



## Trawsgrifiad Gwrandawriad

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| <b>Prosiect:</b>    | Fferm Wynt Alltraeth Mona                    |
| <b>Grandawriad:</b> | Gwrandawriad Mater Penodol 5 (ISH5) – Rhan 3 |
| <b>Dyddiad:</b>     | 24 Hydref 2024                               |

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## Hearing Transcript

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| <b>Project:</b> | Mona Offshore Wind Farm                  |
| <b>Hearing:</b> | Issue Specific Hearing 5 (ISH5) – Part 3 |
| <b>Date:</b>    | 24 October 2024                          |

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### My New Project

Created on: 2024-10-24 13:20:49

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Account Holder: Ryan Ross

File Name: Mona\_24OCT\_03\_-PINS MP3.mp3

File Length: 00:28:56

### FULL TRANSCRIPT (with timecode)

00:00:08:11 - 00:00:19:06

Okay. It's now 145. Welcome back everybody. Um, before we begin, can I just check that the live streaming and recording is started, Mr. Hayward? Thank you.

00:00:21:18 - 00:00:48:02

Okay, so we'll start at agenda item seven, which is schedule 15, uh, which are the certified documents in the DCO. We dealt with this a little bit yesterday in discussing the errata documents, but it was just something that I wanted to check with the applicant just to make sure that this schedule will be fully updated. I think it hasn't been updated in terms of the version numbers or dates submitted as yet.

00:00:49:20 - 00:01:06:28

Olivia Henninger, on behalf of the applicant, we will be updating this schedule for the next deadline. Deadline for. So that will include details of the relevant examination library References. The document references and the dates, and we will do that again at deadline six and deadline seven.

00:01:07:19 - 00:01:22:21

Brilliant. Thank you for confirming. Uh, can we just make sure that all documents that are relevant to the DCO, so any sort of supplementary documents or technical notes that you've added into the examination, if they could? Also, if you can ensure that if they're relevant, they're added as well, please.

00:01:24:21 - 00:01:32:16

Olivia Henninger, on behalf of the applicant. Yes, we'll certainly review all of the documents and ensure that everything that needs to be included is included. Thank you.

00:01:34:03 - 00:01:38:28

Okay. That's all we had on item seven. Does anybody have anything else before I move on?

00:01:42:10 - 00:01:59:21

Okay. Then we move on to, uh, item eight. Um, again, I know we got an update at, uh, deadline three on other consents and licenses, and we also have a commercial side agreement tracker. Is there anything that the applicant wishes to update us on on these matters?

00:02:02:26 - 00:02:30:22

Olivia Henninger, on behalf of the applicant, I believe we updated the examining authority last week on the list of building concern that's expected to come through this month, and we will provide confirmation of that as soon as we can. With regards to the commercial side agreements tracker, I think there was a couple of additional points that we agreed to look at yesterday during the course of the offshore, uh, issue specific hearing, and I'm not aware of any other points that we wish to raise on that currently.

00:02:31:03 - 00:02:44:01

Thank you. Just on the listed building consent, it's just something I would like to to ask you on. You obviously need that listed building consent to create that access that we visited on the accompany site inspection. What happens if you don't get listed building consent.

00:02:49:01 - 00:03:16:00

Yeah. And if you're hired and go on behalf of the applicant, uh, it's certainly the application, the applicant's intention that should listed building consent not be forthcoming, that they would reapply and and seek to obtain that consent with regards to what would happen in the event that that consent is not forthcoming at all, we would need to take that away and consider. Um, and yeah, the the importance of, um, ensuring that the access could be achieved at that location.

00:03:16:02 - 00:03:27:12

Yeah, I think I think for our benefit, we would need something from yourselves to give us comfort that that access can be achieved without the list of building consent, because there is a possibility that that listed building consent could, could be refused.

