



Trawsgrifiad Gwrandawriad

Prosiect:	Fferm Wynt Alltraeth Mona
Grandawriad:	Gwrandawriad Mater Penodol 6 (ISH6) – Rhan 1
Dyddiad:	10 Rhagfyr 2024

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

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Hearing Transcript

Project:	Mona Offshore Wind Farm
Hearing:	Issue Specific Hearing 6 (ISH6) – Part 1
Date:	10 December 2024

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FULL TRANSCRIPT (with timecode)

00:00:03:02 - 00:00:12:14

In time for this hearing to begin. Can I just confirm that everybody who is joining can hear me clearly, and there's no issues with the sound?

00:00:16:27 - 00:00:23:00

Did I also just confirm with our case team that the live streaming and recording of this event has commenced?

00:00:24:27 - 00:00:26:02

Yeah. They've commenced.

00:00:30:11 - 00:00:32:01

Anybody that from our case team.

00:00:34:10 - 00:00:39:14

So sorry. Yes, sir. Steve Parker here. Yes, sir. We're recording and the live stream is running great.

00:00:39:27 - 00:00:40:24

Thanks. Mr. Parker.

00:00:43:15 - 00:01:12:29

I'd like to welcome you all today to this issue specific hearing, which is issue specific hearing six on onshore and offshore environmental matters and the draft development consent order. And that's in relation to the application made by Moana Offshore Wind Limited, who we will refer to you as the applicant for an order granting development consent for the Moana Offshore Wind farm. My name is Caroline Jones. I'm a charter town planner and a planning inspector, and I've been appointed to be the lead member of this panel. I lost my fellow colleagues to introduce themselves.

00:01:14:00 - 00:01:21:03

Good morning and board. My name is Graham Hobbins. I'm a chartered civil engineer with a background in major rail and energy infrastructure.

00:01:23:25 - 00:01:31:29

Good morning. My name is Jessica Powis. I'm a Charlestown planner and examining inspector, and I've been appointed as a member of this panel.

00:01:34:24 - 00:01:46:19

Florida. Good morning. I am Jason Rowland. I'm a chartered civil engineer and a chartered environmentalist with a background in major energy and highways infrastructure.

00:01:49:27 - 00:02:01:06

Good morning Bada. I'm Julie de Courcy, and I'm a chartered time planner with a predominantly appellate Health background, including major energy and transmission infrastructure.

00:02:04:27 - 00:02:41:10

Thanks, everyone. Um, so today and tomorrow, uh, if required, we will be following the updated agenda, which we published on the 6th of December. The agenda is for guidance only, and we may add other considerations as we go through today. We'll conclude the hearing as soon as all relevant contributions have been made and all questions asked. But if the discussions can't be concluded today, then it may be necessary for us to prioritize matters and defer some matters to, um, some written questions in future. Likewise, if you cannot answer the questions being asked, or you require more time to get the information requested, then you can just indicate that you need more time to respond in writing.

00:02:42:20 - 00:03:18:14

Today's hearing is being undertaken virtually, and that means that everybody is participating through Microsoft Teams. Can I just ask for those who are participating today? Could you just please make sure that you stay muted in order to minimize any background noise? And if you do wish to speak, please use the hands up function or turn your camera on so that we can see you wish to speak to you. Be patient as we might not get to you immediately. Today is also being both live streamed and recorded, and for anybody watching on the live stream, can I just advise that when we do adjourn proceedings for any breaks today, that when you come back, you will have to refresh your browser to join the meeting again?

00:03:20:20 - 00:03:58:13

A recording of today's hearing will be made available on the Marina Offshore Wind Farm section of the National Infrastructure Planning website, as soon as practicable after this hearing is finished. With this in mind, can you please ensure that you speak clearly, stating your name and who you're representing each time before you speak? The digital recording and notes are the only official record of today's proceedings. A link to our privacy notice was provided in the rule six letter. We assume that everybody here today has read that and familiarize themselves with it, so I'm not going to repeat it now, but that establishes how the personal data of our customers is handled in accordance with the principles that set out in the data protection laws.

00:03:58:25 - 00:04:11:25

As this event is recorded. It is really important that you do not add information to the public record that you would wish to be kept private or that is confidential. Please do speak to Mr. Stevens if you have any further questions on that matter.

00:04:13:16 - 00:04:20:08

We look to take a break mid-morning and obviously break for lunch today, and we're aiming to finish no later than 5 p.m..

00:04:22:09 - 00:04:47:02

Turning to language, we welcome contributions in both Welsh and English. We do have Mr. Rowlands on the panel, who is a native Welsh speaker, and Mr. Stevens, the case manager, can also speak Welsh. The rest of the rest of the panel will do our absolute best to pronounce everything correctly, but we do apologise for any mistakes and do feel free to correct us if we do. Do we have anybody with us that wishes to address us in Welsh today?

00:04:51:06 - 00:04:56:04

Not seeing any hands in which case I will hand over to Mrs. Powers for some introductions.

00:04:57:10 - 00:05:29:07

Thank you, Mrs. Jones. Um, I've been provided with a list of those who have expressed a wish to be heard today, so I'll now ask those of you who are participating to introduce yourselves. And in the interests of expediency, could I ask that if any party has more than two people participating, just the main representatives need to introduce themselves, and then we can bring in others as we go through the agenda. Um, so please introduce yourself stating your name and who you represent, and let us know which item of the agenda you wish to contribute to. And we'll start with the applicant.

00:05:31:15 - 00:05:55:02

Florida. Good morning. Uh, my name is Liz Dunn. I am a partner at Burgess Salmon, and I am representing the applicant at Moana Offshore Wind Limited. Um, we have a number of people, um, here to speak today to the various agenda items. Um, but I'll just introduce Mr. Paul Carter to my left. Who is the consent manager for the applicant. Mona. Onshore. Offshore. Wind. Limited.

00:05:56:07 - 00:05:57:15

Good morning. Thank you very much.

00:06:00:08 - 00:06:06:24

Okay. I'll now ask, um, Conway County Borough Council and Denbighshire. I think we have a representative today.

00:06:15:20 - 00:06:21:25

Miss Celia, I can't hear you. Are you on mute? No. Isn't it like you are? Can you try again?

00:06:26:16 - 00:06:29:00

Just hang fire for a moment. Just trying to get you.

00:06:36:00 - 00:06:36:24

Can we try again?

00:06:44:15 - 00:06:45:00

Oh.

00:06:46:22 - 00:07:01:21

Yeah. Maybe. Mercy. Maybe, um, if you can hear us, I suggest you leave the meeting and try rejoining and see if that makes any difference. And meanwhile, we'll come back to you in a moment, okay? Yeah. Oh, I can hear you now. Now? Yeah. We can. Yeah. I'm sorry. I don't know what's going on there.

00:07:01:23 - 00:07:29:15

Sorry for that. Um. I'll start again. Sorry. Yeah. Tamsin sealy. Um, I'm a chartered town planner at Arup and instructed to represent both Denbighshire County Council and Cornwall County Borough Council at this hearing. Um, we may comment on the environmental matters as discussed throughout the agenda relating to onshore matters only. Um, and then we would expect to comment on the draft eco under agenda item nine.

00:07:30:02 - 00:07:37:20

Excellent. Thank you very much for joining us today. Thank you. And, um, Mr. Armitage from the Isle of Man.

00:07:40:20 - 00:08:10:07

Good morning. Yes. Um, Richard Armitage representing the Isle of Man Territorial Seas Committee. Um. most likely commenting on agenda item four on the offshore side of things. Um, we've got two colleagues who will be sort of coming online and offline because they've got other meetings. So there's Jeffrey Pugh, who will be representing the airport, and David Grubman, who will be dealing with shipping, uh, matters.

00:08:10:22 - 00:08:16:18

Brilliant. Thank you very much for joining us. Thank you. Thank you. Thank you. And do we have the Welsh Government?

00:08:24:10 - 00:08:37:14

Miss Cressy, I had a note that you may be dipping in and out today. So it's possible you're not here at the moment. And I've got Alan Mortimer or Casey Dunn on the list from the Welsh Government. Hello. Hello.

00:08:42:07 - 00:08:51:28

Okay, we'll come back. I'm being told that. Mr. Mortimer's maybe just joining us for the Welsh Government.

00:08:55:02 - 00:08:58:04

Okay. We'll come back at the end. And then Councillor Barlow.

00:09:03:00 - 00:09:23:27

But, uh, um, I'm Martin Barlow, representing Kevin Merida Community Council, and I will possibly be commenting on agenda item three, the change application and anything else that affects the the environment, visual landscape, issues connected with the application.

00:09:25:01 - 00:09:34:09

Councillor Barlow, thank you for joining us again. Um, next I have Nat's en route. So Mr. Auld I think is with us today.

00:09:35:25 - 00:09:49:29

Good morning. Alastair. Old am I retired engineer my background, uh, and my role as the head of safeguarding for national Air traffic services. I'll be here to comment on the progress update in relation to civil aviation in agenda item four.

00:09:50:15 - 00:09:56:00

Excellent. Thank you for joining us. And Mr. Rossi not joining us this morning. I think he was on the list, but I.

00:09:56:02 - 00:09:56:23

Don't think he will be not.

00:09:56:28 - 00:10:01:00

Okay. That's fine. Thank you very much for joining us. Um.

00:10:03:03 - 00:10:06:14

Uh, Mr. Ennis, for the Orsted interested parties.

00:10:07:16 - 00:10:51:26

Uh, good morning, Mrs. Paris. My name is Colin Ennis, and I'm a part in the law firm of Shepherd and Wedderburn. Um, I act on behalf of Barrow Offshore Wind Farm Limited, Orsted barebow UK limited, Barebow Extension Limited, Walney UK Offshore Wind Farms Limited, Walney Extension Limited and Morecambe Wind Limited and collectively called the Orsted IPPs. In terms of matters, we wish only to speak on item number six in the agenda and today I'm also accompanied by, Um, Nick Elderfield of Wood Hills that um, who are introduced when we come to the agenda item for me.

00:10:53:00 - 00:11:00:23

That's fine. Thank you very much, Mr. Innis. Thank you. Okay. Mr. Proctor from Stena Line.

00:11:03:05 - 00:11:09:11

Good morning. Michael Proctor online. Um, speaking for the navigation and shipping section five.

00:11:10:08 - 00:11:11:27

Thank you for joining us again, Mr. Proctor.

00:11:14:20 - 00:11:19:24

Okay. Um, and then do we have Mr. Chambers? Martin chambers.

00:11:23:19 - 00:11:40:19

Good morning. Martin Chambers from Tiananmen with Trout Fishery Limited. Um, my background is very much as a chartered surveyor and chartered environmentalists, but now I own the trout fishery. And the reason I'm here today, and item seven is where we'll be contributing.

