participate? Looks. Maybe, uh, your interest lies on, uh, lifeline ferries.

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Is that correct?

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Uh, yeah. Sometimes for Territorial Seas Committee. Yes. Um, unfortunately, input will possibly be slightly, um, slightly restrained because most of the impacts are actually on the island monster Impact Company, which is a separate company from us. So, um, it's actually difficult for us to actually agree anything. Well.

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Thank you.

00:01:57:07 - 00:02:02:29

Are you with us still? Can you see us? Hi. Hi. Can we drop out there? That's fine.

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I was on hold.

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We had you. We had your point there that your separate organization from the Steam Packet Company.

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Yeah, but there are still obviously concerns, um, regarding particularly adverse weather routing. So. Yeah.

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Thank you. We'll bring you in. And do you feel free to raise your hand if you'd like to join in? Mr. Ennis for the Orsted IPPs. Um, I know you've said you'll just keep a watching brief on this item, but, um, again, do indicate if you wish to join at any point into the discussion.

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Yes. Comments on behalf of the auditor. I will do so. As I say, we're here already just monitoring this matter and have made wraps but will not probably be contributing.

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Thank you. Thank you. Now we also had, um, the UK Chamber of Shipping and Stena Line down on our list for today, but they aren't with us unless something's changed in the break. I can't see any hands shooting up. So, um, we did have a few questions for both of those parties. And will either we'll do the best we can today and and if we need to put any questions into writing for EC2, then that's what we'll do to those parties. And I would note they were both present at issue specific hearing to.

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So we have heard from them there. And um, we did invite Trinity House to attend today, but um, it's declined that invitation on the basis that it doesn't have any specific issues of concern relating to, uh, shipping and navigation. And we've got that recorded in the deadline. Three Statement of Common Ground. Is there anybody else who's planning to participate in this shipping and navigation discussion?

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Okay. I'm going to suggest we take the sub items in this agenda in a slightly different order to that in the published agenda, just to make it a little more logical. So I think we're going to start with effects on commercial shipping operations, including strategic routes and lifeline ferries. Then we'll move on to look at effects on adverse weather routing. Then thirdly, on to maritime search and rescue. Fourthly, onto collision and illusion risk. And then fifthly, just to add in some questions on monitoring. So straight into commercial shipping operations then.

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And here we're talking about vessel routing in typical weather conditions. So we'll come on to look at the effects on vessel routing and adverse weather conditions a little later. Um, but for this matter, the assessment from the applicant concludes that there would be no significant adverse effects on strategic routes or lifeline ferries arising from the presence of the Moana project alone. However, the

assessment concludes that residual significant adverse effects would arise from the proposed development when considered cumulative cumulatively with other plans and projects, and specifically that relates to the Stena Line services between Liverpool and Belfast, and to commercial cargo and Tanker routes from and to the Port of Liverpool.

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Um Empson three acknowledges that there is inevitable that there will be an impact on navigation in and around the area of an offshore wind farm site.

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Um, but it does go on to state that the Secretary of State should be satisfied that the site selection has been made with a view to avoiding or minimising disruption or economic loss to the shipping and navigation industries, with particular regard to approaches to ports and to state strategic routes essential to regional, national and international trade. Lifeline ferries and recreational users of the sea. So I'm just going to start with the applicant, if I may, and ask you to just describe in headline terms how the site selection process has been undertaken with a view to avoiding or minimising disruption or economic loss to those, those those industries with particular reference to strategic routes and lifeline ferries.

00:06:01:19 - 00:06:03:07

Gerard Vella for the applicant.

00:06:03:21 - 00:06:04:18

Good morning, Mr. Vella.

00:06:05:18 - 00:06:38:20

Good morning. Uh, in terms of, um, how we approach site selection with regard to, um, reducing potential for effect on, um, operations. Um, I should say, first of all, that the key focus of the site selection process was, of course, to address potential effects on safety of navigation. That was the first tier of our consideration. The second tier was, of course, on on residual effects on operation. So as set out in the shipping and navigation chapters don't have all of the numbers in front of me.

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Uh, apologies. Uh, we did go through a process of setting up the Marine Navigation Engagement Forum and engaging with key navigation and shipping stakeholders in the Irish Sea on um, the approach to consideration of effects on shipping and navigation. Based on the feedback from the

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Navigation Risk Assessment Hazard workshop that was undertaken ahead of the primary environmental information reports, we established what the potential effect of the project would be on key routes. Um, based on that feedback, we then went through a process of revision and refinement of the Mona array area, primarily to reduce potential effects on shipping and navigation. And as I said, that was with a key focus on ensuring that um, routes could continue to operate safely.

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Um, through that process, which is set out in the site selection and Consideration of Alternatives to chapter A01 six Um, and in particular uh section 4.11 two and 4.11 three. Um, we made a number of decisions to reduce the extent of the array area on the basis of being able to allow for routes to continue, um, safely and as, as unhindered as possible.

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Um, in order to understand the validity of the proposed changes being made to the extent of the Mona array area, we undertook bridge simulations with key stakeholders, namely, um, the Isle of Man Steam Packet Company, um Stena Line and um at at the time, sea track now clean Ro-Ro limited um with various other individuals and organisations present uh that included at some of the bridge simulations, Chamber of Shipping and the MCA to establish whether the proposed changes to the array area would allow for, um, safe, safe navigation of those ferry routes around the the Mona array area.

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Um, based on the feedback that we received through those, uh, bridge simulations, we ascertained that, um, there would be, uh, that that operations could continue safely and that, um, we had minimised the, the effect on, um, route diversions.

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Um, which we then took forward to the navigation risk assessment, hazard workshop for the application, where we reconsidered the mono array area and potential effects on shipping and navigation of the revised area. Um, with all of the key stakeholders, and reran the the um hazard workshop to look at the um, potential impact on shipping, navigation stakeholders and in particular the um, simulation, not the simulations, the

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the rungs within the hazard workshop that had previously been, um, identified as as unacceptable at the hazard workshop in the NRA, uh, the NRA Hazard Workshop for the um, Preliminary Environmental Impact Assessment Reports.

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At the end of that process, we had established that the potential risks were, um, tolerable, acceptable and as low as reasonably practicable, uh, and therefore safe from a safety perspective.

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But there remains a potential impact on um operations with respect to route diversions. Cumulatively, um, as he set out at the start of this session,

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following that, we've been engaged with those operators on how to address the residual, um, moderate significant impact.

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And I can go on to talk about how we are addressing that with those operators or or possibly let's cover that on the next item.

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Thank you. Yeah, I'll stop you at that point because, um, it would just be helpful just to quickly pause on the Project alone. Effects. So, um, could Miss Chappell just bring up, um, I'm looking at app 059 and just bring up figures 7.6 and 7.7. So this is the project alone assessment. And it's um, the figures showing the deviations that have been developed to ferry routes and commercial shipping routes. So my understanding is that's part of the process you've just outlined.

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They were revised package passage plans or deviations identified for those strategic routes. So um, you can see for anyone less familiar with these documents that we have, um, the Isle of Man Steam Packet Company, Stena Line, C truck and LCL, n Ro-Ro limited and P&O um shown here. And I just wondered, Mr. Vella, because you just talk us through briefly what those figures show in terms of the different colored routes.

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Um, Andrew Rawson, um, from Nash Maritime. We undertook the shipping and navigation assessment on behalf of the applicant. Morning, if I may, morning if I may answer this, this particular question.

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Thank you.

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So what's shown in this figure? Um, are the center lines of the, um, the key routes operated by each of the, um, the ferry companies operating in the Irish Sea? Um, so we've got four panels for the four companies. I would add that, um, when we undertook the assessment, P&O did operate a route between, um, Liverpool and Dublin. That route is now ceased. Um, but the, uh, the uh routes for steam packet, Stena and sea track now sealed and Ro-Ro remain the same as we assessed during the um, during the navigation risk assessment work.

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So the the way we came about this, um, these figures is as is shown within the navigation risk assessment. The individual tracks that vessels may take. Um vary depending on um, the weather conditions, the traffic profile and a whole myriad of factors. So looking at um, the marine um Maritime Coastguard Agency guidance, they have set up a principle of. The 90th percentile as a way of capturing the spread of those tracks.

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And from that we drew a center line which represents, um, in many ways, the average track in typical conditions. Um, we then verified this with the operators, um, uh, through their passage plans. So this was done, um, through the navigation, uh, simulations we undertook with the operators. And in some cases, the operators provided us with their actual passage plans. So we were able to verify this.