00:03:28:21 - 00:04:04:26

Through Williamson on behalf of the applicant. Uh, whilst the uh, there is a requirement for that access or currently there is an identified requirement for that access to be improved for safety reasons. Uh, we we are we are confident that that can still be progressed. Obviously it would require, um, perhaps some more traffic management measures, uh, to achieve it. Um, which would be, we believe, overly onerous on the, the Highways Authority. Uh, so we believe for safe access, it's probably more appropriate that we make that amendment. Uh, but it is not, um, The installation of that access would not prevent.

00:04:04:28 - 00:04:13:15

Sorry. Let me think about my words. We. It is not critical that we have the listed building consent in order to to establish the landfall.

00:04:14:01 - 00:04:28:22

I understand, so you you can still utilize that access without the listed building consent. It's just that's the ideal scenario with the listed building consent in place, because you can move the wall backwards, but you have alternative, you have alternatives. If that isn't forthcoming.

00:04:29:27 - 00:04:55:21

Philip Wilhelmsen, on behalf of the applicant, we do have alternatives. They are significantly less preferential. Um, but it it it would require quite a lot of, uh, traffic management measures. Um, on the, on the part of the contractor and obviously traffic management measures on the highway in order to make that access and turn in safe. Uh, so, uh, yes, it is the it is the applicant's preference that we, we, we achieve the listed building consent and therefore make that access safe.

00:04:55:27 - 00:05:19:13

That's understood. I think that it's something that we probably need to bear in mind as the examination progresses. If it's looking likely that you're not going to get that listed building consent within the time frame of the examination, you perhaps have to put some further detail into the highway access management plan to show, uh, to demonstrate to us that there are alternatives. And we'd probably appreciate the council's stance on that as well.

00:05:21:03 - 00:05:56:00

Phil Williamson, on behalf of the applicant, uh, currently, we don't believe there is any impediment to obtaining that listed building consent. The feedback and consultation we've received has been that it is broadly acceptable. Uh, we are currently in that consultation, uh, position with Cadw, but all the advice sent to them is that it will be will that there is no impediment to that. Um, I'd also state that the, um, swept path analysis in the Outline Highway Access Management plan demonstrates that the turn in is possible. Obviously, that doesn't consider all of the traffic management measures required, but it does demonstrate that it is possible.

00:05:56:10 - 00:06:06:27

Um, and I suppose also to note from the company's site inspection that The wall is already damaged. Um, and so, you know, it would be an improvement or an enhancement to what is currently there.

00:06:08:18 - 00:06:23:02

Understood. Thank you. I don't have any further points, uh, to raise on, uh, that matter. Uh, in which case, I'll hand over to Mr. Hobbins for item nine.

00:06:23:18 - 00:06:34:21

Thank you. Um, so for item nine, could I ask the applicant, please, to provide an update on how discussions are progressing in relation to DCO provisions within the Statements of Common Ground? Please.

00:06:37:21 - 00:07:13:09

Leave behind and go on behalf of the applicant. So statement of Common ground. Discussions are ongoing between the applicant and the various parties, as has been described in the statements of commonality that have been submitted to the examination. As part of those wider Statement of Common Ground discussions, the DCO elements are being picked up, so those discussions will will feed back into any draft in considerations that need to be made for the DCO. Uh, for example, some of these are the points we have already discussed today in relation to the local highways authority and and how, sorry, local planning authority and how the highways provisions in the DCO have been drafted.

00:07:13:11 - 00:07:25:06

So we are in good communication with, with those within the internal team who are discussing statement of common ground points and, and making sure that those are covered through any DCO drafting updates.

00:07:27:05 - 00:07:46:29

Thank you. Just just one further, uh, point to make on that. If, um, obviously we've asked for closing submissions at deadline seven, I would appreciate as part of those closing submissions, if you were to list all of the provisions in the DCO at that point, which aren't agreed are still contested.

00:07:51:08 - 00:07:56:13

Olivia Henninger, on behalf of the applicant, can certainly. We hope that list is short, but yes, we will do that.

00:07:56:20 - 00:07:57:08

Thank you.