00:11:41:08 - 00:11:48:07

Thank you. Thank you for joining us. I know we, um, you came, but you had to leave before we reached your item for the previous hearing. So thank you for coming back today.

00:11:50:00 - 00:11:57:18

Okay. Um, but again, do we have representatives present? I think I'm being told you've just joined.

00:11:58:18 - 00:12:12:21

Uh, I'm George Merrick. Morning. Morning, Inspector. And I'm hoping that I'm being supported and joined by George McKenzie of council and James Wilson of deep Doc.

00:12:13:15 - 00:12:17:17

Okay. When we reach. Yeah, we. Excellent.

00:12:17:26 - 00:12:28:18

Good morning. Just, uh, madam, it's me, George McKenzie of Council. Also for beginners. Sir George Merrick indicated I am here, and I hope that you can hear me and see me.

00:12:29:02 - 00:12:32:27

We can indeed. Thank you very much for joining us again today, Mr. McKenzie.

00:12:34:15 - 00:12:58:29

Um, and then we don't have James Wilson yet, I think, but I'm. Understand. Um, he may be joining. That's fine. Uh, Mr. Bibby, I don't think he's with us until 11, so we're expecting Mr. Bibby to join us. Um. Uh, that will be in time for the relevant agenda item anyway. Um, Mr. Parry is.

00:13:05:06 - 00:13:11:25

Not here yet? No. Okay. Again, join potentially joining as we go through. And then Mr. and Mrs. Hussey.

00:13:15:13 - 00:13:16:06

Good morning.

00:13:16:12 - 00:13:18:26

Uh, Martin Hussey interested party.

00:13:19:10 - 00:13:19:25

Um.

00:13:20:06 - 00:13:31:10

There are a couple of points for clarification. I'd like to ask, if possible, please, under agenda item for visual impacts. And also agenda item eight. Uh, noise. Thank you.

00:13:31:23 - 00:13:32:28

Thank you and welcome.

00:13:34:13 - 00:13:42:02

Okay. That's everybody that I have on my list. Is there anybody else in the virtual room who wishes to speak and hasn't yet introduced themselves?

00:13:45:15 - 00:13:48:20

And just to check again, is there anybody here from the Welsh Government?

00:13:49:27 - 00:14:15:23

Hello. Hello. Hi. Sorry. Thank you very much. Uh, for for giving me a second to introduce myself. Yeah. Uh, my name is Alan Mortimer. Um, I'm actually representing the fisheries, uh, division, uh, at this meeting. So I believe items three and 4 or 4 and five. Uh, temporarily lost it on my screen. Um, into relates to commercial fisheries. Um, mainly.

00:14:16:17 - 00:14:23:12

Excellent. Thank you for coming and joining us today. We'll call you in when we get to that. I think it's item four. Anybody else?

00:14:26:06 - 00:14:29:05

Mr. Parry, I understand you may have joined us now.

00:14:34:06 - 00:14:49:23

Uh, yeah. Hi. Um, Good morning. Griff. Parry. Um. Parry. Wade. Um, I am likely to have some comments, um, for this session this afternoon, I think, on any of the business, but I'm, uh, observing the rest of the proceedings. Thank you.

00:14:50:26 - 00:15:20:18

Okay. Thank you. Uh, it may be that that we it's tomorrow by the time we reach any other business. Just so that you're aware, we've got up until tomorrow lunchtime, you may not need all of that time, but just so that you're all aware of how things may run, we'll have a good idea by lunchtime how things are looking, I think. So we can thank you. Thank you. Okay. I think that's everybody in there. So I'm seeing any further raised hands. I think we've got everybody introduced. And then I'll just welcome everybody and uh, pass over to Mr. Hobbins for item two.

00:15:22:04 - 00:15:54:24

Thank you. Um, this is the purpose of this hearing. So today will be a structured discussion led by the examining authority. We are familiar with what you've already submitted to us. You don't have to repeat it like anything that you've already put to us in writing. Submissions carry equal weight, regardless of the format that they're put to us. If you refer to any documents, you would be helpful if you could give us the correct examination library reference. Please try to avoid using acronyms as people might be watching who is not as familiar with those terms as you are.

00:15:56:20 - 00:16:13:25

This hearing is being held for both onshore and offshore environmental matters and the DCO. Where there are related DCO matters, we will cover them under the relevant topics as we progress and then move on to the DCO itself. And does anyone have anything to raise on what I've just outlined?

00:16:15:25 - 00:16:21:23

I can't see any virtual hands, so in that case I'll hand over to Mrs. Jones for item three. Thank you.

00:16:22:26 - 00:16:53:03

Thanks, Mr. Hopkins. Item three is the change application. And just before we get into this, I do want to make it clear that we just want to discuss the change application today. Those changes have not yet been accepted into the examination. That's still a decision for the examining authority to make after this hearing. Um, in the first instance, could I just start by asking the applicant, if you can give us a brief overview of the consultation exercise that you undertook for the change application?

00:17:00:21 - 00:17:01:25

Uh, Paul Carter, on.

00:17:01:27 - 00:17:38:26

Behalf of the applicant. Um, so the consultation process followed, um, as directed by the examining authority in in your letter of the 8th of November. Um, we consulted, uh, directly with landowners. We consulted directly with, um, relevant parties, relevant interested parties, and also, um, in the vicinity of the project, um, of the relevant parts of the project. Um, subject to the change request, the consultation was undertaken over a 15 day period from the 19th of November to the 3rd of December, so 5 p.m.

00:17:38:28 - 00:18:10:01

on the 3rd of December, which was the the most recent deadline day, um, we made direct contact to landowners, refund calls and emails and letters. We may direct contact with interested parties, um, through emails and letters. And we, um, put a notice in the Daily Post on the 18th of November in both English and Welsh, um, advertising the change and where information could be um sought in order to understand the nature of the changes.

00:18:10:04 - 00:18:46:12

We also placed physical notices in the vicinity of the land, which could be seen, um, on feedback from a local resident, Mr. Hussey. We also identified some additional locations to put extra notices in order to make it clearer, um, where information could be could be found. Um, so we've received a number of pieces of feedback, both directly to us as directed through the, um, consultation process and also via um deadline five submissions directly to the um planning inspector at the examining authority.

00:18:47:00 - 00:19:19:23

Um, I can go through those responses or sort of summarize, um, what they covered. Um, we received responses from um, uh, Kevin Murdoch Community Council, from Cadw, from National Plans, enquiries from Welsh Water, from SP Energy Networks. Um, from Councillor Martin Barlow, uh, from Mr. Hussey and from the Denbighshire County Council highways team.

00:19:20:00 - 00:19:56:07

And then also we received um, uh, comments on the change request from the Kevin estates um through their deadline five response. Um, so the nature of the responses that we received, um, were primarily with respect to change one A and one B, apologies, a few laptop issues. Um, uh, with respect to change one A and one B, um, and principally around, uh, traffic and traffic related impacts.

00:19:56:09 - 00:20:29:26

And with respect to that access, um, we did receive, um, some comments from some consultees with respect to the changes to three and four, um, to the permanent and temporary access road, um, and those principally related to interests from SP, um energy networks and respect of their assets. Um, we will be responding to those pieces of feedback at deadline six, as we mentioned in our consultation report submitted at deadline five.

00:20:31:22 - 00:20:54:25

Thank you. We've offered no consultation. Well, um, just in terms of, uh, deposit locations, one of the questions that I think we saw in one of the consultation responses was a question as to why you deposited it in two libraries a little bit further away from, uh, the substations, like, not actually in the local library that was nearby. Was there a reason for that?

00:20:55:10 - 00:21:18:07

Those are the deposit locations that we've been using since the very start of the project for our formal consultation. It's section 42 for some of our own formal consultations and also for notices through the um examination process. We chose a number of libraries from the list, um, that we've been using throughout the process, rather than going to any new and additional locations purely for this change request.

00:21:19:04 - 00:21:38:22

And just one further question that I had. I think it might have been something that the examining authority had misunderstood from one of your letters. I think we'd understood that you were going to send hard copies to those parties that were directly affected. But that wasn't the case, was it? You hadn't sent hard copies to everybody. You sent a a selection of, of documents, is that correct?

00:21:39:11 - 00:21:53:12

Correct. In order. The documents are available on the website. And people could also contact us about hard copies as, as as ever through this process could contact us about hard copies of documents. I'm not aware that we had any specific requests for that. Okay.

00:21:54:06 - 00:22:25:14

Thank you. Obviously, we've had a look at the the consultation responses, and I think it's fair to say that the most contentious is, as you say, proposed change. Um, one A and one B, but really, I think it's one A that seems to be the one that's causing people the most concern. Um, and that really relates to the capacity of the road, which I think you have referred to as the Cefn road, although I don't think local residents referred to it as the Cefn Road. But just so we're all understanding which road we're talking about.

00:22:25:18 - 00:23:02:17

Um, because of the narrow nature of of that road in it, I think we actually did, uh, I think the examining authorities travelled that on their unaccompanied site inspection. I believe we travelled it on the accompanied site inspection as well. Yeah. Um, although we didn't have a look at this access track, but we do have a general appreciation of that, of that road in that area. And you see, this would be used for on site prep works early, such as sort of surveys and, and, and site clearance, just so we could have a little bit of a better understanding of perhaps people that are in the teams meeting as well.

00:23:02:19 - 00:23:11:24

Could you explain to us exactly why you need it, why it needs to be brought into the order limits for these purposes, and how you propose to limit the traffic that's going to use this track?

00:23:20:24 - 00:23:57:22

Yeah. Paul Carter, on behalf of the applicant. I think the nature of all of the changes that we've brought forward, so not only this access, but also the changes. One, two. Uh, sorry, two, three and four all relate to an increased understanding of how we need to bring the project forward in its early stages. So that's both detailed design or more detailed design that we've done with respect to the, um, ale deliveries and HGV deliveries on our main access, but also an understanding of the programming and how different aspects of the project align at the start in order to get us going.

00:23:57:24 - 00:24:31:27

And one of the things that's become clear is that, um, we need to be able to access the substation site prior to the main access road from Glasgow Road being in place. It's a relatively long access road. Um, there will be a period needed to discharge some elements of that. There'll be a period needed to construct that before it's in use and obviously during that time we would like to be able to or need to be able to get on to the substation site and surrounding areas in order to do some of those pre-construction pre commencement works that you, you outlined.

00:24:31:29 - 00:25:11:02

Um, there. Um, if we weren't able to access the site, we would have to wait until that access road from Glasgow Road is in place. Um, unless we took another access um, from the surrounding area into the, um, substation site. Um, and there are seasonal constraints on some of the activities that we need to do, seasonal ecology surveys and other things, which obviously we need to try and prioritize. Otherwise, they have a significant detrimental effect on our program and have the potential to to risk

our connection date that we've got with National Grid, which obviously has a, a delivery, um, implication for the project and for providing clean energy.