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What we then did is, um, based on the Mona array area, we look to see what the likely deviation of those routes may be. Um, so if we look at, for instance, the steam packet route in the top left, um, this is the route between Liverpool and Douglas. And as you can see, the center line of that route passes clear of the mono array area, um, and leaves the mono area at sufficient, um, distance.

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Um, that no deviation, um, is required on a typical route. Um, if we look for instance at Stena um, so Stena Line have multiple different, uh, passages they can take when um, exiting Liverpool, um, depending on certain conditions. The dominant route, um, is to leave Liverpool early and pass northwest, um, to clear the southwest, um, corner of the Isle of Man that takes the route directly through the Monterrey area.

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And we have, um, forecast that that route would deviate to the north um, for sea track. Um, you can probably make out that the route between, uh, Heysham and Dublin does pass clear of the Monterrey area, but based on the feedback from the operators and the likely passing distances, um, the masters may want to leave the offshore wind farm. We have shown a very slight deviation, um, to just increase that passing distance, um, from the mono array area.

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What I would add, um, just in, in addition to, um, um, Jerry's response, uh, just now is that at the time of pier, um, the mono array area, um, was of a larger extent, particularly to the north of the um Monterrey area. So there was a reduction in that northern extent, in particular, um, to increase the, um, separation between the Mona area and the Mawgan array area and thereby address the um, potential cumulative effects on, uh, on navigation safety.

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But I would note that as a result of that reduction, um, the steam packet route between Liverpool and Douglas did, um, intersect the Mona area? It now does not. And equally the Stena route, um, whilst it's still intersects the deviation distance required to pass clear of the Mona area is significantly reduced. And equally, the sea track deviation between Heysham and Dublin has also been significantly reduced by the reduction in the northern extent of the Mona array area.

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So just on that point, then what you're saying is that that, um, amendment to the northern part of the Ouray area was for safety reasons, but it had the benefit of also reducing the need for deviations for these services.

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Andrew Rawson, on behalf of the applicant. Yes. That's correct.

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Thank you. That's very helpful. Can we quickly look at the next figure which is on the next page 7.7. And similarly so this is deviations to commercial shipping routes. Could you just briefly talk us through that one as well.

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Andrew Ross and on behalf of the applicant. Um, yes. So for for this figure, um, what we're trying to capture is what in many cases are lots and lots of different routes, um, for individual, um, commercial operators. So we are looking at um, uh, dry cargo trade, uh, liquid, um, tanker trade, um, throughout the Eastern Irish Sea between lots of different ports and harbors. Um. The top two panels are showing, um, the more frequent vessel routes.

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So we've we sought to categorize all the different tracks taken over an entire year, um, of these vessels into defined routes based on where they're traveling to and from. So the top panel shows those routes where we would expect more than one vessel a day to take that route. And, um, based on this analysis, the only routes in that area are, uh, between the traffic separation scheme located to the northwest or of the Isle of Anglesey and into Liverpool, which passes clear to the south of the Monterrey area, and a route between the traffic separation scheme, um, in the entrance to Liverpool, and a waypoint located to the southwest of the Isle of Man.

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That route, um, does intersect the southwestern corner of the, uh Monterrey area. So therefore we've looked to see, um, the deviation required to, to pass, um, clear to the south of the of the Monterrey area. In that particular case,

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um, the panels to the bottom are showing what appear to be lots more routes. Um, but they are all of significantly lower frequency. So in some of these cases, they are little more than one vessel a month, um, in terms of the number of trips. So whilst there are many more which intersects the Monterrey area, their frequency, um, um and therefore importance is lessened compared to the top two panels. Um, what we've shown on the right is, um, how we might expect some of these routes to be deviated.

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And in all cases, there is sufficient sea room around the Monterrey area for these routes to be deviated safely.

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That's very helpful. Thank you. Um, I would ask Stena Line had they been here, whether, um, they were content with the those deviations. Um, I don't know whether the applicant can help us on that front as to the level of agreement that Stena Line and it sounds like they you've been able to verify some of these, um, deviations with the operators because they've been involved at the pre-application stage with this work. Is that correct?

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Andrew Ralston, on behalf of the applicant. Um, yes. Um, so, um, for the ferry companies and I must emphasize, this panel does not include ferries. That is the previous, um, figure. Um, they were all verified during the um, navigation simulations we undertook with, uh, the respective operators and their, their masters and bridge teams, um, For these, um, commercial um, um, deviations.

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Um, we utilize the experience of our, um, in-house master mariners. Um, who are familiar with operating in this area and these types of vessels to, to ensure that the deviations are, um, um, are valid.

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Thank you. And, uh, Miss Chappell, you can take those figures down now. Thank you. And so the outcome of all of that work is that the applicants, um, reached a finding that there would be no significant adverse effects from the project alone in terms of strategic routes and lifeline ferries, as far as you're aware. Um, does anybody dispute that conclusion, or is that something that's agreed across the board?

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Jerry Vella for the applicant. Um, that that's a position that we understand.

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Thank you. Um, obviously, we are aware that you are working in the background with the Steam Packet Company in particular, and you'll be aware that we've we've tried and the various levers we have to get those that party to engage with this examination as well, um, including inviting them to the preliminary meeting and making them another person in that regard. Um, uh, we'll come on to it a bit more in a moment, but, um, we just rely on you a bit to, um, give us any feedback from your ongoing discussions with the Steam Packet Company, because it feels a little unsettling to us that

we've got somebody who's potentially, um, uh, affected, significantly affected and not part of this examination.

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I would

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yes. Mr. Armitage, would you like to come in on that? Um, yeah, you might have, um, yeah, from.

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More understanding of the discussions and various things. They, as per the um applicants response, said the project on its own would not significantly affect the routing is it's obviously when everything else comes in with Morgan and Moore, van and so on. And the particular concern with Mona is on, um, the adverse weather routing, which I know we've got as a separate item there. Um, we are trying to persuade them to, to engage, um, because obviously, um,

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they are a commercial entity of themselves and it's, it's only them that can come to those sort of decisions. Um, from the government perspective. Obviously we have an interest in that, um, ferry routing, staying commercially viable. Um, because a lot of it is done on a certain number of journeys each day having to take place. So, you know, additional time for the sailing was coming back. But, um, but the main concern from our side is that these routings are ferries, but they're also freight.

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And it's most of our, you know, food, medicines, all of those things come in by those ferries. Um, so the concern, particularly with adverse weather routing, is if, um, sailings take much longer than we'd end up with less sailings and therefore, you know, less supplies coming in or delayed supplies, um, which could have impacts on businesses on the Isle of Man as well.

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Thank you, Mr. Armitage. And that's very helpful. And we will come back to adverse weather routing in a moment. So it might pick you back up on those points. Okay. In that case then just returning on to, um, looking at the commercial effects on the strategic routes, I'm just going to come back to cumulative effects. Now, as we've looked at the project alone, um, in terms of the cumulative effects, as Mr. Armitage has just alluded to, then, um, can I ask just for the sake of having something that's quite visual on the screen? Could I just ask the applicant to bring up, um, Oppo five nine and this time.

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Um, figure 7.10 to start with. So this is looking now, zooming out a bit and looking at the cumulative picture. But what I would say straightaway is that this doesn't include the more than nine project on these these figures.

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And again thanks Miss Chappell.

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710 there we are. So we can see, um, similar setup to the figure we were looking at earlier for the ferry routes. Um, this is again an exercise in looking at deviations. And as I understand it, the gray represents the base case of the current, um, center line of the 90th percentile and then the seven. The

red line is the deviated routes. And you can just see the Isle of Man in the top of those plates. Um, Mr. Olsen, would you mind just again, um, just showing us or just very briefly talking through where deviations are required, I suppose is probably the bit to focus on here when looking at that figure, please.

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Andrew Robson, on behalf of the, um, the applicant. Um, yes. You're quite right interpreting this plot. It's the same setup as we showed individually for for the mono array area, but we've sought to take into account the likely deviations. Um, with the addition of the Morgan array area and the Morecambe array area. Um,

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if I talk through them in turn again. Um, so for the steam packet, um, routes in the, um, top left hand corner, um, as shown for the mono area individually. Um, The route typical route passes clear of the mono array area. Array area. However, the most westerly south westerly corner of the uh, Morgan array area, um, uh, just intersects that route, so would require a minor deviation to increase the clearance from the Morgan Array area.

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Um, for the Heysham to Douglas route. Um, again, there is a slight clipping of the Morgan Array area. And therefore we have, um, deviated that passage through the center of the, um, the area of C between the Morgan Array area and the Walney, uh, wind farms for the standard line route. Um, the deviation, um, probably worth just emphasizing that for um, for the standard line route between the between Liverpool and Belfast.