00:07:59:16 - 00:08:29:16

Okay. If there are no further comments, um, I will come to item ten on the agenda, which is the review of actions. Um, I've been taking actions down from today's hearing. Uh, but I don't intend to go through them now due to the large number of them. Uh, we will be writing these up and publishing them as soon as practicable. Should we hopefully be by the end of the week? Um, does anybody wish to comment on that? Um. And I can't see any hands up. So thank you. And I'm gonna hand hand over to Mrs. Powis for any other matters.

00:08:33:25 - 00:08:37:16

And actually, I'm going to hand straight to Miss Jones, the first of our. Any other matters?

00:08:38:01 - 00:08:47:21

Uh, sorry. Yes, uh, we know that the applicant would like to raise, uh, something with us under this agenda item. So if I could ask the applicant

00:08:49:09 - 00:08:51:15

to speak. To talk us through that, please.

00:08:52:06 - 00:09:36:13

Thank you. Madam. Um, so the applicant, um, wanted to bring to the examiner the examinations. Attention, um, as soon as possible. Um, that it will early next week be submitting a notice of an intention to make a change to the application. Uh, it's this has come about because, uh, in undertaking further work on the development of the site accesses, which is what we've been talking about over the last few days, uh, particularly at the substation, it's come to the applicant's attention that there are some minor changes needed to ensure that sufficient land and rights are secured within the final order.

00:09:37:05 - 00:10:12:12

Uh, this will require a change application, because those works are outside of the current red line order limits. Um, and they, uh, uh, and will therefore require additional, uh, compulsory acquisition powers to be, to be raised over those, those areas. Uh, the applicant is very aware that this is subject to the examining authorities acceptance and to formal consultation. And, uh, just to be very clear, we're not expecting any type of decision or anything like that at this hearing.

00:10:12:14 - 00:10:53:15

This was just to bring it to the examination, the examinations. Attention. Um, as soon as possible. Um, I have got a very short overview of what it is that's being proposed. I don't know if that's helpful to talk through. Yes. Now. And and as I said, um, uh, we will be making a formal notification for that intention to make a change up early next week. So that will be with the examination early next week. Um, uh, we it might be helpful, um, in just talking through these, if we're able to put up the, uh, the work plans and it's the final of the works plans.

00:10:53:17 - 00:11:04:20

Um, appreciate we didn't get a notification of that or we haven't notified of that previously, but I just think it might help to be able to talk to that in context to you. Are you happy for us to do that?

00:11:05:00 - 00:11:05:27

Absolutely. Fine.

00:11:06:08 - 00:11:36:13

Thank you. We just need to connect a if I start talking and then we'll, we'll get the because I'm aware of everybody's time. So, um, so these are, um, minor um, amendments to the accesses around the substation site, so they don't affect anything outside of, uh, the areas around the substation site. Uh, and there are there are sort of two main areas, um, that they relate to.

00:11:36:15 - 00:12:16:09

This plan is just coming up now. So, um, can people see that? Can you see the the hand on the screen? Are we allowed to point with that? Because I think that will help. Yeah. Thank you. So the first of the change is, uh, is where the hand is being shown, um, at the moment. So that, uh, line. So if you could start at the, at the top where the access accesses. So this is an existing access which isn't currently within the order limits. And there is a small area of land which is just being shown with the hand there, which actually, um, takes you from the edge of the access to the edge of the substation platform.

00:12:16:26 - 00:12:50:28

Um, the applicant will be seeking a change to bring that land within the order limits, um, for construction purposes, for the substation itself. The land is owned by an estate and the executors of the late David Watkin. Williams win. Um, and, uh, so that the intention or if the if the change application is accepted. Um, the intention is that the existing access up to, uh, that point there where it's being shown.

00:12:51:00 - 00:13:25:21

So it's not the totality of the access, it's just the point where it meets from the highway. Um, will be then, um, included within the order limits, um, to allow the applicant rights to use that access and then to use the piece of land between, uh, between the access and the edge of the substation platform. Uh, which is work number 22. Uh, and that facilitates access to that substation platform without having to create a new access at that point or indeed remove hedgerows.