00:25:12:23 - 00:25:34:18

Okay. Thank you. I think just to get a bit of a better understanding standing on that. Um, You. You made the application without this access track, and you gave us a program of works without this access track. What's changed for that? And what risk is there to that? Is that program? Are you now saying that that program can't be achieved without that? And in which case, why did we have that program before us in the first place?

00:25:36:02 - 00:26:10:06

Yeah. Forecasts are on behalf of the applicant. Obviously the program in the environmental statement is indicative and it does it does outline that. And we did update the program to include onshore site preparation works in a period of 12 months, roughly for onshore site preparation works. And this access would be purely for that period. I think one of the things that we were clear about as as soon as that main access from Classical Road is in place, there wouldn't be a need to continue to use this access as with respect to change one a um, so it would be limited, um, in time.

00:26:10:11 - 00:26:50:14

Um, we're also clear that the nature of the activities that would be taking place and for which would be bringing vehicles through that access would be limited as well. We're not bringing any heavy goods vehicles through that access. We're only bringing the sorts of vehicles that have actually been brought through that access during the development phase of the project. So we have already conducted, um, trial trenching for archaeological purposes and ground investigations, um, ecological surveys and other sort of commensurate activities to the onshore site preparation works by bringing vehicles through that access already.

00:26:50:16 - 00:27:21:10

So it's just an extension of what's already been been happening over the last couple of years in order to develop the project. Um, I think as I said, what why do we need to bring it forward now? Well, that's that's based on a greater understanding of our of our programming and our design. And, you know, this is a fluid process whilst consents. And this um, uh, DCO examination goes on, other activities don't cease. And we and we have been continuing to develop the project so that we can hit the ground running as soon as we have consent and deliver this project.

00:27:21:12 - 00:27:35:07

And it has provided an additional understanding of how things fit together and how we need to bring the onshore site preparation works forward in order to, um, give us the best chance of hitting our reconnection date and bringing the project forward as planned.

00:27:36:03 - 00:27:55:28

Thank you. Um, I know that you said you've already been using it for some of the, um, archaeological surveys. For example, I think one of the consultation responses did draw our attention to the fact that you've actually had issues using this truck, um, with getting vehicles onto the site, and it caused it cause problems with with the road. Can you tell us a little bit more about that, please?

00:27:56:12 - 00:27:56:27

Yeah.

00:27:56:29 - 00:28:27:21

Paul Carter, on behalf of the applicant, I think I think you're referring to a particular incident with, um, a tracked excavator that was delivered on a trailer. Um, we're aware that the excavator was unloaded slightly early before the, um, access change one 1 a.m. further back along the road. Um, there are a number of factors that that led to that, including, you know, incorrect trailers being specified for, for that excavator and uncertainty in terms of delivery location.

00:28:27:23 - 00:28:55:27

Those are things that we're aware when we start our onshore site preparation works that we need to get right. Um, and I think one of the things that we've understood from the responses that we've been, we've received is that we can look at a, an update to our, um, outline construction, um, traffic management plan. So, so that we're clear about drawing out the controls that are relevant for this particular access during the onshore site preparation work so that those activities are controlled in the right way.

00:28:56:21 - 00:29:30:28

That would be my next question. Obviously, there are quite a lot of concerns, and we've just recently seen that the, um, the, the Highways Authority from the council have now also, um, raised concerns about the use of this access for this purpose. Um, I think everybody would share concerns. If you were talking about using this access for any vehicles bigger than sort of 4x4, which is what you indicated in your, um, original letter when you made this change request. And I think it would also come down to the number of journeys, a number of vehicles using it as well.

00:29:31:01 - 00:29:41:12

So how can you ensure that if this were to be accepted, that would be there would be proper controls in place for us to be able to secure the use of this track?

00:29:42:20 - 00:30:13:05

Yeah. Paul Carter, on behalf of the applicant. Yeah. I think one of the things we could maybe clarify, um, today is, is the nature of some of those movements where, where any, um, movements are required that are bringing on equipment that would be on the back of a trailer, for instance. They are few and far between, you know, where an excavator would need to be delivered to site in order to undertake, um, say, archaeological investigations. It would be brought in a single delivery at the start of that activity, and it would be taken away at the end.

00:30:13:07 - 00:30:48:03

And we may need, you know, a couple of those excavators for those activities. So, you know, across the period, the number of deliveries or movements that would require an anything on a trailer would be very, very limited. And we think that the TMP, the outline construction traffic management plan is, is has controls within it that are capable of of dealing with that. We appreciate the concerns that have been raised by, um, local residents and the Highways Authority. And we are seeking a meeting with the Highways Authority as, as mentioned in their in their email.

00:30:48:05 - 00:31:19:21

And we emailed them yesterday. We haven't got a meeting set up yet, but we hope to do that before, uh, deadline six so that we can report we can report back on that. Um, but but you know, that's what the TMP is there for, is to control, um, aspects of this nature. And if we draw out this particular access and the controls that are relevant for it, the level of movements that are required for this are minimal. Um, and it is over a relatively short period of time until we've got that main access from Glasgow Road in place. So so we see them as is controllable through that process.

00:31:20:17 - 00:31:38:26

And can you come? I know it's very difficult to, uh, give a definitive number, but could you, could you, could you give a rough idea in any of the documentation of the number of, uh, journeys that you would expect to be made on this road, or the number of vehicles that you would be expecting to use the access track.

00:31:39:11 - 00:31:48:25

And pull carts on behalf of the applicant. Yeah, we can we can look to provide an indicative number of that for, for information purposes. And so that there's an understanding of the nature of use. Yes.

00:31:49:18 - 00:32:10:27

I'm just, I'm just um, wondering in terms of when you when you talk about excavators, they can vary greatly in size. Um, can you give us an estimation? Not necessarily now, but when you, when you, when you do that work, if you can give us an estimation of the size, because obviously that would determine the size of the trailer that would need to be delivering those excavators to site.

00:32:11:14 - 00:32:24:21

Pull carts from behalf of the applicant. Yes, we can do that. I think in our change request report, we did note the size of the trailer that would be used or the maximum size of trailer that would be used, but we can we can reiterate that. Yes. Yeah.

00:32:24:25 - 00:32:41:03

Well that's that's really good to know that you're meeting with the Highway Authority because from our perspective as the examining authority, we would want to know, um, their opinion on the use of this access before we would make any decisions on the acceptability of this particular change.

00:32:43:08 - 00:32:51:00

Paul Carter, on behalf of the applicant. No, that's that's helpful to understand. I guess we are reaching out to have that meeting. Um, I think.

00:32:58:03 - 00:33:33:09

We're obviously reaching out for, uh, for a meeting on that. And that to some degree is in the highway Authority's control and with With Christmas and New Year and limited time left in the examination, I think one of the things that we were hoping to sort of seek from today was an understanding of the process, from yourselves, from here. And when, um, a decision on this might be made because we are conscious that we need to try and wrap any changes into our main application documents so that a deadline seven there is a, uh, you know, a whole application.

00:33:33:11 - 00:33:45:25

And obviously the timing of any decision is, is is sort of critical to the piece of work in order to do that. So something we were keen to understand. And obviously the timing of a highways meeting and any response from them would be relevant to to that I assume.

00:33:46:05 - 00:34:24:26

Yes, I think so. I think it's um, it's a little bit disappointing that those sort of came quite late in the day with their consultation response, because perhaps then you would have been a bit more alert to, uh, what, what they said. And I appreciate that. That's not necessarily your fault. Um, but from our perspective, yes. I think we would, um, appreciate something from the Highway Authority. Even if it's them to say that they're satisfied that it could be adequately controlled for, for example, um, as soon as

you can get that anything to us, then do just let us know if that's before deadline six, then obviously we have discretion to accept anything in into the examination.

00:34:24:28 - 00:34:30:12

And then all I can say is we will do our best to get something back to you as soon as we've heard from you.

00:34:32:09 - 00:34:38:24

Full council, on behalf of the applicant. Thank you. That's noted and it's much appreciated. About out of out of deadline cycle. Um, submissions. Thank you.

00:34:42:16 - 00:34:54:10

Um, do we have anybody, uh, with us at today or Counselor Barlow and Mr. and Mrs. hosie, you have both made representations on the change request. Is there anything that you would like to say today? Uh, before we move on?

00:34:56:18 - 00:34:57:17

Counselor Barlow?

00:34:59:11 - 00:35:36:04

Um, yes. Well, I submitted a fairly detailed mission, as I'm sure you're aware, so I won't go over that, only to reiterate the major issues over very sharp bends, uh, limited passing places, etc.. I would, uh, take Mr. Carter up on one point that he made, which was that the, um, documentation submitted by the applicant included the maximum size of trailer. Um, if it did, I missed it because what I picked up was that the it was described as an example.

00:35:36:12 - 00:35:58:25

The overall 4x4 and trailer combination that was illustrated was something like, I think 12.9 9m or 43ft, I calculated. Um, which in itself is I think in relation to the passing places is pretty, um, problematic. Certainly anything more than that would be obviously even more problematic.

00:36:00:11 - 00:36:32:15

Um. Although the only other point that occurs to me is that, uh, buried away in the documentation is talk about a visibility splay at the final junction where the the highway meets the access, the proposed access. And I read that it was described as being achievable. A visibility display was was described as being achievable. I read that to mean that it would mean the removal of hedgerows.

00:36:33:07 - 00:36:38:28

Um, and I would just like to know whether or not that would be the applicant's intention.

00:36:40:25 - 00:36:46:21

Thank you. Uh, councillor Barlow. Mr.. Mr. Carter, could you answer Councillor Barlow's questions?

00:36:47:16 - 00:37:33:24

Paul Carter, on behalf of the applicant, it wouldn't be the intention to remove hedgerows. We obviously want to have a conversation with the local authorities highway team about the use of this road and the access as we've discussed. Um, if there is a need for, um, uh, any visibility splays, it wouldn't be removal of hedgerows, it would be trimming of, of hedgerows. We also are aware that there are other projects in this area, such as Alan Moore, who will be using the Glasgow Road in this vicinity. And I think one of the things we want to understand as we get closer to the use of this access

is, is what other controls are in place in that area in terms of temporary traffic orders and speed restrictions and, and talk to the council about how we would tie in with other projects, controls in this area.

00:37:33:26 - 00:37:46:29

And that can only really be done, uh, at a later date as we get to that particular time, because that might change the nature of any turning onto Glasgow Road in terms of a 30 mile an hour restriction or whatever is brought forward for the animal project.