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Um, they have options as to which side of the Isle of Man they choose to pass. And there are a variety of factors which which might make a master choose. Um, uh, passing one side or the other. Um, for the route which is taken most frequently, which passes west of the Isle of Man. Um, the deviation around the mono array area is is the same. Um, however, for the passage east of the Isle of Man, the presence of the um Morecambe Bay area, Mawgan array area and the existing Walney wind farms, um, would require, um, several course changes, um, to complete that passage.

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Or um or sea track now sealed and Ro-Ro limited. Um, the route between um Heysham and Dublin um is deviated the same as shown for the mono um array area individually. Um the passage between Heysham and Carlingford. Warrenpoint um would need to pass south of the Morgan area through that um area between Mona and and Morgan and as I mentioned previously, no no longer operate.

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Um, it's probably worth emphasizing that with the exception of the, um, uh, Stena Line route west of the Isle of Man, um, all of the additional deviations shown on this plot, um, are not caused by the Mona array area. Um, individually, they are caused by other, um, tier one and tier two projects.

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Thank you. That's very clear. Um, and then if we could just scroll down to the next page again and figure 711 and again, taking on board what you've already told us about the, the basis upon which these deviations have been formulated. But could you just briefly talk us through then? This is about deviations to commercial shipping routes again excluding more van please.

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Andrew Rawson, on behalf of the applicant. Um, yes. Uh, the top two panels, um, as I mentioned previously, the only routes which have more than one vessel a day, um, uh, on them, um, all are bound for Liverpool and are clear of any of the other cumulative projects. Um, and therefore the impacts on those routes is the same as, as we previously discussed for the bottom two panels. Um, there are some routes between um Douglas Heysham and routes to the east of the Isle of Man, um, which would require further deviations.

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Um, with the presence of of the other tier one and tier two projects. Um, I would again add that we assess this as part of the navigation risk assessment. And, um, as previously discussed, the um navigation risk assessment sought to ensure there was a sufficient sea room between these cumulative projects to ensure that these passages could be taken safely.

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That's very helpful. Thank you. And so, um, we know of these. You can take those figures down as well now. Mr. Chappell, thank you. Those figures exclude more van and the ES. Um, says that's because the deviation work was undertaken before the scoping boundary for more than was known, as I understand it. Um, but the narrative in the ES does describe, uh, the addition of northern in and talks about some quite considerable additional transit times when you add that project in particularly for the Stena Line services.

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Um, is that a correct characterization of the way that the S is written?

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It's done on.

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It's done on behalf of the applicant. Um, the position in respect of the the Morven in project is that as a, um, tier two project, um, at that point, because of the scoping opinion, the presence was we knew it. It exists as a project, but in terms of actually being able to map anything meaningful into those, um, into, into either the work that was well, partly it came later in terms of when the, when the simulations and the design work had been done, but also the fact that there isn't a refined boundary to be able to look at and in terms of map into that.

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Um, So. So it hasn't been taken into account in that sense because it was at a very early scoping stage. Um, but the the project has been acknowledged as existing.

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Thank you. And my understanding is that the, the significance conclusions that are reached in the is do do their best to factor in the effect of Morven in. Is that correct.

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Liz. Done. On behalf of the applicant. Yes. On the basis of that scoping position. But recognizing, uh, that projects do go through quite significant design from the scoping um, to final submission point.

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Thank you. And that's understood. And so then the applicant's assessment on the cumulative side, um, does find residual significant adverse effects arising from the proposed development, uh, for the standard line services we've just discussed, which is between Liverpool and Belfast and for commercial cargo, cargo tanker, routes from and to the Port of Liverpool. Is it, um, the way the is is written seems to suggest that the sort of the moderate level of the impacts, which makes them significant effects in EIA terms, result from the inclusion of the more Bannan project in the cumulative picture.

00:34:19:08 - 00:34:31:29

But I do want to clarify, is it your case that the cumulative effects only tip into moderate level as a result of including more van in, or is it not that simple? Are you saying that even without it, there would still be a significant effect?

00:35:02:22 - 00:35:43:20

Andrew Rawson on behalf of the applicant. Um, noting the uncertainty around the more than in project. Um, and the work we undertaken through the shipping and navigation chapter and the navigation risk assessment. Um, we determined that as there was sufficient sea room between, um, between the Moana Morgan, Morecambe array areas and the existing projects, that there would not be a significant impact on, um, the typical routes taken. Um, but with the addition of the more van in project um in particular, there were questions about some of the routes which, um, were bound for the Isle of Man.

00:35:44:01 - 00:36:14:12

Um, but also the viability of, um, a passage east of the Isle of Man, in particular the Stena Line route between Liverpool and Belfast. Um, would require so many deviations and so many course changes that that route would probably no longer be, um, viable or prudent, and they would likely take the, um, the route they already most frequently take west of the Isle of Man.

00:36:14:20 - 00:36:17:01

Um, because it would, it would be quicker.

00:36:19:03 - 00:36:30:13

Thank you. And was that, um, to what extent was Stena Line involved in that, that you're reaching, that finding that they come along with you on that conclusion?

00:36:32:15 - 00:36:43:15

Jerry Vella for the applicant? Uh, yes. They agreed with that position and they were present at the, um, Navigation Risk Assessment Hazard workshop when that conclusion was reached.

00:36:44:28 - 00:37:16:22

That's very helpful. Thank you. Okay. And so taking all of that into account then in terms of any further mitigation, the environmental statement essentially says that there is nothing more that the Moana project can do to mitigate the cumulative effect, because it will be for those projects in that particular area where we're you've raised those effects to the east of the Isle of Man and potentially the sea Room issues between the Morgan Project and the more Varnum project it will be for those projects to mitigate, because there's nothing more that Moana itself can do.

00:37:16:24 - 00:37:20:24

Is that correct? In terms of just to make sure I completely understand your position.

00:37:22:16 - 00:37:25:00

Gerard Butler for the applicant. Yes. That's correct.

00:37:26:12 - 00:37:39:12

Thank you. I will just ask whether Mr. Sota from the Maritime and Coastguard Agency wants to come in on that at all. I appreciate we have a record of your position in your statement of common ground, but just an opportunity to comment. Uh, Nick, sales.

00:37:39:14 - 00:37:42:04

For the MTA. I've nothing to add. Thank you.

00:37:43:13 - 00:37:54:26

Thank you very much, Mr. Salter. Um, I would have come to stand the line at this point, and I may well have to put some of those bits into EC2. Um.

00:37:57:03 - 00:38:33:21

I suppose, um, in summary, though, uh, it's helpful to have your, um, your information today about the way that stand in line have. Um, the extent to which they've agreed with what's been done in the conclusions you've reached, because we don't really have, um, a complete record of centre lines positions. Still, when we have submissions, which, um, for example, they've resubmitted the peer, um, their submissions to the peer. So the pre-application consultation and they've put in some information about the sort of reaction to the deviation allowance, um, deviations put in, etc..

00:38:33:23 - 00:39:05:18

But I'm wondering whether what we might just need is, um, a statement of common ground between the applicant and Stena Line, because I hear we are past the midpoint of this examination. I just think it might help us for the purposes of achieving absolute clarity, to have, um, that that's that statement of common ground worked up. It wasn't part of our rule six. And, um, we tried very hard to be proportionate in our list of statements of common grounds in the rule six, because we don't want to ask for unnecessary work to be done.

00:39:05:20 - 00:39:20:01

But just sitting where we are today, I think it could be of great assistance if we did appreciate. We can't ask them whether they're happy to do that. But I could ask the applicant, um, whether you'd be content to progress that for us, and it would be for deadline five.

00:39:22:26 - 00:39:31:03

Jerry Vella for the applicant. Uh, yes, we are content to do that. Um, and, um, subject to certain line, of course, agreeing.

00:39:32:08 - 00:39:42:29

That was very helpful. Thank you. I think it's just having that statement of exactly where any differences lie really helps us for the purposes of reporting any effects that, um, that result. Um.

00:39:46:09 - 00:40:10:01

We obviously we've had a relevant rep from clean ro ro, and we've talked a little bit about some of those, um, effects this morning. You've given us, um, an update in your response to our written questions about your engagement with them today. I just wanted to, um, well, ask if you've got any update with your work with row. Row? Uh, and we may ask them further questions in our second round if we need to.