00:13:25:24 - 00:14:13:03

So that's the first of the that's the first of the the changes that would be being sought. Uh, the second is to the substation construction access, which is work number 27. Uh, up at this point it's up at the, uh, the top, uh, uh, right hand corner of the screen where the hand is now, um, where the applicant has identified through the, um, the more detailed design work that we've, we've been discussing around the creation of the of the accesses that the access there requires some widening to facilitate ail deliveries required for the substation and for temporary drainage uh attenuation for the construction access track.

00:14:13:05 - 00:14:55:20

It would only again be temporary rights that are required in this location. Um, and uh, and no new permanent rights. Sorry, I should have said with the first one. It's also just it's it's, uh, it's access for construction. So, again, it's temporary. It's temporary rights for that first one as well. Uh, the third, uh, element of change is to widen a small area of the permanent substation access track, um, which is sort of parallel to the, to the National grid substation in this area here, um, to ensure that there's sufficient space for AIL deliveries, which is both for construction and then for any replacement parts.

00:14:56:00 - 00:15:30:04

Um, uh, so that those ail ale deliveries have a have a wide enough access to be able to, um, uh, to use the permanent construction access. And that would require, um, an increase to the freehold acquisition in that area. Um, the relevant landowners are landowners that are already involved in the project. Um, and they have both been notified, um, both in writing and, uh, by telephone, uh, of the applicant's intention to, um, to make these changes.

00:15:30:23 - 00:16:05:04

Um, the applicant is very aware that there is a formal process that will need to be followed. Um, and um has prepared a timetable, um, which, uh, which will accommodate those changes, um, within the examination timetable and has sought to align deadlines, um, and things like that as far as possible. As I said, we appreciate that this is subject to formal notification to the examining authority, and the examining authority also has the discretion as to whether it accepts these changes or not.

00:16:05:06 - 00:16:17:25

So we will be seeking we'll be making that formal notification, um, as early as we can next week. So it's likely to be sort of Tuesday, Wednesday with the formal request, uh, next Friday on the 1st of November.

00:16:18:18 - 00:16:56:12

Thank you. Mr.. Just a few questions for you, if I may. Um, well, in the first place, I'm going to point you to our guidance note changes to an application after it has been accepted for an examination. I'd just like to make sure that you have have read that and you fully understand all the requirements that that we would need in that notification and any subsequent application for a change request. Um, secondly, um, this will trigger the CA regulations, um, uh, specifically regulations 5 to 19.

00:16:56:27 - 00:17:28:24

And so when you're looking at your time scales, you must make sure that those regulations are engaged and the time that it takes for all of the relevant regulations to be adhered to or within those time scales. On top of that, when you're looking at time scales, please appreciate that because this is a Welsh project. We also have translation to take into account. So anything that the examining authority has to publish, we do have to have that translated. Now that's not a quick turnaround for us. We can't just do that in a day or two days.

00:17:29:00 - 00:17:46:23

So that also needs to be taken into account. Um, could you please sort of give me a rough indication of the timescales that you're, that you're looking at so that we have a rough idea? Um, because we are over half way now in the examination, and my concern is that there's not enough time left in the examination for this.

00:17:47:24 - 00:18:21:18

Thank you. Madam. Um, and, uh, yes, we're very aware of the guidance and as you would imagine, have had very close regard to it in considering, um, the approach to this change request. Um, we are, uh, we are very aware that this engages the compulsory acquisition regulations and therefore the requirements, um, around those regulations. Um, and we do note the point around, um, Welsh translation and will make sure, um, that we, we insofar as there are matters that the examining authority is required to do that, that that is taken into account.