00:37:47:27 - 00:38:07:18

Thank you. And in terms of, um, so one final question from me, um, in terms of the length of time that you want to use this access voice, uses roughly 12 months for onshore site preparation works. What controls would be in place to prevent its use after that date so that, um, construction traffic wouldn't use it?

00:38:14:15 - 00:38:40:18

Forecast on behalf of the applicant, that would be a control in the outline construction traffic management plan, which is how we're controlling, um, how contractors will will, um, access any individual access, temporary construction compounds, um, or the substation access itself. There are routing plans that will be used by contractors. And we can ensure that once the main access from Classical Road is in place, that this access wouldn't be used inside.

00:38:40:20 - 00:38:56:27

And because these are onshore prep works, that they will take place before the onshore construction traffic management plan is actually agreed. So therefore that information would need to be in the outline version, because the onshore prep works need to be in accordance with the outline version, is that correct?

00:38:57:15 - 00:39:03:04

Apple carts are on behalf of the applicant. Correct? Yes. And we'll make sure that's in the update that we're going to provide at deadline six.

00:39:03:07 - 00:39:12:17

Okay. Thank you. And would there need to be an update to the Outline Highway Access management plan as well.

00:39:13:02 - 00:39:21:23

Pull carts on behalf of the applicant. We don't believe there will be there's no works needed to access one a it is purely use of an existing track. Okay.

00:39:23:12 - 00:39:24:03

Thank you.

00:39:25:19 - 00:39:31:03

Councilor Barlow, you still got your hand raised. Is that. Is that from before? Do you have anything else you want to add?

00:39:31:05 - 00:39:31:20

Sorry.

00:39:31:22 - 00:39:33:04

That's true. That's fine.

00:39:34:19 - 00:39:41:01

Okay. Um. If nobody else wishes to raise anything, I'll just check. Is there any any of my colleagues have anything?

00:39:42:16 - 00:39:44:00

Those online?

00:39:51:15 - 00:40:27:24

I think that that we at then and and we'll, um. In which case we will move on to item four, which we have called Progress Update. Um, the reason we've put this on the agenda, um, is that these are just for matters where the examining authority would just like to take the opportunity just to seek an update. We're not going to examine these matters in, in great, in great detail as we would as if they were a normal, um, agenda item. Um, we're really seeking an update of parties, positions and any likely timescales for, um, further agreement or submissions because we are getting close to the end of the examination.

00:40:28:10 - 00:40:32:07

So in which case I will hand over to you, Mrs. Powis, uh, before we start.

00:40:32:09 - 00:40:45:22

Sorry, it's listed on here. On behalf of the applicant, we need to just move a few people around at this end, because the people that will be dealing with those aren't actually in the room with us at the moment. So if you can just give us a minute or two, we can make sure that we've got the right people. Thank you.

00:41:48:24 - 00:41:51:18

Thank you. I think we're good to go now. Thank you.

00:41:53:18 - 00:42:25:05

Excellent. Thank you for, um, moving those people into the right places. I think the first item then on, um, item four of our agenda is relating to civil aviation, military aviation and defence interests. And I'm aware, as we've seen through our introductions, that we have Mr. Auld from Nats en route with us and potentially, um, some of the representatives of the Isle of Man Territorial Seas Commission committee may wish to come in on this as well. Um, Mr..

00:42:25:09 - 00:42:29:24

Would you like to introduce who you have with you from the applicant's side on this one?

00:42:31:08 - 00:42:45:25

Uh, thank you madam. Yes. Um, to my right, um, I have Gerard Vella, who is the, uh, offshore consents lead. Um, and I might actually let others introduce themselves.

00:42:48:12 - 00:42:53:21

Good morning. Um, Johnny Lewis, on behalf of the applicant, the commercial fisheries lead for the EIA.

00:42:57:09 - 00:42:58:18

Good morning. I'm Richie Hinchcliffe.

00:42:58:20 - 00:43:03:10

Representing the applicant from Osprey on aviation, civil and military issues.

00:43:08:12 - 00:43:42:14

Thank you for joining us. Okay. So we have explored aviation and radar at both issue specific hearing two and four. So this is just a progress update. Um mainly focused on mitigation solutions and picking up any queries that have arisen from deadline five submissions. So we'll start with, uh, Blackpool Airport. And, um, although we didn't have an update to the statement of Common Ground at deadline five, we have had responses from Blackpool Airport itself. And as far as I can see, we've got two main issues here.

00:43:42:16 - 00:44:11:07

The first relates to the minimum sector altitude that we've discussed previously, and the second is about the potential interference to communications with aircraft operating at low level. Um, we don't have Blackpool Airport with us today, but can I ask the applicant just to give us an update as to where things are on the first issue? So the minimum sector altitude, and I'm aware that the the airport's own review is still ongoing. Its safeguarding assessment.

00:44:13:05 - 00:44:14:20

Jerry Vella for the applicant.

00:44:15:06 - 00:44:15:26

Um, so we.

00:44:15:28 - 00:44:46:06

Didn't submit a statement of common ground at T5 because the second set of examiners questions covered the pertinent parts of the state and the common ground, so it felt like it would be duplicitous. So in terms of, um, the minimum sector altitude and procedures, I think, um, Blackpool Airport have provided quite a robust update in response to the access questions. Um, they've confirmed that the mitigation, um, that we identified within our assessment.

00:44:46:08 - 00:45:27:18

A 200 foot increase to the minimum sector altitude is likely to be the mitigation required. They've also updated on time scales, noting that their um, five year review is just about complete now and will be issued to CAA. But the timescales required for CAA to go through their process means that there is, um, I would say, a strong likelihood that this matter will not be resolved by the end of the examination. Therefore, um, uh, we have been progressing in the background, um, preparation of a funding agreement to secure, um, the, uh, funds for making the changes once the process with CAA are complete.

00:45:27:20 - 00:46:02:12

And I can confirm that we did actually issue the draft funding agreement to Blackpool Airport, um, yesterday. And we'll be engaging in due course and hoping to provide an update at um, at D6 on the 20th of December. Um, with regard to, um, that the funding agreement and closing out, uh, those matters. Um, you will have noted that, uh, Blackpool Airport has queried whether a DCO requirement would be required. Um, we are hoping that on the basis that we can agree the funding agreement, a requirement would not be required.

00:46:04:00 - 00:46:24:13

That's a helpful update. Thank you. Um, and so the in their submissions, they've talked about the sort of five year review that's ongoing. And then they've talked about the potential for a further safeguarding assessment piece of work to be done. Specific to Mona afterwards is the commercial agreement you've just discussed is does that would that cover that entire package of work?

00:46:25:05 - 00:46:48:13

Gerard Vella for the applicant? Um, that is a new point that they have raised. Uh, we would like to have a chat about that because we think given that our assessment was based on a maximum design scenario, um, we're not really sure why a further assessment would be required. Um, if necessary, we will commit to that within the funding agreement to undertake that within the funding agreement.

00:46:50:10 - 00:46:51:03

Thank you.

00:46:54:18 - 00:47:30:21

Okay. That sounds like things are moving forward and we'll look forward to hearing by deadline six whether there's been any response back from the airport on that point. Um, and then their second point about, um, VHF comms and, um, various bits of work that are being undertaken. Again, this is a relatively new point, isn't it? This wasn't something they were raising at the beginning of the examination. Um, but again, are you able to just explain the nature of their concerns? I can see that we've got, um, a representative from your consultants here on this front, but just if you could explain where we are with this, um, this point.

00:47:31:08 - 00:48:03:16

All right. Gerard Vella for the applicant. Um, I will try and cover this off. So, um, as we understand it, uh, as a result of, um, matters between Prestwick Airport and a number of onshore wind farms. There's been this issue about potential effects on VHF communications, and as a result of that, the the CAA, the Civil Aviation Authority, issued a notice to all of their licence aerodromes on this matter. Um, so it was raised a few months ago to us, um, as a result of this CAA notice.

00:48:03:18 - 00:48:38:23

So, um, there is a set of guidance on how to undertake the, uh, assessment to understand potential effects on VHF comms. It sets out in civil aviation authorities cap 670 um Air Traffic Service safety requirements. Uh, these requirements have a two step process. The first step, um, has been undertaken by the applicant through our consultants. Uh, Osprey. Um, and that is to, um, to determine the theoretical effect, uh, against the maximum design scenario.

00:48:38:25 - 00:49:03:21

And that does include for an assumption that our wind turbine generators would be facing the VHF radio antenna to produce a worst case at all times. Which, which is is is, uh, not not physically possible. Um, so we've undertaken that first step. We've presented the report to Blackpool Airport. Um, I think we sent that to them.

00:49:06:06 - 00:49:41:12

A couple of weeks ago. I've got the date here somewhere, and I can't see it on the 25th of November. Now, the second step is for the airport to undertake an operational assessment, and they must do that. And that's what the, the c uh, the cap 670. The cap 670 um, methodology requires because only they understand, um, how they're using comms and, uh, I'm not going to explain that. Well, so I won't say

anything more. Um, but they need to undertake that second step. Now, they've confirmed that they will be, um, commissioning their um, their consultants service to do that for them.

00:49:41:16 - 00:50:13:03

But, um, they've also confirmed that service won't be able to do that until the I think they said at the end of January, which of course is beyond the end of the examination. So I think, you know, we we don't think this is an issue. Um, Mr. Hinchcliffe can talk about this more, but we don't think that this issue and we think that the work that was done by the industry back in 2004 at the North Royal Wind Farm, uh, by the RAF and MCA, uh, demonstrated that this this issue doesn't happen.

00:50:13:05 - 00:50:52:27

But as I said, there is a requirement that they undertake their assessment. So, um, given that we won't have that feedback from them until after the end of the examination, um, and in case there is an effect, the applicant is preparing a DCO requirement on the basis of, uh, sort of a without prejudice position that in the event that the, you know we will was to be agreed, and then we would aim to confirm to Secretary of State whether or not that requirement is, is, um, is needed to be, uh, included in the made order if, if, of course, that a positive decision is made.

00:50:55:17 - 00:51:00:17

Thank you. That's that's, um, very informative. And so, um.

00:51:02:26 - 00:51:11:23

Uh, it's it's this wasn't was was this a matter of considered through the EIA process or is it because of the timing? It's not something that was considered through that process.

00:51:12:02 - 00:51:26:10

Jerry Fowler for the applicant. No, it wasn't because it is a new issue that has been raised by the CIA as a result of, um, uh, the issue identified at Prestwick Airport. Um.

00:51:37:13 - 00:52:10:27

Hello again. I'm Richard Cliff for the applicant. I think there's a couple of points we need to mention on this is the the reaction of the Civil Aviation Authority. CAA is to an over land issue at Glasgow Prestwick. So it's ensure sorry over land not ensure over land littoral uh wind farms on topography that is quite undulating and quite high. Um since um, since that um, uh direction shall we say, from their licence to their licence aerodromes to look at this issue, which is valid, of course.