00:40:15:27 - 00:40:52:20

At Jerry Vella for the applicant. Um, we we have tried very hard to engage with clean ro ro. Um, we've reached out, uh, following submission of the application to to inform them that the window was open for, um, registering as an interested party, uh, which they followed up on, as you're aware, and submitted a, a, um, a relevant representation. Um, and we have, um, reached out to them since then on both the 1st of March, um, and again on the 16th of September most recently.

00:40:52:22 - 00:41:13:04

And that was, that was following, um, the, uh, following a question submitted by um, the examining authority in Q1, um, to make them aware there was a question for them. And of course, that would be very keen to engage with them. Um, and we haven't had a response as of, um, today.

00:41:14:28 - 00:41:44:29

Thank you for that update. Um, similarly to the, um, as we were discussing earlier with the Steam Packet Company, we appreciate these are private companies. You have a day job to get on with. And, um, there is a fair amount of resource involved in getting involved in an examination. But at the same time, we do need to try and, um, just close off as many of the different loose ends in the, um, examination as we can. So we'll do what we can and we may add some questions back into our second round. Um, I just wanted to bring in, uh, Mr.

00:41:45:01 - 00:42:10:09

Salter from the MCA at this point, just, um, while we're talking about commercial viability, which has been mentioned, and deadline three, you've, um, made a point about, uh, sort of some remaining concerns about the in combination effects of those four projects. So here we're talking about including more than into, um, having on the viability of the commercial ferry operations in particular. In particular, would you like to elaborate on that point, Mr. Salter?

00:42:12:24 - 00:42:36:01

And except for the MTA, I don't think I can elaborate any more than than what's already being discussed. Um, it's, um, the position was written just to bring awareness, um, to bring it to your attention that, um, there is a concern on the commercial aspects of the Moore van in especially, uh, but I don't think I can add anything. Thank you.

00:42:37:07 - 00:42:39:29

Thank you very much. Um.

00:42:43:03 - 00:42:44:00

Okay.

00:42:45:26 - 00:43:18:19

I was going to pick up something that the Chamber of Shipping had raised in their deadline. Three statement of Common Ground relating to towing resource. Um, I can put this in writing, but I just wanted to ask the applicant whether this is something you've discussed directly with the Chamber of Shipping, where they've said in the statement of Common Ground that additional towing capability or resource may be required. Um, this isn't a point that's featured large in the examination to date. So I just wondered if there was any information that you can give us about, um, that and whether you're discussing it with the Chamber of Shipping, please.

00:43:19:24 - 00:44:08:02

Gerard Vella for the applicant. Um, that that's correct. That it is a matter of ongoing discussion within the Statement of Common Ground, as submitted at um at deadline three with the Chamber of Shipping. Um, essentially, um, speaking for Mister Mirrlees. Uh, it's it's they have a sort of a wider position on emergency towing vessels, uh, in UK waters that they are in the process of considering developing a position on what I will say, and I'll probably hand over that to Doctor Ralston in a moment, is that the use of emergency towing vessels was considered as as one of our additional control measures, um, within the um, within the navigation risk assessment.

00:44:08:04 - 00:44:22:24

And at the hazard workshop in September 2023, it was agreed that it and the other additional control measures, um, uh, were not warranted, if that's the right words. Um.

00:44:27:04 - 00:44:28:06

Yeah, I think that's it.

00:44:28:15 - 00:44:30:06

Thanks. Thank you.

00:44:36:01 - 00:45:09:15

And again, something that we may pick up separately with the Chamber of Shipping was just some points about, um, a fair amount of unresolved matters on socio economic impacts in terms of lifeline ferries, but I don't think we can take that any further without the Chamber of Shipping here today. So in that case, I'm going to move on to look at the effects on adverse weather routing. And so we've I suppose during a significant wind and wave conditions the normal routes may be too hazardous.

00:45:09:17 - 00:45:43:25

And so other often less direct routes are used. Again I'm going to suggest we look at this project alone and then look at it cumulatively. Um, and the applicant's assessment concludes that there would be residual significant adverse effects, uh, due to the impacts of adverse on adverse weather routing, specifically about, uh, this is relating to the operation of the Isle of Man Steam Packet Company service between Liverpool and Douglas. Could I ask the applicant, Mr. Chappell, to bring it up again on APO five nine? Bring up figure 7.8, please.

00:45:44:05 - 00:46:00:20

And could I ask the applicant just to briefly explain what that shows? I appreciate this is so familiar to the applicant, but for the for the purposes of the rest of the examining authority and for other parties in the room, it is really helpful to have you talk through these figures for us. So I appreciate you doing that.

00:46:18:08 - 00:47:01:24

Andrew Ralston, on behalf of the applicant, um, yes. Um, these figures are again, um, set up in exactly the same way as, um, those in typical, um, weather conditions split between the, um, the different operators. I would start by saying that, um, just perhaps a little bit of background about, um, the, the adverse weather routing that, um, in the Irish Sea, um, it can get, um, particularly wavy and windy and that poses some, some challenges to, to vessels, um, particularly where they're trying to navigate um, um, beam side on.

00:47:01:26 - 00:47:44:13

So the conditions are on the side of the vessel. So if you imagine a south westerly prevailing conditions, um, then many of these routes, um, crossing, uh, southeast and northwest would require

the vessel to be beam on to those conditions, um, so that, um, can be detrimental to the, um, passenger comfort, potentially passenger safety and also cargo security. Um, so one of the ways that that vessels can, um, can mitigate these effects is to either, um, past, um, closer to, um, uh, a land mass which provides some shelter.

00:47:45:02 - 00:48:17:20

Um, or they can try and change the angle of the vessel, uh, the heading of the vessel to those conditions. So it is less beam on and perhaps more on the, on the quarter. Um, when they're making these passages. So when we, when we, um, looked at, uh, two years of, um, historical vessel track data, um, as is shown within the, um, the wider application documents, you can see quite a deviation of these tracks from the typical route.

00:48:18:02 - 00:48:55:01

Um, when these conditions are experienced, and it's worth emphasizing that there is quite a range of these tracks, as the master of these vessels in many ways, feels their way through the conditions. No two days would be the same. Um, slight changes in wind direction and wave heights may result in a slightly different course being more comfortable than another. Um, so they aren't really defined adverse weather routes as such, but we typically see a deviation to the south westerly from that typical route.

00:48:55:06 - 00:49:36:26

And what we've sought to, to, to show on these plots in, in the base case routes, um shown in gray is, is in many ways the median route. So if we take the steam packet route that, uh, just casting your mind back, the, the typical route passes clear to the northeast of the Mona Arabia array area. This median adverse route, um, passes um, through the Mona array area, but that is constituted by um individual tracks, which are spread from those just passing, um, uh, through the northeast boundary of the Monterrey area.

00:49:36:28 - 00:50:22:11

Two tracks on occasions which pass fully clear to the south of the Monterrey area. Um, so this is very much a median. And that's the case for, for all of all of these, um, routes we have shown. Um, what we then sought to do is to look at, with the addition of the Monterrey area, what would be the likely passage that a vessel would take? Um, and again, through consultation with the individual operators and in particular through the navigation simulations, where we in some cases sought to try and establish what the tipping point might be for a master to choose to pass to the northeast or the south west of an individual project.

00:50:22:14 - 00:51:04:02

And when, um, the conditions are, uh, severe enough, the first response of the vessel might be to turn to the southwest to to to try and change the condition. Um, uh, the position of the vessel to to that that may we're for those routes the past the north east of a project. Um, that would not be possible with the project there, because they would be turning towards the wind farm. So what we agreed with, um, the operators is that they may choose to pass to the south of the projects, um, as is shown for um, steam Packet and Stena.

00:51:05:21 - 00:51:38:09

Um, so based on this, we developed a future case passage plan. Um, that full steam packet in, um, uh, when passing between Liverpool and Douglas, takes them out of Liverpool, passes south along the coast, um, before turning um, to the north towards Douglas, um, when they are on a, uh, more comfortable heading, uh, for Stena. Um, looking at the vessel tracks they do in adverse weather.

00:51:38:23 - 00:52:14:15

Um, we see that on almost all occasions. They will leave Liverpool and follow the coast, um, until they reach the area where they lose the shelter offered by the Isle of Anglesey and then head up towards Belfast. So in summary, between those two cases for Steam Packet, we are predicting that there would be a deviation, um, of that adverse route past south of of the Monterey area for Stena. Um, we believe that their current adverse route, um, takes them clear of the Monterey area.

00:52:14:25 - 00:52:38:24

Um, in general. So no significant changes is required to that route for, for sea truck. Um, now see row, row. Um, their general adverse weather routing is typically more west than this, this area of the eastern Irish Sea as they cross over towards towards Ireland. So that would be unaffected, uh, by the Monterrey area.