00:18:22:00 - 00:18:55:23

Um, so as I said, um, the time we, we do appreciate that the timescales are tight. Um, and uh, that, um, from our perspective, um, we, we are likely to need to go ahead with certain activities in



anticipation prior to receiving the examining authorities approval of the change request. So there will need to be things that are done on an anticipatory basis and running in parallel with that, rather than necessarily things happening on an entirely sequential basis.

00:18:55:25 - 00:19:28:18

And we have sought to, um, we will be providing a detailed information about the timetable and how we see those those matters working, um, with the notification next week. Um, but just in kind of broad headline terms. Um, as I've said, the notification will be with you, um, very early next week with the, uh, with the request for the change, um, being made, um, at the end of next week. So on Friday, the 1st of November, that will be received by the examining authority.

00:19:29:04 - 00:20:02:07

Um, we will be, uh, undertaking the, um, uh, consultation and publicity we are required to be doing, um, from, uh, the 19th, sorry, from the 11th of November. Um, giving a consultation period of 30 days. Um, although this won't we don't consider that the environmental impact assessment regulations will be triggered by these changes. We are going to give the the the additional so rather than just 28 days, which is required under the the compulsory acquisition regulations.

00:20:02:15 - 00:20:34:24

Um, so the intention is that the uh consultation period will end, um, on the 20th of December, which aligns with deadline six. Uh, we are then required to submit various certificates. Um, and um, obviously that is in advance of, uh, both. That aligns with deadline six uh, also in advance of deadline seven and then the close of the examination. Um, we we are also um, obviously it's a matter for the examining authority.

00:20:34:26 - 00:21:19:19

Um, but it may be that with the hearings that are scheduled for the week of or the the hearing week that there is around the 9th of December, appreciating that the consultation period won't have ended at that point. That may be an opportunity, uh, to take some early soundings on the, um, on on the change request, if that was felt to be appropriate so that those issues could be could be considered at that point. But as I say, we have prepared a timetable, um, and we will be submitting it to the examining authority, um, with a notification and then obviously with the formal, uh, the formal change request in terms of how we, uh, how we anticipate that can be done, we do appreciate it's not ideal, um, bringing this in at this stage in the process.

00:21:19:21 - 00:21:59:27

And if we were able not to do it, we wouldn't be doing it. But we do need to be able to make these changes. Um, and, um, we've sought to, to keep them as minor as possible. And, uh, they do affect very small areas and very small areas of land and predominantly are, um, the increase in areas over which temporary possession will be sought as opposed to any physical works with, as I say, a small area of, uh, of increased compulsory acquisition next to where there is already an existing track just to ensure that that track is is widened.

00:21:59:29 - 00:22:08:27

And as I've said, we are also in, uh, in we have engaged with the landowners and they are aware of that of what's happening and we will be keeping them updated.

00:22:09:18 - 00:22:27:09

Hey, obviously you say, um, relevant reps closing around the 20th of December. Is that what is that right? When do you anticipate that written reps would. We will then have to allow for a written representations on the change request. When would you anticipate that would be in the timetable?

00:22:39:27 - 00:22:51:10

Uh, our timetable, um, looks at uh, both relevant representations and written representations, uh, aligning with deadline seven, which is the 14th of January.

00:22:54:01 - 00:22:55:26

So a week before we close.

00:22:56:27 - 00:22:57:24

That's correct.

00:22:58:23 - 00:23:01:19

Two days. Two days. Two days before we close.

00:23:11:15 - 00:23:36:25

Apologies. Um, I've. I've got that wrong. Um, the intention is that the relevant and written representations would, um, align with the, um, 20th of December period for the end of the consultation responses. Um, with then an opportunity potentially to respond to those on the 14th of January if there's considered to be sufficient time.

00:23:39:11 - 00:23:44:15

As I say, we'll outline this in detail. Um, in, in the notifications next week.

00:23:47:10 - 00:24:05:06

And if we then, um, I think you might understand from the Craigs, we are required to hold hearings that have already been held or if we get any additional requests for any open floor hearings or compulsory acquisition hearings from from those rep periods, when would you anticipate we hold them?