00:52:11:06 - 00:52:41:25

Um, there's no evidence that there is actually a technical issue overseas, as it evidenced by, yes, in 2004 by the Search and rescue Royal Air Force at that stage, of course, offering search and rescue, um, helicopter operations overseas, uh, and still administered by the MCA. MCA have not raised concerns at the moment either. I think the other, the secondary part of that is, um, appreciation. It's a mathematical theoretical model.

00:52:41:27 - 00:53:12:24

It's in the area of the, the, the, the turbines generally. Um, these mathematical models are very conservative. Take the worst case as as Jarrod has already mentioned, it tends to be only in the tight vicinity of the array. So aircraft um, alongside uh, beyond and to the near side, shall we say, of the aerodrome would not be affected. And it's not a black and white, it's not digital. It's saying there may be a degradation.

00:53:12:26 - 00:53:40:02

As aircrew, my experience, we always suffer that degradation of comms. So it doesn't go from you'll probably understand the vernacular of five by five loud and clear. It doesn't drop suddenly from five by five to not by not. There'll be degradations. But we we experience that in air traffic and in the flying environment from other environmental effects. Obviously rain and pressure, humidity, temperature as well. Um.

00:53:41:12 - 00:54:00:26

That's helpful explanation. Thank you. Thank you. I suppose, um, one question in my mind is if this is a piece of advice from the CAA to its, um, various aerodromes, etc., is there anybody else? Are there any other aerodromes or airports in the vicinity of the Monet project that have been would have received the same advice? Um.

00:54:02:28 - 00:54:11:11

That wanting to open a complete can of worms. I have a hand up. I think, Mr. Pugh, you might be able to help us with Ronald's way, at least.

00:54:14:04 - 00:54:14:26

Uh. Good morning.

00:54:14:29 - 00:54:25:05

Uh, Geoff Pugh, representing the Isle of Man Airport. We've had some recent discussions with some of the panel members there representing the applicant regarding this quite recently.

00:54:25:07 - 00:54:25:22

And we.

00:54:25:24 - 00:54:29:00

Also have had a technical assessment done.

00:54:29:02 - 00:54:30:11

On the radio.

00:54:30:13 - 00:54:32:05

And very much.

00:54:32:07 - 00:54:33:05

In line with the information.

00:54:33:07 - 00:55:07:15

That's just been given. This is a theoretical issue that's been highlighted. It's been highlighted for RVF communications at Isle of Man Airport as well, indicating that there may be degradation in the, uh, the signal quality in the area around and behind the turbines and at low level. But that this reduces is the height above the turbines increases. Um, as Mr. Hinchcliffe has pointed out, this is something that's experienced in air traffic and aviation routinely due to many factors.

00:55:07:17 - 00:55:14:26

The difficulty here is, of course, is that we won't know until the turbines are in place what the actual outcome is likely to be.

00:55:17:03 - 00:55:24:04

That's very helpful. Thank you, Mr. Pugh. I'll just come back to the applicant on that wider question of other aerodromes or airports.

00:55:24:18 - 00:55:35:09

Gerald Vella for the applicant, I was going to say I run to the airport, but, um, Mr. Peters has done that for me. We haven't had this raised by any of the other airports.

00:55:35:22 - 00:55:36:09

Okay.

00:55:37:13 - 00:56:02:13

And, um, just on that last point for Mr. Pugh about, um, sometimes not being able to really understand what the effects are until, uh, the turbines are in place. Are there sufficient is there sufficient kind of adaptive management in the various control documents that we have to enable? If it was found that there were effects to, to enable, um, mitigation of those effects, management of those effects.

00:56:07:14 - 00:56:40:14

Uh, Lasdun, on behalf of the applicant, um, I think these are measures that would fall under the, um, the requirements that are being put in place, um, in respect of the relevant airports. So what those the way that those requirements are structured and they are all slightly differently worded at the moment because of the preference of the particular operators as to how those things are worded, but essentially they require that whatever mitigation is put in place is done so and maintained for the duration of the operation of the wind farm.

00:56:40:16 - 00:57:12:18

So effectively you have that sort of continued. It isn't something that's sort of put in and left it. It has to. It has to do its job for the lifetime of the project. And this is, um, just in terms of the VHF, we are we are looking at how we would structure a requirement that would effectively, um, bring that in in the event that those studies are saying, actually there is something that needs to be done here. Um, uh, and, and we're sort of working through the drafting on those at the moment.

00:57:13:25 - 00:57:26:08

Thank you. Um, it'll be helpful when we have that drafting. Do you think it's something I mean, I'm conscious. Deadline six is very close. Is it something that we had hoped to have by then, Or are we looking at deadline seven.

00:57:27:06 - 00:57:35:28

List done on behalf of the applicant? I think we'll be looking to put it in put as much as we can in for deadline six, obviously to give other parties the opportunity to comment.

00:57:36:14 - 00:57:51:24

That's the general point. You'll probably hear from us a lot today. But, you know, if there are new provisions in the DCO, um, I very much prefer to see those at deadline six so that everybody has an opportunity to comment. Um, and if you have any questions, we can ask them. Mr. Vela.

00:57:52:11 - 00:58:14:08

Uh, chair for the applicant. Um, I don't know if we've jumped ahead with with Ronald's way, but in terms of Ronald's way. Airport, we are engaging with Mr. P directly on the, um, drafting of the

requirements. So that's that's occurring right now. I can see the emails backwards and forwards over the last couple of days. So yes, we'll we'll have that in the updated DCO d6.

00:58:15:14 - 00:58:16:17

Thank you very much.

00:58:18:14 - 00:58:25:07

Okay. And so in terms of Blackpool Airport, I think we've got a good understanding of where things are. Is there anything else you wanted to mention on Blackpool Airport?

00:58:27:01 - 00:58:29:18

Jerry Vella for the applicant? No, I don't think so.

00:58:29:22 - 00:58:30:07

Okay.

00:58:31:03 - 00:59:02:03

Um, and then just moving on to the Nat's interests. Um, so in the deadline five version of the development consent order, we've seen a new requirement 22 to cover the, um, primary surveillance radar sites, the three sites that we've discussed previously. Um, and I can see that that wording is the same as it was in the, I think, the deadline three version of the statement of Common Ground. Um, again, I'll start start with the applicant. You want to give us a quick update as to how things are. We will come to Nats as well then.

00:59:03:09 - 00:59:41:15

Uh, Gerry Vella for the applicant. Uh, we are still engaging on the on the MSC agreement. The mitigation agreement? Um, that is ongoing. Uh, there is a, um, an aspiration from both sides to complete that by the end of the examination. But at this stage, it is still ongoing. Um, as a result of that, we wanted to get the requirement into the DCO so that it's there. Um, and, uh, yes, I will be seeking, uh, feedback from Nats, uh, ahead of D6 on on the wording and the requirement as incorporated into the draft DCO.

00:59:42:25 - 01:00:15:11

Um, lays down on behalf that can I would just flag that it is very much standard wording that requirement that that we've seen Nats agreed to um, on other DCO. So as I said previously, there will be some differences in the wording of those aviation requirements because we follow what the, uh, what the, uh, aviation stakeholders would like to see. Um, so that's very much follows that standard drafting. Um, and I think our position is a mr.

01:00:15:13 - 01:00:28:00

Vera explained that we will be looking to continue to try and get that agreement in place, but ultimately the protection that Nats requires in respect of those radars is secured through that requirement in any event.

01:00:28:17 - 01:00:38:28

Thank you. Mr. Auld, would you like to come in on that from that perspective, does that reflect fairly how you see things in terms of the discussions between yourselves and the applicants?

01:00:39:06 - 01:00:53:02

I think it does. I think we're very much at the crossing, the T's and the ice. Uh, from our perspective, we believe that the impacts are mitigated. It's just about getting the wording finalized, and we'd be happy with that.

01:00:53:22 - 01:01:01:22

And so is the current situation that you're looking at the wording that's in the latest version of the DCO on that, that that mitigation requirement. Is that where we are. We are.

01:01:01:24 - 01:01:02:15

Yes. Yeah.

01:01:02:17 - 01:01:07:10

Okay. And so by deadline six, are we likely to have confirmation of that as the 20th of December.

01:01:09:21 - 01:01:15:25

It's very very much hands off the, the legal rather than the technical side. Uh, but I don't see why not.

01:01:16:04 - 01:01:16:19

Okay.

01:01:16:27 - 01:01:17:12

Thank you very.

01:01:17:14 - 01:01:17:29

Much.

01:01:18:25 - 01:01:22:13

Is there anything else from your perspective, Mr. Old, that you wanted to raise today?

01:01:22:21 - 01:01:23:20

No, I don't think so.

01:01:23:28 - 01:01:24:27

Okay. Thank you.

01:01:26:26 - 01:01:53:24

Okay. Um, we've already discussed Ronaldsay Airport, um, and. Well, particularly on the point of the VHF. Um, and I note what the applicants just told us about the DCO requirement, uh, discussions being underway. Uh, are we looking hopefully to deadline six to see a copy of that requirement, Miss Dunn?

01:01:56:06 - 01:02:00:20

Less than on behalf of the applicant. Yes, we'll be looking to put that draft in for deadline six.

01:02:02:10 - 01:02:03:05

Thank you.

01:02:05:07 - 01:02:11:26

Is there also a commercial agreement discussion happening with Reynolds? Where is that? Is this all about the requirement?

01:02:12:29 - 01:02:43:21

Uh, Gerry, valid for the applicant. Uh, we are engaging on a commercial agreement as well. As you'll know from issue specific hearing for, um, the airport were undertaking a aviation surveillance strategy. Um, that strategy, I think, at ish for, uh, had just been completed, um, issued to the to the applicant. Uh, we are now engaging on that strategy. It does include for, uh, implementation of a of a new radar.

01:02:44:01 - 01:03:11:20

Um, I'm sure Mr. Pier can give a lot more detail, but but the key aspect now is to engage on the on the commercial agreement. Um, I think safe to say, we don't think that will be complete by the end of the examination. Therefore, that that was the real driver for ensuring that we have an agreed, uh, requirement incorporated into the draft DCO before the end of the examination, say that that's the key priority for for deadline six, I think.

01:03:12:10 - 01:03:13:00

Thank you.

01:03:13:26 - 01:03:20:24

And, Mr. Pugh, would you like to come in at all on any other Ronaldsay airport discussions?

01:03:21:15 - 01:03:52:06

Uh uh, RFP for Isle of Man Airport. I, I don't think I need to go into a much more detail than Mr. Fellow has has given there we are in productive discussions, um, with the applicants over this. Um, we are we have spoken about a potential commercial agreement, and there's been an update on that last week, which we're continuing to liaise with them over and with further meetings this week. And we are in, I think, intending to meet with the applicant again this this week for an update on that.