00:52:41:22 - 00:52:44:27

That's a really helpful explanation. Thank you. You can take.

00:52:44:29 - 00:53:16:13

That one for the applicant. Can I could I could I just quickly come in just to bring it back to, um, site selection and um, acknowledging that that there is a requirement for the steam packet company, um, vessels to deviate around, uh, Mona, when we were considering this from a site selection perspective, noting that there there is no change to the Mona array area that we could do, that would mean that there would be no effect on adverse weather rating.

00:53:16:15 - 00:53:59:17

What we did do was again, trying to, um, try to apply some change that would be of benefit in in meeting the the MPs test with regard to Secretary of State, being satisfied that efforts have been made to avoid or minimize and with respect to the southeastern extent of the Ouray area. We did reduce that from what was presented, um, at Pir, um, to both increase the separation from the traffic separation scheme to the south of Mona, but also with regard to vessel activity, which principally the Isle of Man Steam Packet Company around the southwestern corner of the Ouray area as well.

00:54:01:04 - 00:54:18:18

And that's a helpful, helpful, um, clarification as well. Thank you. So and in terms of that NPS test, avoid or minimize, I suppose what you're saying there is it's you've achieved minimizing it, but not in avoiding it entirely and hence the significant residual effects.

00:54:21:03 - 00:54:23:22

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

00:54:24:05 - 00:54:28:04

Thank you. Miss Chappell, you can take that, figure down now. Thank you.

00:54:29:19 - 00:55:01:04

Um, I will just I mean, obviously, it's easy to sort of talk this in theoretical terms, but those diversions specifically, um, talking about the Isle of Man Steam Packet Company, if they were here, I'm sure they would be talking to us about the implications of that in terms of, um, the knock on effect of increased transit time, fuel costs, um, any tax implications, um, potentials for cancellations. And um, obviously we don't have them doing that, but I will invite the um, Territorial Seas Committee.

00:55:01:06 - 00:55:05:02

And just in case you wanted to make any of those points, Mr. Armitage.

00:55:09:17 - 00:55:29:10

And thank you so much for this. That was really the key committee. Um, yeah. Without the specifics on actual times and, um, costs is obviously. Yeah, for, uh, steam packet and the only ones, unfortunately, that can, um, really provide those. Um, just to give a bit of context. Um,

00:55:31:04 - 00:56:01:06

what Mr. Barlow was just saying there about minimising the impacts, the deletion of that northern extension, effectively, of the, uh, Moana windfarm has taken the Isle of Man standard routing out of the, um, out of the windfarm. And just on the basis of statistics, I think the adverse weather routings are typically 10% of the overall sailings in a year. Um, as a sort of rough estimate.

00:56:01:08 - 00:56:30:27

Now, I said not all of those would go straight through the the wind farm areas and would be to the south, and some would still be to the north. Um, as I said earlier, the concern with regards to timing is because they operate on a frequent basis. Vessel in. Turn it around. Get everything off, everything back on and then say it again. Um, the delays could have a knock on impact in that. Um.

00:56:33:08 - 00:56:48:27

So, yeah, that's that's our concern. That's upset. We will try and, um, push along the steam packet to engage more in this process. And, um, yeah, we'll keep the applicant updated on that and. Yeah, see how we can get on.

00:56:50:14 - 00:57:22:14

Thank you. And do keep us up to date on any progress with that as well. Thank you. Um, and we are I will just say obviously aware that this assessed. We're looking here mainly at the shipping and navigation chapter of the environmental statement. But the sort of knock on socioeconomic and actually human health effects of, um, any impacts on lifeline ferries are also considered in those um, relevant chapters of the ES. So we are conscious that it's um, it's a slightly wider perspective than what we're necessarily, uh, focusing on today. Um, I will then say that that was that.

00:57:22:16 - 00:57:54:25

We've been looking at the project alone. Effects and again will now come to quickly look at the cumulative effects on, um, adverse weather reporting. And so I'll ask Miss Chapel to bring up figure 7.12 of A059. And again, this is, this is essentially the, um, zoomed out version of what we were looking at before, just looking at and appreciating what Mr. Olson said about, uh, our adverse weather routing being, uh, much more complicated than just, uh, this is your this is your, uh, your deviation.

00:57:54:27 - 00:58:19:19

This is, uh, a judgment taken by mariners, um, masters at the time of, uh, coming up against adverse weather conditions. But this just helps to give us a little bit of a flavor of, um, the degree to which deviations might need to be made in adverse weather. Um, Mr. Olson, I'm going to ask you to just briefly talk us through here again, particularly with regard to the steam packet and Stena, please.

00:58:22:23 - 00:58:54:14

Andrew Rawson, on behalf of the applicant. Um. Yes. Um, so for the steam packet, uh, routes in the top left hand corner. Um, the route between Liverpool and Douglas. Um, we've already discussed the the impact of the mono array area on that. Um, and that is that it's not affected, um, it any differently

in this cumulative picture. Um, the other potentially affected steam packet route is between Heysham and Douglas.

00:58:55:02 - 00:59:33:18

Um, again, through the same process I described looking at the historical data and speaking to um, to the the masters of those ferries through the bridge simulations. Um, concerns were raised about navigating in bad weather between the Morgan Array area and the Walney windfarms. And therefore, when the weather was severe enough, the masters would choose to take the ferry south of Morgan Um and then up into um Douglas to give them the optionality, um, to respond to, to, to that weather.

00:59:34:05 - 00:59:34:20

Um,

00:59:35:29 - 01:00:08:08

that route would not be affected by the Monterey area. It would largely be affected by the Morgan Ouray area. Um, in, in isolation, um, uh, as it were, all the Stena routes. Um, I touched on this for Mona array area, um, in isolation for the majority route which passes west of the Isle of Man. Um, leaving Liverpool, um, heading west and, uh, following the coast before before heading up towards Belfast.

01:00:08:24 - 01:00:46:05

I touched on previously that there is an alternative route to the east of the Isle of Man that that they may choose to take. Um. In much the same way that, um, uh, uh, the steam packet indicated they would not pass between the Walney wind farms and the Morgan, uh, array area. Um, we have shown shown the alternative route is, uh, passing south of the Mona array area before heading north to the west of Mona and to the west of the Morgan Array area, and then passing east of the Isle of Man.

01:00:46:24 - 01:01:19:17

Um, this would be a longer passage, um, than they would, um, take if they, if they, um, continued west, um, of the Isle of Man. Um, but we have shown it as it is a it is a route they currently take. Um, there is another route shown there, um, which I didn't discuss on the, um, uh, on the previous typical routes, which is the standard route between Heysham and Belfast. So in typical conditions this passes.

01:01:19:23 - 01:01:52:00

Um. This departs from Heysham and then passes east of the west of London Sands. Um windfarm um east east of Walney. Um. Before heading east of the Isle of Man. So in typical conditions, this would take it well clear of of of any of these projects. Um, however, again, in bad weather, um, that may necessitate, um, the vessel passing beam on to adverse weather, uh, in a confined area of sea, um, between the existing offshore wind farms.

01:01:52:02 - 01:02:32:16

And so we see, um, from the vessel tracking data that they choose to pass, um, west of um, Western Sands, west of Walney, before heading, um, east of the Isle of Man. Again, through bridge simulations, the route between Morgan and the Walney wind farms, um, would pose some problem, some problems for that. So either, um, they would pass south and then west of Morgan before continuing east to the Isle of Man, or they could continue transiting west and then pass entirely to the west of the, um, of the Isle of Man.

01:02:33:03 - 01:02:47:20

Um, all of these routes are, um, uh, potentially credible, but, uh, but, uh, as you mentioned, there would be, um, increased transit time. Um, in order to deviate around, um, these wind farms.

01:02:52:08 - 01:03:22:17

Thank you. That's very helpful. Um, and again, we don't have more of an an on those figures, and, um, you can take those down now, Miss Chappell. Um, are we in the same situation as the that described in terms of the typical weather conditions that, um, the assessment does include them. It's just that they're not shown because of the stage at which that work was undertaken. So your your your significant outcomes do include the best information you had at the time about more than an.

01:03:24:21 - 01:03:27:19

Add on on behalf of the applicant. Yes, that is correct.

01:03:29:05 - 01:03:53:09

Thank you. Um, and so in terms of the findings of the is then as you've leading on from what you've just shown us, then you have found that to be a significant, um, residual adverse effect for the steam packet service, both Liverpool to Douglas and Heysham to Douglas, and for the Stena Line services, Heysham to Belfast and Liverpool to Belfast. Um.