00:24:11:09 - 00:24:17:20

Listen, on behalf of the applicant, um, if that was needed, we would anticipate that being the first week in January.

00:24:28:02 - 00:24:40:12

Thank you. Just just a couple of more points I'd like to raise. I'm taking it from your proposal that you are unlikely to get the consent of the landowners before putting this change request in, which would avoid triggering the CA regs.

00:24:44:18 - 00:24:52:09

List done on behalf of the applicant. Um, uh, we think it's unlikely, given, um, part of this land is within the Kiffin estate.

00:24:52:20 - 00:24:55:26

Okay. Thank you. Uh, last question, I promise. Um.

00:24:57:21 - 00:25:02:06

Is this necessary in order for the development to proceed?

00:25:04:06 - 00:25:06:18

It is done on behalf of the applicant. Yes it is.

00:25:22:25 - 00:25:28:00

I don't have any, um, further questions to my colleagues. Have anything? No.

00:25:30:25 - 00:25:39:21

Okay. Thank you for that. Uh, we will await. We'll await your notification next week. Um, I'll hand back to you, Mrs. Harris.

00:25:42:08 - 00:25:43:00

Thank you.

00:25:45:12 - 00:26:12:28

Okay. Um, in terms of any other matters, then under item ten. Um, I just wanted to pick up. So obviously we've talked earlier about, um, we are expecting an updated DCO deadline for the timetable. Um also asks for one at D7, but, and we've talked earlier today about an additional copy of the iteration of the DCO and that I think the applicant said that you'll be targeting deadline six to do that. Is that correct.

00:26:13:08 - 00:26:20:04

Olivia? And on behalf of the applicant, yes. Deadline six and we may also put one in at deadline five, depending on how matters progress.

00:26:20:06 - 00:26:52:05

That's fine. Absolutely. If it's if it's needed we'd rather have it. So um yeah that's fine if necessary. And then just to note, obviously we've just mentioned already that there is time reserved for hearings in December. That's the week commencing the 9th of December. Um, for any other any further hearings if required, it does look likely that we will need to hold further hearings in that week. Um, we will be taking stock following this fortnight of hearings. Um, and in particular will decide the nature of any December hearings.

00:26:52:07 - 00:27:07:27

So whether they would take place as hybrid events with an element in person in North Wales, or whether we can do it fully, virtually. But we will issue notifications of any December hearings in due course and indeed agendas. Yeah. Miss Jones.

00:27:08:23 - 00:27:30:05

Sorry. It's just something that's just sprung to mind when we're talking about that change request there in timescales. There's something that I do need to make you aware of when we're talking about, um, reps closing and potential hearings that we may need to have. We do need to give 21 days notice for any hearings. So you need to take that into consideration as well.

00:27:31:03 - 00:27:34:22

Lasdun, on behalf of the applicant, whether we're aware of that. Okay. Thank you.

00:27:38:21 - 00:27:53:21

Okay. And then in terms of any other matters, I think we've dealt with everything else as we've moved through the agenda. So there's nothing else from the examining authority's perspective. So we'll just

give the opportunity to any other parties who are present to raise any final matters that they wish to raise. In this hearing.

00:27:57:00 - 00:28:03:06

Okay. Nothing being raised. And so in that case, I think we can move to close this hearing.

00:28:07:27 - 00:28:40:24

I'd just like to take the opportunity to say a big thank you to everybody who's joined us, not just today, but for all of our hearings over the last two weeks, which we've found extremely helpful. And thank you to our case team colleagues who have provided such excellent support to the parties and ourselves this last week. And just a reminder, then our next deadline is deadline for which is Monday the 4th of November. And that's also the due date for all post hearing submissions, uh, including written summaries of oral submissions. And so I'll just do a final check and nothing else from the rest of the panel.

00:28:40:26 - 00:28:50:05

No, in that case, then the time is now 1413 and issue specific hearing. Five for the Moana Offshore Wind farm project is now closed. Thank you.