01:03:52:10 - 01:04:27:23

Um, but agree that this is unlikely to be resolved before the end of the examination period, and therefore that's why we wish to secure the the correct wording in the DCO requirements so that all aspects are covered, not just, um, the PPS, the primary surveillance radar, which is the principal, um, effect that's been identified, but also as commented on already, the issues with VHF communications and um, potential issues with the secondary radar, which for us is not a an says secondary surveillance radar.

01:04:27:25 - 01:04:44:08

It is a multilateral ocean um system, which works in a slightly different way. And the effect on that system is not fully known in a similar way to VHF communications. It may not be known until the turbines are in place.

01:04:46:04 - 01:05:10:04

That's helpful. Thank you very much, Mr. Pugh. Um, and then just coming back to the applicant, I'm just finally on that point about VHF. Um, I'm presuming if given the timing of the, the CAA advice, um, that we're not going to be the only live examination where this might suddenly be featuring and therefore popping up with similar a need for similar requirements. Is that reasonable?

01:05:11:24 - 01:05:49:24

All right. Gerard Vella for the applicant. Um, yes, that's correct. I think just, um, in light of that, the requirement that we are engaging on it is, uh, you know, first of all, we were starting with an act like,

um, requirement based around primary surveillance radar. Um, so, so we in order to address, uh, some of the wider aspects, we are looking at a requirement that's based around, um, air traffic service. So, so that's how we're going to, um, sort of address maybe, uh, not having an absolutely clear view on what needs to be captured at this stage.

01:05:50:25 - 01:06:02:27

Okay. And as I understand what you told us earlier, it was that you're putting that forward on a without prejudice basis for consideration by the board, by ourselves and the Secretary of State.

01:06:03:13 - 01:06:03:28

Gerard Butler.

01:06:04:00 - 01:06:41:19

For the applicant, I think, um, so without prejudice basis really relates to, um, Blackpool Airport, where there isn't an air traffic service. So there it will be a VHF comms requirement that will be a without prejudice basis. In the event that there's a requirement for that, there's a need for that requirement to to to be in the draft eco with regard to Ronaldsay Airport, because there is the issue with the wide air traffic service around implementation of their new radar, um, and potentially VHF comms and potentially, um, the, the requirement for for mats.

01:06:41:21 - 01:06:50:12

We are looking at a requirement that's based around, um, mitigation of air traffic services so that it can capture more things.

01:06:50:20 - 01:06:51:13

Thank you.

01:06:52:22 - 01:07:02:17

Okay. Um, I'm going to move on to Liverpool Airport. So, um, I've seen the update. We've had a deadline. Do you want to come back in before we move on?

01:07:03:00 - 01:07:03:15

I.

01:07:03:24 - 01:07:05:01

Mr. Hinchcliffe, I think.

01:07:05:03 - 01:07:15:24

Yes, ma'am. Just just, uh, just in case. Blackpool airport come back. They do provide an air traffic service. It's just that they don't have a primary surveillance radar. So it's subtly different to watch Isle of Man perhaps giving.

01:07:16:15 - 01:07:48:04

Thank you. That's a helpful clarification. Okay. Um, Liverpool Airport we've had, um, we can see from deadline five that there's been, um, kind of a re-engagement between the applicant and Liverpool Airport. Um, I understand that the airport itself, um, is engaging with it with, with its own PSR supplier on some of the issues that have been raised. Um, I think there was a comment that you might be able to give us an update today, because there was a meeting due last week, perhaps.

01:07:48:26 - 01:08:26:19

All right. Gerard Vella for the applicant. Yeah. So we, uh, we re-engaged on 28th in November. Um, uh, our, my previous emails had been going to an unmonitored folder, unfortunately, at the airport. But anyway, we're now re-engaged, and we met on the 5th of December. Um, Liverpool John and Apple are engaging with their radar supplier, which is Raytheon, to establish whether, um, the Mona project could affect their primary surveillance radar and air traffic service. Um, um, the that's that's based on the the Mona maximum design scenario, uh, using the largest turbines.

01:08:26:26 - 01:08:28:26

Um, but um,

01:08:30:18 - 01:09:09:01

uh, and based on on the fact that, um, we are theoretically within line of sight of the airport, uh, but Raytheon needs to establish that, given that the nearest portion of the Mona array area is actually 38 miles from, um, from Liverpool Airport, and Liverpool doesn't provide an air traffic service in the airspace over the Mona array area. So it's imperative that Raytheon establish whether there is an effect in the first instance, um, Liverpool Airport do have a windfarm resilient radar, and they have been through this process before of adapting it to mitigate for the Burbank project in in the past.

01:09:09:03 - 01:09:40:22

Therefore, if required, the mitigation requirements are well understood and comprise software updates to the radar. Um, on site work should be minimal. Um, flight trials and an update to the existing safety cases. Um, prepared for Burbank. So I think we have a good understanding of what the mitigation requirements might be if they are needed. Um, now we do have another meeting, a follow up meeting on the 17th next Tuesday morning with the airport.

01:09:40:24 - 01:10:19:05

But the airport have told us that the Raytheon assessment may not be completed before the end of the examination. Um, therefore, engagement on a draft commercial side agreement between Mona and Liverpool Airport, um, is commencing in parallel with the Raytheon assessment and we will need to prepare without prejudice draft DCO DCA requirement that would apply in the event that Raytheon assessment identifies blah, blah, blah. Um, and then confirm to Secretary of State whether or not that requirement is needed to be, uh, retained in the in the DCO.

01:10:19:07 - 01:10:20:27

Should consent be granted?

01:10:24:08 - 01:10:43:11

Okay. Thank you. That's, uh, that's a helpful update. Um, so it could be it could be that we see, um, as you said, without prejudice, drafting of a requirement alongside the commercial agreement work that's progressing. Um, and I see mention of a joint position statement that deadline seven is an aspiration. Is that correct?

01:10:44:28 - 01:11:00:02

Yeah, absolutely. Well, we'll we'll make sure that we provide, um, uh, a clear position at the end of the examination and the, the drafting for the, uh, DCA requirement will be, uh, go into the DC D6.

01:11:03:25 - 01:11:04:12

Excellent.

01:11:04:14 - 01:11:05:06

Thank you.

01:11:06:28 - 01:11:26:00

And finally then, um, by Wharton. Um, we've got a new requirement. 23 for Wharton Aerodrome primary surveillance radar. Again, the same wording as we saw in the deadline. Three statement of common ground and fairly standard wording. Um, is that wording now agreed with the Defense Infrastructure Organization?

01:11:27:16 - 01:11:58:08

Uh, Jerry Vetter for the applicant? Um, no it's not. Uh, I did try to, um, to engage on updating the statement of common ground, um, and getting, uh, feedback from Dio on the proposed drafting for by Wharton. Um, didn't receive that. So we've put it into the draft DCO, uh, in order to ensure that there's something in there. And I will be seeking feedback from Dio, um, on that drafting, uh, ahead of d6.

01:11:58:26 - 01:12:21:27

Um, And I think, um, I think in response to the second set of access questions, we did confirm that Dio have, um, confirmed that there's no changes required to requirement three in the DCO, which relates to aviation safety. So the only outstanding matter is the, um, is the proposed new requirement.

01:12:23:12 - 01:12:44:25

Uh, unless done on behalf of the applicant, I'll just add in there that again that follows precedent drafting that's been agreed to previously. So it it it should be pretty straightforward for that to be confirmed. We haven't we haven't done anything different. And we've again followed wording that by have uh have agreed on other projects. So we're taking that same approach.

01:12:45:18 - 01:13:03:12

And in terms of uh, I can see from the drafting that the Dio's requirement comes into effect prior to rotation of blades, whereas the Nats work requirement is talking about, um, being complied with before construction. That literally just comes down to the preferences of the individuals that you're, um, negotiating with.

01:13:04:09 - 01:13:38:14

Uh, Liz Dunn, on behalf of the applicant, it comes down to the precedents that are there in terms of what's been what's been agreed previously. Um, it's it's, um, it's important to the applicant that the, the trigger for that, um, doesn't prevent turbines being the sort of starting work of the turbines being placed. So some of them say that, um, it's the it's the sort of above surface turbines and some talk about the blades and that, that is linked to the type of mitigation that's needed as well in terms of, um, what's appropriate there?

01:13:38:27 - 01:13:51:05

Okay. Thank you. And um, is there also then also a commercial agreement being progressed alongside that requirement, work on for the Defense Infrastructure Organization?

01:13:52:02 - 01:14:27:16

Uh, Jared Vella for the applicant. Uh, the commercial agreement will be with BAE systems rather than, um, Defense Infrastructure Organization. Um, so, uh, as we updated you, um, at ish for, um, engagement on the mitigation requirements for, uh, BAE systems at Wharton, um, are contingent on an NDA, um, related to the the new radar being dropped and the conditions that would allow for that, our commissioning of of the, uh, new radar.

01:14:27:18 - 01:15:02:16

Now, we understand that's not going and not going to be until next year. Um, and I think, um, we're not exactly sure when it will be next year. So as a result, that means it's, um, it's been a bit more challenging for us to engage on the commercial agreements. Um, I think I think we're all fairly confident that that mitigation is, uh, this is mitigated. All that it, uh, Involves, um, manipulation of the radar, um, uh, flight trials and a safety case to CAA.

01:15:02:18 - 01:15:18:29

But until the radar is commissioned and the NDA is dropped, we can't really engage on the commercial side, which was the real driver for us to, uh, to, to push forward with a DCO requirement and in fact, put it into the draft code five.

01:15:20:20 - 01:15:44:15

Thank you. And, um, we would obviously encourage, um, the Dio or, um, and, or the, uh, ba to give us confirmation about whether they're content with, um, the drafting of requirement 23. And indeed, I don't think we've seen, although you mentioned that they're content with requirement three drafting. I don't think we've seen evidence of that yet.

01:15:45:21 - 01:15:51:13

Chair Vella for the applicant. Yeah, I'm hoping to hoping to do that via the statement of common ground.

01:15:52:23 - 01:16:02:06

Excellent. Thank you. Okay. That's everything I had in terms of aviation and radar. So is there anything that anybody else wanted to raise before we move on?

01:16:05:20 - 01:16:10:17

Okay. In that case, I'm going to pass over to Mr. Rowlands on commercial fisheries.

01:16:14:16 - 01:16:39:02

Thank you very much, Mr. Powers. So, um, I'd like to start with, uh, the effects on scallops, first of all. So I appreciate if the applicant can just give me a quick update on where we are with scallops. And if you need to relate to the examination progress tracker as well, that would be helpful.