01:03:55:13 - 01:04:23:04

There may be some again without the operators present. It's hard to, um, get too much into that but I, I, I would just for the sake of, um, completeness, just ask the applicant, um, just to confirm whether it's your case that you have done as much as you can against that policy test to avoid or minimise effects, you feel that you there's nothing more the Moana project could do to reduce its contribution to these cumulative effects.

01:04:25:23 - 01:04:27:21

For the applicant? That's correct.

01:04:29:12 - 01:04:36:27

Thank you. Anything else from the Territorial Seas Committee before we move off? Adverse weather reporting or indeed any other party.

01:04:41:08 - 01:04:42:04

Okay,

01:04:44:00 - 01:05:14:15

in that case, we shall move on. Um, and the next thing on the list is, um, the effects on maritime search and rescue and emergency response. Um, now, the potential effects on maritime search and rescue were being raised earlier in the examination. But we are aware now that in broad terms, there's agreement between the applicant and the Maritime and Coastguard Agency on this matter. We'd just like to pick up a couple of points of detail on the embedded mitigation, um, for potential search and rescue effects.

01:05:14:17 - 01:05:48:03

So two points. The first relates to the two lines of orientation and the commitment to the two lines of orientation within the layout of structures within the array area is a primary measure adopted as part of the project design to minimize the effects on navigation and search and rescue access. Um, could I ask Miss Chapel from the applicant just to bring up document uh, rep to 055, which is the track change version of the latest version of the DCO? Yeah, I want the track version.

01:05:48:05 - 01:05:52:12

Yeah. Um, and so and two. Page one five, two.

01:05:56:18 - 01:05:59:01

And just to just to, um,

01:06:00:26 - 01:06:06:21

we're looking here at DML, uh, deemed marine licence condition 18 one a.

01:06:09:29 - 01:06:12:08

Really put you to the test today, Miss Chappell?

01:06:58:01 - 01:07:40:04

On condition 18. There. The reason for putting this up is just to highlight, um, That, um, obviously we talked a little about this at I can't remember whether it was ish one or ish two. Now, I think I've actually been ish one, um, where we talked about the marine license principles, but, um, since then they're we can see they're at condition 18 1A3 the explicit requirement to provide for two lines of orientation, um, has been deleted from the proposed layout that needs to be provided.

01:07:40:06 - 01:08:23:12

And we understand the reason why that's done. In fact, it was done as, um, a partly in response to what we discussed at that last hearing. Um, and there's now another way of, um, of managing this, which is by reference to the layout principles in the environmental statement. But I just wanted to make sure that the Maritime and Coastguard Agency are content with this, because I know it's been something that that you've been, um, keen to see secured. So the commitment to two lines of orientation is no longer on the face of the Diem marine license, but by reference, it takes us back to the principles in the environmental statement, which do indeed, uh, require two lines of orientation.

01:08:23:14 - 01:08:27:10

So I just wanted to check, Mr. Salter, that your content with that approach?

01:08:28:00 - 01:08:38:18

Yeah. Nick sort of CMC yes, we are content. It's secured under under paragraph A in accordance with the layout principles. So yeah, we're content with that.

01:08:38:28 - 01:09:19:08

Excellent. Thank you very much. As a long winded way of me just making sure that you're happy. Um, you can take that down now, Miss Chappell. Um, we are satisfied that that approach achieves the same outcome. Um, we might suggest some refinement to the drafting just to make it absolutely watertight. Which might be either to use the term layout development principles, which brings it into line with the exact title of that table 3.7 of the Project Description chapter of the ES, or add reference to table 3.7 in the, uh, the definition of the layout principles in the interpretation of the, uh, the DML.

01:09:19:10 - 01:09:21:22

Does that make sense? Miss Dunne, would you have a look at that one.

01:09:22:14 - 01:09:30:11

Uh, list done on behalf of the applicant? Yes. I suspect what we'll do is amend the definition, um, to ensure that that that aligns with those documents. Yeah.

01:09:30:22 - 01:10:13:13

That does the job. Thank you. Just for any avoidance of any doubt. Okay. And then the second of the points I wanted to cover here was about the 125 meter micro sighting, which again, this is a point that came up when we discussed the DML last time. Um, but we can see that it continues to be an area where the Maritime and Coastguard Agency are raising, um, some comments. And, um, just as a reminder, one of the reasons why this 125 meter micro siting allowance is important in this case relates to its implications for the applicant's commitment to the 1400 meter separation distance between turbines or rows of turbines, which again is mitigation for potential effects on navigation and search and rescue.

01:10:14:02 - 01:10:49:24

So we since that discussion, we've had acknowledgment from the applicant that theoretically, that 1400 meter separation distance could be reduced by up to 250m as a result of this micro siting allowance. If you added two lots of 125 together, although the likelihood of that happening is, in practical terms, very low. And I think we've seen that recognized by the Maritime and Coastguard Agency at deadline three. It's um, it's unlikely to result in such, um, a decrease in the separation distance, but nonetheless it is quite a large variation in the micro siting.

01:10:49:26 - 01:11:05:16

Mr. Sota, would you like to, um, just to confirm your position, are you saying that you're uncomfortable with the DML Allowing the tolerance for micro siting of up to 125m. Um, or are you just saying you need to see a bit more evidence to justify that approach?

01:11:06:19 - 01:11:40:11

Uh, next to a note, um, we were concerned about the the potential for 250 meter reduction in, in the what's known as the SA lanes. And potentially you could have two sailings between the turbines and that could affect um, uh, those that could affect those lanes and the width of those lanes and the effectiveness of the search. So, um, we, we fall back on, on the, on the stand of 50 meter microsite, which has been, um, used for other windfarm sites.

01:11:40:13 - 01:11:49:02

And we have content with. So it's to, to, to flag up that we weren't content with a potential 250 meter reduction.

01:11:50:24 - 01:12:14:13

Thank you. And, Mr. Salter, are you able to point to any, um, specific projects with where you when you talk about the standard 50 meter, are you able to point to any recent examples of where that has been? Um, stated on the face, I mean, not necessarily off the top of your head right now, but maybe in in submissions afterwards. Um, if you're able to point to anything where that, um, 50 meter has been adopted, um, that would be helpful.

01:12:15:04 - 01:12:21:00

Uh, well, I would say virtually all the previous, um, consented wind farms to date.

01:12:24:04 - 01:12:59:01

Thank you. Um, okay. So I would just I've got a couple of questions then to the applicant on this, I might come back to you, Mr. Salter. Thank you for that. Um, we I know we've had the applicants position about this in writing. I just wanted to ask, firstly, a question about whether there's any relationship. Obviously here we're seeing, um, the envelope being pushed in terms of the height of

turbines, is there any relationship between the size of the turbine or turbine height or rotor diameter? um, and the need for more flexibility and micro siting.

01:13:00:28 - 01:13:36:05

Gerry Vella, on behalf of the applicant. Um, following the concerns raised by the MCA and engagement through our statement of common ground, um, and internal discussions, we have decided to reduce the size of, um, the micro siting that we will require from 100m for micro siting plus 25m for tolerance to 55m is our proposal, which is 50m for micro siting and five meters for proposal.

01:13:36:13 - 01:13:46:24

And we intend to make the change to the draft DCO at deadline for to reflect that new, uh, the reduction.

01:13:50:19 - 01:13:53:02

And we think that should satisfy the MTA.

01:13:55:15 - 01:14:31:23

Before I come back to the MTA, I just would like to just, um. That's very welcome. I'm sure it's welcome from our perspective that you've taken that, um, those comments on board. Um, you've talked about those two, um, tolerance, the two allowances that make up the micro siting allowance. And as I understand it, there's, um, there's a what's referred to as a tolerance allowance plus a micro siting allowance. And they've been added together to give you that figure of 55. And, um, I just had one question about that, that if I can go into some an unusual amount of detail on this just so that I can get it straight in my head, um, if I could ask for the applicant, possibly.

01:14:31:25 - 01:14:55:27

Just helpful to have, um, AP 050 and just table 3.7. So which is this is the layout principles and just it's probably a matter of refining the description of these tolerance allowances or um, micro siting allowances. But I just want to be clear about something. Um. because, as you said, it's about you're treating those two allowances as additive.

01:15:02:07 - 01:15:15:06

Perhaps the easiest thing for you to do is to start by just explaining how the two allowances might be applied in practice, when you're citing, you know, when you go out there to site a, a turbine. Um, and what the difference between the microsities and the tolerance allowance is.

01:15:26:14 - 01:15:27:28

In terms of that table, I'm looking.

01:15:28:12 - 01:15:35:08

For the applicant. I, I can probably explain it. Um, whilst, um, Mr. Chappell's bringing it up.

01:15:36:10 - 01:15:36:26

Oh, lovely.

01:15:36:28 - 01:16:14:22

So, um, um, I'm going to explain this as a developer, not an engineer. And let's say the micro siting relates to, um, the distance up to which we need to move from the nominal center point of a foundation in order to avoid, for example, new archaeology that we've identified. And archaeology is a very good example for a driver of microsities, because finding, um, potential archaeology that

requires implementation of a temporary archaeological exclusion zone is generally a 50 meter exclusion.

01:16:14:24 - 01:16:18:11

So you need to move exactly 50m away.

01:16:19:26 - 01:16:50:29

The tolerance relates to our ability to put the foundation at the spot where we said, we're going to put the foundation. That's that's not very engineering, is it? But following the the nominal center coordinate set out in the design plan, which is the pre commencement document that we issued to the licensing authority on the final design of the project that will be aiming to meet.

01:16:51:18 - 01:17:25:23

Um, so so there is a tolerance on being able to install at that proposed location, which relates to, um, uh, the environmental conditions, uh, currents at the seabed, things like that, pushing the foundation as you're lowering it, things like that. So that that's the tolerance. So if, for example, we identified, uh, an anchor in the, in the, in the drop down video just before commencing construction at a location and decided we needed to move 50m.

01:17:25:25 - 01:17:34:10

We have to have an allowance that we may actually land at 53m away, rather than at 50m.

01:17:35:11 - 01:18:08:15

That makes that's that's all clear to me. That makes sense. Thank you. And, Miss Chappell, if I could ask you just to scroll up. So we're looking at principles five and six here. Um, I think then it's just about the way that because the way five and six are drafted is both to say that they are, um, a oh, actually, I'm looking at, sorry, the definitions of these two, but they, they talk about the radius of a circle around the nominal offshore offshore service structure. They both talk about the radius around that particular nominal, um, center point. So I'm just trying to work out how they could be additive if they're both, if they're both the radius around the same point.

01:18:08:23 - 01:18:43:21

Um, but I completely understand what you're saying. So I think it's a, I think it's a problem with the, um, definitions in this chapter of the ES rather than a problem in principle. So maybe I know this is a lot of detail. So what I might suggest is you just take that away and give us something on it on deadline for just to the question being, if both of those allowances are a radius of the same circle, sorry, a radius of a circle around the same point, which is the nominal structure position, then why are the two allowances potentially additive? Because surely if there was a you've talked about the five meter being it, would it not fall within the 50 meter.

01:18:44:08 - 01:18:52:20

It would be 50in total rather than 55 in the case you've just described. Does that make any sense whatsoever? Maybe I've spent too much time looking at this document.

01:18:54:24 - 01:19:04:18

Sarah Vella for the applicant. I think that there's something that we do need to look at and clarify and make sure that's clear for for deadline for so so that's fine. We'll get that done.

01:19:04:27 - 01:19:17:00

Thank you. And now I will. You can take that document down now. Miss Chappell thank you. I will allow, um, the Maritime and Maritime and Coastguard Agency to come back on what we've just heard from the applicant. Thank you.

01:19:18:05 - 01:19:27:07

Nick. Okay. Yeah, that that change is welcomed. And I'd like to thank the applicants for that. And we we can accept the 55m.

01:19:30:19 - 01:19:49:15

Thank you very much. And I appreciate that. We're talking about very small distances when we're talking about very big structures offshore. When we get down to the order of 55m. But when we were talking about two lots of 125. It was a bit different. So thank you very much for that confirmation, Mr. Salter. Um,

01:19:51:03 - 01:19:52:02

okay.

01:19:56:01 - 01:20:31:15

I don't think there's anything else then on, um, search and rescue and maritime say safety unless, um, I'm sorry, emergency response in case. Unless anybody else wants to raise anything now. And I'm looking at the clock. We're at 1230. Okay, we're going to try and conclude this session before one. And I think we'll be able to do that. Um, we've got next up, um, the effects on collision and collision risk to vessels. I think the matters we want to raise are going, given who we have in the room, I think they're going to be better dealt with in writing.

01:20:32:03 - 01:20:49:00

So, um, and I also want to make sure we've got enough time to talk about some monitoring points. So I'm going to suggest, um, that we move straight on to monitoring. Unless there's anybody in the room who wants to raise any points about collision and collision risk. We've dealt with this a bit in written questions to.

01:20:51:27 - 01:20:53:21

Uh oh. Yes.

01:20:53:23 - 01:21:07:03

Yes. Sorry. Liz Dunn, on behalf of the American, I think we just thought it would be helpful. Appreciate we're not going to go into detail, but just to summarise where the applicant considers the parties are in respect of this matter.

01:21:07:15 - 01:21:08:02

Yep.

01:21:10:12 - 01:21:11:25

That's fine. That would be useful.

01:21:12:22 - 01:21:42:14

Uh, Andrew Rawson, on behalf of the applicant, um, we believe as as shown in the shipping navigation chapter and navigation risk assessment that the, um, uh, effects on navigation safety as a result of the Moana offshore wind project, um, that all hazards are tolerable and as low as reasonably

practicable. And we believe, through the statements of common ground which have been submitted at deadline three um, That stakeholders are in agreement with these conclusions.

01:21:46:09 - 01:21:53:20

Thank you very much. And that's our understanding. Having reviewed the statements of Common Ground at Deadline three as well. Um,

01:21:55:13 - 01:22:23:09

I know we raised some questions in our, um, first written questions about sort of zooming back out, um, how the, uh, the presumption for critical national priority might be applied and whether any of the exclusions, um, might be at play. And I think the reason I don't want to go into that any more details. So I think we have everything we need on that. So we can, we can go away and um, consider that. But um, so unless you have anything to add, I think we'll move on.

01:22:24:25 - 01:22:30:18

Okay. Thank you. Um, then a few points on monitoring. Um.

01:22:32:20 - 01:23:02:08

So obviously we we discussed a lot. We it's clear that there's, um, a sensitive navigation environment here in the vicinity of the Moana project. Um, and therefore, it's important that if the project's consented, that there is adequate monitoring of the, um, effects on vessel routing and safety, and not least to verify the findings of the navigational risk assessment and to identify any need for adaptive management, etc.. So we would just like to clarify a few points. Um.

01:23:04:13 - 01:23:27:04

The first is again, it's um, it's a possibly just a semantics point, but I'd quite like to just make sure we're clear, 100% clear if we could get, um, app 059 up on the screen, which is the shipping and navigation chapter. And if we could have a quick look at table 7.17, which outlines the measures adopted as part of the project, essentially the embedded mitigation.

01:23:29:02 - 01:23:31:14

And I'm looking at page 68.

01:23:35:04 - 01:23:47:16

Lovely. We're going straight to the bottom of that table. So the very bottom of page 68, there's a row which refers to a navigation monitoring strategy. I think we keep going.

01:23:49:03 - 01:24:08:18

There we are. So the development and adherence to a navigation monitoring strategy, setting out vessel traffic monitoring. Um, I just wanted to double check firstly that that's the same thing as the vessel traffic monitoring strategy, which is secured in condition 18 of the deemed marine licence.

01:24:11:11 - 01:24:14:04

Jeremy Vella for the applicant. That's correct, it is.

01:24:14:09 - 01:24:35:01

Thank you very much. And, uh, Mr. Chappell, you can take that one down now. Thank you. And so that monitoring strategy is required as a pre-construction plan under condition 18 one K. And it needs to be developed, um, in accordance with the offshore in-principle principal monitoring plan.

01:24:36:28 - 01:25:11:18

Um. If you go to the offshore in principle monitoring plan, that doesn't actually include any explicit reference to the vessel traffic monitoring strategy. So I think I won't ask you to bring it up, but table 1.5 of the IPM app, which is Document Reference app 201, it doesn't actually, um, provide any explicit reference to the fact that that's the, uh, the vessel traffic monitoring strategy has to accord with it. Um, it does refer to monitoring of all impacts on vessel routing and safety at the construction and post-construction stage.

01:25:11:20 - 01:25:15:26

So perhaps that row of table 1.5 does is what relates to the.

01:25:16:12 - 01:25:16:27

To.

01:25:16:29 - 01:25:19:21

The vessel traffic monitoring strategy. I don't know whether you can confirm that.

01:25:21:24 - 01:25:24:03

Very well. If the applicant. Yeah I can confirm that.