01:16:48:21 - 01:17:27:18

Uh, Gerard Vella for the applicant, I think the key update in terms of um, scallops relates to, um, the commitments made to scallop monitoring. Um, so we've already secured pre and post construction scallop monitoring through the updated Outline Fisheries Liaison and Coexistence plan, which was submitted at deadline three. And that was rep 3016. Um, but we've made some additional commitments, um, to the the monitoring commitment that we'd already made and we've and we did that through an update to the offshore in principle monitoring plan.

01:17:27:27 - 01:18:05:19

Um, at deadline five and that's 507 um, to both include scallop monitoring within the offshore in principle monitoring plan because it wasn't yet included in there. And to expand on the commitments to include for um king as well as queen scallop uh, in consideration of the monitoring programme. Consideration of regional monitoring programmes such as the work being done at Bangor University, um and also uh consideration of uh similar commitments being made by the um proposed Morgan Generation Assets Project.

01:18:05:28 - 01:18:43:17

Um, and then we also included um, uh, additional commitments, uh, following engagement with commercial fishing stakeholders and, uh, the Isle of Man government's, um, uh, Department for the environment. Environment. Uh, deeper apologies. I've forgotten the full name of the acronym. Uh, we also made, uh, additional, uh, commitments to both engaging with stakeholders in preparation of the monitoring program and also engagement on annual monitoring results and final results, and where necessary, to discuss next steps, uh, at the end of the monitoring program.

01:18:43:19 - 01:19:04:01

So so those new commitments are now secured within the offshore and principal monitoring plans submitted at deadline five, and those updates will also be incorporated into the Outline Fisheries Liaison and Coexistence Plan, likely at when we submit the final outline plan at deadline. Seven.

01:19:09:11 - 01:19:11:08

That's it for for the update.

01:19:11:24 - 01:19:53:00

Okay. Thank you very much. Can I just check with you. And this is with regards to the progress tracker, um, whereby you highlighted that the last version that we received in the examination that there was disagreement and that was with the Scottish West Coast scallop vessel, uh receptors group, uh, about the minor adverse effect identified for loss or restricted access to fishing grounds. And the other one was regarding cumulative effects where there was disagreement with minor adverse effects is This is likely when we get the updated progress track that those disagreements will still be in place.

01:19:54:07 - 01:20:23:21

Gerard Butler for the applicant. Um, we note that the um Scottish Fisheries Federation, West Coast Sea Products, um, Scottish Whitefish Producers Organisation didn't submit um responses to um the second set of questions um, on any of those matters. So we are assuming that they are content with the position that's been, um, reached so far, and we're not expecting that those positions will change.

01:20:25:19 - 01:20:34:29

Okay. And they'll be reflected, uh, in the updated, uh, progress tracker when that's received and what your current understanding of the position is.

01:20:36:02 - 01:20:38:20

Gerry Fowler for the applicant. Yes. That's correct.

01:20:38:25 - 01:21:11:06

Okay. Thank you very much. Um, just before we move on to the elements with commercial fisheries, Um. We have read the submissions and we were wondering if you were able. I know it's quite early in the day, uh, following the deadline. Five submissions, but, uh, Welsh Government have, uh, obviously raised concerns about scallop. Scallop stocks. Um, I don't know if you've got anything to add to that. Um, before I ask Welsh Government, maybe just to summarise their point of view.

01:21:12:18 - 01:21:42:26

Gerard Vella for the applicant. Yes, I'm happy to do that. Um, I think of course we will be responding to the representations submitted by Welsh Government, um Fisheries Division, um, at at deadline six. Um, um, I think probably the key points to discuss really are the recommendations made by um Welsh Government. Um, and, and um, if it would be helpful, I can go through each of those recommendations and discuss how we think we're already complying.

01:21:44:00 - 01:21:53:08

Would it be possible, just for the context of this discussion, to keep it in the remit of scallops? And then we'll obviously move on to aquaculture and so forth?

01:21:54:19 - 01:22:30:11

Yes. Gerard Vella for the applicant. Yes. That's fine. Okay. So the first recommendation was commissioning an analysis of available survey data, which may be adequate to infer approximate baseline status of scallop stocks in the proposed development area. And officials recommend that the applicant approaches Bangor University's School of Ocean Science consider available evidence. So we've already made a commitment to collection of pre-construction baseline scallop, um, scallop resources within the in and around the the The Moana project.

01:22:30:18 - 01:23:10:28

And we've also committed to reviewing other regional monitoring programmes in developing our programme. And as I said earlier, um, that would likely include the the existing Bangor the program, which would provide wider context in in the the wider area to to our monitoring in in and around the the wind farm. So we think that we have already made a commitment that can be expanded upon post consent with regard to that point. Um, their second point uh was was more widely sort of commissioning and monitoring programs, gather evidence on the impact of construction on scallop stocks in and around the proposed program Monterey area.

01:23:11:00 - 01:23:43:14

And, uh, as you're aware, uh, we've already committed to a monitoring program that includes pre and post construction monitoring. So we think that we're meeting that recommendation. Um, the third point raised by Welsh Government was liaising with fishers to ensure all possible actions are taken to give fishers confidence that they'll that it will be safe to continue fishing in the area between the wind turbines and the scallop mitigation zone. And it may be necessary to map snagging hazards on the seafloor C4 covering cabling and share this with fishers.

01:23:43:23 - 01:24:20:12

Um, you'll be aware that under, uh, DML condition 26 six, we have a requirement to already do that, um, and provide that information. Um, additionally, I would highlight that under condition 13, we have notification requirements through kingfisher. Um, to the, to the, um, fishing community as well as our notice to mariners. So again, we feel that we're already, um, meeting that recommendation. Now the fourth point raised by Welsh Government was the monitoring of ongoing impact on fishing businesses operating in and around the array.

01:24:20:14 - 01:24:52:02

And consider consider reasonable mitigation based on evidence. So we we have actually committed and secured that commitment within our outline fisheries liaison and coexistence plan to reviewing VMs data, uh, once it becomes available EVMs data uh, and landings Findings data for up to five years post construction through the operation and maintenance phase, um on um fishing activity and engaging, reporting on the results and engaging on next steps when necessary.

01:24:52:04 - 01:25:03:14

So again, we feel that we are meeting that requirement. Recommendation. Sorry. The final recommendation relates to co-location of aquaculture. So I think I'll stop there. Um.

01:25:05:20 - 01:25:13:25

But thank you very much. That's really helpful. Um, I would like to ask the Welsh Government if they would like to make any comments on what they've just heard.

01:25:18:23 - 01:25:43:00

Thank you very much, Mr. Owens. Um, yes. Uh, Alan Mortimer here from the Welsh Government's Fisheries Division. Uh, thank you very much to the applicant for that. Um, I just very briefly explained that, um, we submitted something, uh, for this, uh, deadline. Um, and, uh, it's separate to the, uh, the, uh, government submissions, uh, on other policies, um,

01:25:44:15 - 01:26:18:25

we, um, received, uh, you know, uh, contact from various stakeholders expressing concern about these issues. And, uh, we wanted to make sure that they are being, uh, appropriately, uh, considered. Um, it's very reassuring to hear that, um, these things are being considered. I'm not sure it's quite clear as, um, as you've just explained there in the actual documentation that that is your intention to, uh, to continue the monitoring and make mitigation decisions after the fact.

01:26:18:27 - 01:26:52:08

Uh, based on that, uh, whatever those, uh, um, survey or research throws up. Um, but that's, that's reassuring to hear. Um, because I think the impression, uh, I got from reading the, um, ecology reports and commercial fisheries reports were that, um, there was no reliance on desk based, um, uh, research and not all of it, uh, necessarily appropriate to this specific location. Um, also, IBM's data will only tell you so much.

01:26:52:10 - 01:27:38:01

It'll tell you, uh, what was caught. Maybe not, um, with the specific location, depending on what systems you're using. Um, so, uh, it is important to do to take into account more scientific research, uh, data in your calculations. Uh, in doing that, and we also, uh, felt that, um, because of the continued development of the marine space, there is there will be continued, uh, displacement and that that results in a squeeze elsewhere, which may not be, uh, thrown up directly in the VMs, uh, data that you would be referring to, to, to calculate the direct impact of, uh, uh, on this particular fishery.

01:27:38:29 - 01:28:13:07

Um, I did also note it slightly separately, but as an aside that, um, it wasn't clear whether the, the, the place and sole nursery and spawning grounds in the same area, um, had been uh, the impact had been considered on those, uh, for those, uh, fisheries as well. Um, that isn't really my area. I'm, um, specifically implementing the King Scallop FMP, which has a, uh, relevance for the queen scallop fishery as well. Um, but, um, it was it has been raised with this, and I wanted to just know that as well.

01:28:13:09 - 01:28:14:04

Thank you very much.

01:28:16:29 - 01:28:25:14

Thank you very much, Mr. Martin. Um, if I could ask the applicant, uh, to come back and if you can put your camera back off, please. Mr. Martin. Thank you.

01:28:27:13 - 01:28:58:21

Jerry Fowler for the applicant. Uh, I'll. I'll start the response here, but I'm going to ask my colleague Mr. Lewis to, to to jump in as well. I think I think probably the key thing is that we do need to respond to the representation put forward by Welsh Government Fisheries Division Fisheries Policy

team and provide the signposts to where commitments are made in the various documents. We appreciate that they are large documents and complex.

01:28:59:00 - 01:29:29:20

So very happy to do that. I think that we have, um, that we have got everything covered there that, um, Mr. Mortimer has raised. But, um, I think we do need to set it down in writing for Mr. Mortimer. I think we should probably comment on some of the consultation that we've undertaken. Mr. Mortimer might not be aware of. And, um, I'd also ask Mr. Lewis to talk about place and soul as well.

01:29:29:22 - 01:30:00:06

But just before we get into that, I think, um, one of the the key aspirations with the project was to ensure that we made the necessary changes to allow fishing to continue within the Ouray area and, um, absolutely limit the, the, the, uh, displacement of fishermen and the squeeze that we know, uh, fishing stakeholders are going through. So we did make a number of commitments which, uh, may not have been so clear to Mr.

01:30:00:08 - 01:30:37:29

Morton, but they related to, uh, increasing the space between infrastructure to 1400 meters, uh, between wind turbine generators and offshore substation platforms, uh, to ensure that there was space to continue fishing within the Ouray area. We committed to alignment of wind turbines in a north south orientation to, to allow for the dominant, um, towing direction of north south to continue. Um, we included for a Scarlett scarlet mitigation zone over the core area of Scarlett within the Monterey area, in consultation with, uh, fishing stakeholders.

01:30:38:04 - 01:30:54:12

And we've also made commitments to cable burial and minimizing the use of cable protection, um, uh, knowing that they can impact on the, on the fish ability of an area. Uh, I'll hand over to my colleague, Mr. Lewis.