01:25:24:08 - 01:25:59:06

Thank you. I think the point I'm trying to make is it's not at the moment particularly clear from the offshore PMP with what that vessel traffic monitoring strategy must accord. And we'll come on in a minute to look at how we might be able to address that. And it's, um, similar to a point that was being raised by Mr. Rowlands earlier. But, um, so for both the construction and post-construction stages, the offshore IPM, p refers to an annual report being submitted to the licensing authority. Um, no details are provided in there about the nature of the monitoring.

01:25:59:08 - 01:26:20:24

Can't see anything in in the IPM, p or in conditions 25 and 26 of the DML, which deal respectively with construction and post-construction monitoring. So I'm just ah, I suppose a question for the applicant. Um, based on experience with other projects, what vessel traffic monitoring is likely to comprise in the construction and post-construction stages?

01:26:27:22 - 01:26:55:14

Gerard Vella for the applicant. The requirements for the marine traffic monitoring, pre and post construction are set out in marine 654 and its annexes. Um, and they're pretty, um, comprehensive. Exactly what's required to be done. Uh, that is then uh, all together into the um, pre commencement document issue for I've forgotten the name of it now. So traffic monitoring.

01:26:56:08 - 01:26:56:26

Strategy.

01:26:57:07 - 01:27:04:15

Strategy, which is issued to the licensing authority for approval and consultation with the MTA interagency House.

01:27:05:22 - 01:27:15:17

Thank you. It's helpful to understand that there's, um, that's prescribed in Maine. Six five, four. Perhaps you could, um, give us the applicant.

01:27:15:19 - 01:27:22:29

It is section 6.6 traffic monitoring on page 18 of marine 654.

01:27:24:12 - 01:27:55:12

That's very helpful. Thank you. Um, and in terms of the Post-construction monitoring, I know the IPM p um, it doesn't specify how long monitoring would continue. Post-construction I know the ES chapter mentions, I think the immediate period Post-construction but that's not defined. So, um, what would be the duration of post-construction monitoring of vessel traffic? Again, that may be something in the min 645654 that helps us.

01:28:11:16 - 01:28:24:20

Jerry Feller for the applicant. Um, yeah. So we haven't been prescribed in in the duration of the monitoring. Um, from previous experience, it's it's agreed with the licensing authority and MCA.

01:28:27:21 - 01:28:35:08

Okay, um, I can I see a hand up for Mr. Salter, so I'll just bring Mr. Salter in at this point.

01:28:37:10 - 01:28:52:16

Yeah. Thank you, Nick Salter, for the MCO. Um, although it isn't specifically mentioned within that paragraph of of the MGM. 654 um, the expectation is that Post-construction monitoring will be for three years.

01:28:55:19 - 01:29:01:26

Thank you. And that's annually for three years and then three consecutive years, and then nothing beyond that is that it's that sort of standard approach.

01:29:02:05 - 01:29:02:20

Yeah, the.

01:29:02:22 - 01:29:10:09

Standard approach is for three years with the reports and annual reports submitted to MCA and RW and Trinity House.

01:29:11:25 - 01:29:43:06

Thank you very much. That's helpful clarification. Um, I know there was a there's a little bit in the, um, marine licence principle document which sets out a few details of the specification for navigation monitoring. So it talks. It does talk about eyes during construction and for three consecutive years post construction. But because the Maryland's licensed principal document isn't a certified document and doesn't secure anything in itself. Um, that's that's, um, that's not particularly helpful.

01:29:43:19 - 01:30:10:04

Um, but it sounds like there is a fairly standard and accepted approach, um, underpinned by six, five, four that probably guides what would happen in that on that front. Um, I suppose the question for us is I having looked at a number of other projects and worked on a number of other projects, there is sometimes an outline vessel traffic monitoring plan or scheme or strategy, um, put in place with.

01:30:10:06 - 01:30:10:24

Which.

01:30:11:13 - 01:30:31:05

The final document would need to accord. So that is a different approach. In this case, we're um, we're lying on the in principle monitoring plan. And so I'm just I'm wondering whether that was an approach that's being considered in this case, um, or would still be considered in this case, or basically what the applicant's response to that is.

01:30:42:27 - 01:30:43:12

Yeah.

01:30:43:27 - 01:30:56:29

Jerry Vella for the applicant. Um, I if we if we can we'll take that one away and, um, look to update the in principle monitoring plan, uh, if necessary with with more detail.

01:30:58:16 - 01:31:15:01

That would be very helpful. Thank you. I think we'd like I think it would for the sake of clarity, it'd be helpful if, even if you do transpose some of the things that are that are in MXN six, five, six, five, four into that, um, also, uh.

01:31:17:03 - 01:31:37:13

I suppose, yeah. Those principles about the type of survey, in particular, the commitment about how long it continues post-construction and how regularly I know that hasn't, although that Mr. Salters described the three year standard. I know there is some variance in the way that's actually been, um, secured on different DCS. Mr. Salter, would you like to come in there?

01:31:39:01 - 01:31:59:06

Yeah, thank you for that. I think you've just been speaking. The point I was going to make is that we would expect there to be a, a plan drawn up post consent, which we would be consulted on through and RW so we would, um, pick up on those, um, those requirements then.

01:32:00:22 - 01:32:30:29

Thank you. And that is the way that the DML is drafted. It's just um, that, that that document to be produced post consent isn't currently guided by anything much in terms of principles. So we're just trying to make sure that, um, there's, there's enough in terms of the outline information that it needs to adhere to that makes it meaningful. And I think we're getting we're moving in that direction. We don't really mind if it's an outline vessel, traffic monitoring strategy or, um, beefing up the offshore in principle monitoring scheme.

01:32:31:01 - 01:32:54:28

But, um, as long as there's a bit more detail in there, I think that would be helpful, given the importance of some of the issues we've been talking about today on navigation safety. Um, okay. I think that covers everything I had. Then on this question of monitoring, is there anything final the applicant would like to say in response to what they've just heard?

01:32:58:18 - 01:33:44:14

Chair Vella, for the applicant, um, just to provide an update in terms of the, um, moderate significant impacts that we identified, um, for adverse weather routing project, align with steam packet and cumulatively, uh, with Stena, we we are engaging with both parties on securing a commercial agreement to offset the the impact of um increased routing. Um and are at the stage with uh Stena where we have uh, um shared a draft document or engaging on that and uh, intending on, um, issuing, um, a draft agreement to Steam Packet Company, uh, imminently.

01:33:47:14 - 01:34:03:23

That's a helpful update. Thank you. Is that reflected in your, um, commercial side agreements track? I can't remember if it is, but if it isn't, then I think there's an update. I know we'll be touching on this tomorrow anyway. Uh, h5. So we'll come back to that. Um, but it's helpful to know that's going on in the background.

01:34:06:02 - 01:34:17:19

Okay. Is there anything else? I think, um, I think that's pretty much everything I have on navigation and shipping for today. Is there anything else that anybody wanted to raise on navigation and shipping before we move on.

01:34:24:24 - 01:34:25:17

Mr. Salter.

01:34:26:19 - 01:34:41:19

Thank you. Um. Um, I just wanted to have a recorded. I think that, um, confirms all of MCA's concerns that we have raised through, uh, representations in the statement of common ground. So I think we're in a we're in a good place.

01:34:43:00 - 01:35:17:23

That's really helpful to hear. Thank you. I think that was I if there's any final points that we had that might come up through the our discussion of the marine license tomorrow. But I know that they are points of real detail now. So, um, it's really helpful to have seen the progress, actually, since the beginning of this examination to where we are now in terms of the MCA. So I appreciate a lot of work has gone into that from both sides as well. So thank you. And I think Trinity House have said similar thing in, in terms of, um, they're, they're deciding not to come today, that they're feeling things are generally in a pretty good place, so that's encouraging.

01:35:18:13 - 01:35:21:17

Yeah. Okay. Thank you. Anything fine from the applicant?

01:35:25:19 - 01:35:27:13

Lays down on behalf of the applicant. No.

01:35:27:22 - 01:35:50:13

Thank. Thank you. We're probably hungry for lunch. I think what we'll do then is we will. Yeah. Okay. So we're going to take a break for lunch. Um, and when we return, we're going to come to commercial fisheries next. Um, is everyone comfortable with 45 minutes rather than an hour for lunch so that we can, um, it would be reconvening at 130 at least.

01:35:50:15 - 01:35:52:18

Done. On behalf of the applicant. Yes, that's fine for us.

01:35:52:26 - 01:36:00:28

Excellent. Okay. I want to make sure everyone's got time to eat. Okay. Lovely. We will see you back here then. At 130. Thank you very much. 130.