01:31:09:00 - 01:31:40:00

Johnny Lewis, on behalf of the applicant. Um, so to talk of the some of the points raised by Mr. Mortimer with regards to, uh, the data and the information used to define the fishery, if I can just focus on that for a second. Um, yeah. I think within our documents, we highlight the limitations of some of the fisheries data. I mean, that's very common across any such application. It's just the nature of of the data. I also note from the submission that we've received recently that we all respond to it, D6, that Mr.

01:31:40:02 - 01:32:16:26

Mortimer was perhaps not as aware of our engagement that we've had historically on the project. Um, I want to highlight a specific meeting we held in March 2022 with Welsh Government, Marine Enforcement and Fisheries team members. So in our imminent submission, we will add specific details of who we spoke to specifically. We also highlight when we engage with Welsh Government during these statutory consultation periods, but just broadening out on the wider engagement piece. Again, for Mr. Mortimer's benefit, we start engaging with the fishing industry in early 2021 and that's continued up to the present day.

01:32:17:08 - 01:32:52:11

And I think we've had a total of eight discreet sort of consultation meetings. And by that they've been grouped in that way because we've actually tried to physically get to site as much as possible. We had some limitations around Covid in the early stages, but we've had significant engagement. The scallop

fishery is often mentioned, as we just saw from Mr. Weller's, um, dialogue just then, and we have done a lot of engagement with that specific sector. And we feel and I think the industry would concur, that we've represented very accurately the nature of the activity within the euro area in particular.

01:32:52:15 - 01:33:03:23

And that's been largely thanks to the actual engagement we've received from the industry. And that's that's been applauded for that. They've been very open in providing information, um,

01:33:05:08 - 01:33:46:07

on the sole fishery as a commercial fisheries entity, Mr. Mortimer notes in our chapter for commercial Fisheries, we we did identify that as a discrete receptor group. Again, we engage with in this instance to central the Belgian Fishing Authority. And they in particular highlighted the importance of of the beam trawl fishery, with sole being a target species, plaice being a bycatch species. So from a commercial fisheries perspective, and I speak as the commercial fisheries um lead author on that chapter, I feel confident that we we assessed the self fishery as a receptor on sole and place and spawning and nursery that that topic was actually covered by RPS.

01:33:46:09 - 01:33:55:01

So I feel probably not the best place to speak specifically about that right now, but we can respond to that in our imminent submission back to Welsh Government.

01:33:59:08 - 01:34:31:04

Okay. Um, thank you for that. Um, can I just double check with the applicant then, um, your current position, and you'll confirm our deadline six that the environmental statement does consider the potential impacts, um, of these particular species, uh, the place and soil spalling and nursery grounds and that you consider what the mitigation, uh, if it's necessary that they're adequate in your current submissions.

01:34:35:15 - 01:34:42:24

Gerard Vella for the applicant. Yes. That that's correct. And we'll confirm that in our, um, response to, um, Welsh Government.

01:34:43:18 - 01:34:53:10

Okay. Thank you. Um, the explanatory notes that you mentioned, signposting. Is that something that you can action by deadline six.

01:34:57:21 - 01:35:04:09

Jerry Vella for the applicant. Yes. We'll we'll include that in our response to, um, Welsh Government at deadline six.

01:35:04:16 - 01:35:34:07

Okay. Thank you. Okay. Um, I'd like to move on to aquaculture now then. Um, from the evidence submitted into the examination, it appears that there is a difference of views, uh, between the applicant and board Organ Marine Limited on aquaculture and policy compliance. So I'll ask first if the applicant can summarize its current position on this point.

01:35:35:21 - 01:36:17:02

Thank you sir. Liz Dunn, on behalf of the applicant. Um, yes, there are there are sort of two key points, I think, to respond to in respect of the, um, deadline, five submissions made by bodega marine and, uh, Mr. Mackenzie. Um, the first one, frankly, um, is that the policy position being presented,

um, in the representations are not only full of hyperbole, but also, uh, a complete misunderstanding and misinterpretation of policy, uh, in terms of how planning policy should be considered.

01:36:17:09 - 01:37:01:11

Paragraphs and words are taken out of context and obligations are stated to be placed on onshore offshore wind developers that are frankly unsupported by policy or any sensible interpretation of it. Um, we will, of course, provide a very detailed response to, um, to the submissions that have been made. Um, the representations also suggest a completely incorrect approach to the consideration of the national policy statements and the determination of nationally significant infrastructure projects under section 104 of the Planning Act, 2008.

01:37:01:21 - 01:37:43:29

I can pull out some, uh, examples, uh, to support the position that we have. Um, first of all, paragraph ten of the the submission states that the applicants failure to make any provision for offshore bivalve aquaculture is a fundamental defect of the project is quite simply, we would say nonsense. This application is for an offshore wind farm. There is nothing in policy that requires this type of co-location that's being suggested, or somehow that it should be on an applicant to hunt around trying to find partners for sidelines.

01:37:44:06 - 01:38:21:18

Um, as seems to be a suggestion here. Um, and it's the first time, um, that the applicant has been made aware. I think this is in paragraph eight of the submission that Border and Marine has ambitions to co-locate a muscle farm on part of the seabed within the Mon offshore order limits. This is not been made clear to the applicant previously. Um, and so, um, how the applicant was supposed to, um, uh, somehow, uh, guess or come up with this as a suggestion.

01:38:21:20 - 01:39:01:14

Um, seems, um, crazy, particularly as, um, the Welsh Government's um, database that deals with, um, uh, as part of the Welsh National Marine Plan, doesn't identify this as an area that has been identified for this type of aquaculture either now or in the future. Um, it's frankly incredible to try and suggest that paragraph ten that this this apparent alleged failure to make provision for offshore bivalve aquaculture outweighs the substantial benefits of the scheme.

01:39:01:29 - 01:39:46:06

Um, policy, as I said, is taken completely out of context. And Mr. Mackenzie will know, uh, that policy is not to be read as individual policies, but, uh, should be read together and as a whole. And the representation that's been made up, frankly, completely fails to do that. Regardless of that policy position. And we will be making very substantial representations in response. As I said at deadline six, um, paragraph 36 of the representation, um, seems to suggest that there are certain actions that the applicant should have taken, um, in order for this proposed project to be consensual.

01:39:46:15 - 01:40:26:20

Uh, the first of those being the identification of blocks of marine space, which we can put to one side. The second point, though, is the grant of a sublease on appropriate terms to board again in respect of that block so as to enable the delivery and operation of the aquaculture asset. Um, it is simply the case that the Moana Offshore wind farm does not have the ability to sublease any part of its array area. It is limited through the agreement for lease, um, to the uses that are set out which do not, um, do not include this activity.

01:40:26:22 - 01:40:57:24

The lease that the the agreement for lease that is currently in place is not even a property right in itself at the moment. And the lease that will be granted by the Crown Estate in the future. Uh, as in if if consent is granted, expressly prohibits the applicant from subleasing any part of the of the array area, or, uh, to undertake activities which are not specifically authorized within the lease, and those activities are all related to the installation of wind turbines.

01:40:57:26 - 01:41:31:00

So, I mean, we could just stop here. There is no there is no the ability for the applicant to undertake this type of activity or to grant the rights that Border Marine, um, are requesting to be granted. If we then look at the sort of allegations that are being made around the sort of interpretation of policy, and that somehow the national policy statements require the applicant not only to consider aquaculture, but to consider specific bivalve aquaculture.

01:41:31:02 - 01:42:08:28

I mean, it is a complete stretching and misinterpretation of both the National Policy Statements and the Welsh National Marine Plan, both of which set out aspirational policies around what may be possible. And they are drafted as aspirational policies precisely because of the limitations I have just explained about the, um, the Moana, uh, agreement for lease and as and when granted, the lease from the Crown Estate, the Moana project is simply not in a position to grant the rights to bodega marine that are being requested.

01:42:09:06 - 01:42:43:29

Having said all of that. Um, my instructions are that the applicant is willing to talk to Border and Marine about what may be possible in the future. Um, but it is certainly not in a position at this stage, as I've said, to grant those rights. And we very, very strongly disagree and reject any assertion that this scheme is not that the Moana project is not in accordance with policy, and that somehow there is a specific policy requirement which is not being met here.

01:42:44:10 - 01:42:48:23

I could go on, but I think you've probably heard the essence of our response.

01:42:50:25 - 01:43:05:05

Thank you. Uh, Mr. Stern, uh, you've made it quite clear what the applicant's position is on this particular matter. Um, I would like to ask Paddock and Marine Limited, um, if you've got any comments to make on what we've just heard.

01:43:06:15 - 01:43:48:23

George Mackenzie for the dog and marine. Thank you sir. Um, so clearly there is a stark difference of substance between the applicant and the applicant and the dog and marine on this matter of policy. And, uh, it's obviously a matter that it sounds like you're going to be provided with further written submissions on by the applicant at the next deadline. And it's obviously a matter which is, uh, of critical importance. And, uh, the examining authority is going to have to get it right. Um, my submissions, which were designed to be helpful to the examining authority, were variously described by the applicant as crazy nonsense, incredible, and completely stretching.

01:43:48:25 - 01:44:24:04

And all of those assertions are wholly unjustified and wrong in substance. And I'll explain why. Um, so in terms of fisheries, there are two strands of policy in operation. Firstly, there is a strand of policy that deals with the mitigation of effects that can't be avoided. So there's mitigation. That's the first

strand of policy and the second is wholly different. It is a set of policies that promote the sustainable use of the shared marine resource.

01:44:24:11 - 01:44:43:08

This set of policies goes beyond mitigation and is about delivering sustainable additionality. And it is in respect of this second strand of policy that the concept of coexistence and co-location, uh, go,

01:44:45:02 - 01:45:22:01

uh, underlying both of these strands of policy is a further policy imperative for the development of a suitable, robust and strategic evidence base. That's obvious, because it's that evidence base that enables an applicant and other stakeholders to understand what opportunities there are for mitigation, on the one hand, and the sustainable development and sharing of the marine resource on the other. Pausing there, we say, sir, that there has been a failure even at this fundamental and logically prior level.

01:45:22:03 - 01:46:00:25

In other words, the evidence gathering level, because at no point, save for in the context of this examination, has there been any, any, let alone any adequate engagement with the offshore bivalve aquaculture community of North Wales. So that's why no consideration hitherto has been given to the potential of the Moana project to support the co-location of bivalve aquaculture assets. And frankly, although we welcome the indication given by the applicant a moment ago that they're open to further talks and discussions on this topic.

01:46:00:27 - 01:46:35:16

It frankly is disappointing and surprising that there still appears to be such resistance to the proposal to deliver this form of sustainable economic development and sharing of the marine resource in a manner which is wholly compatible with the nature of the project, and just pausing there. So I note that at no point, uh, in the submissions made a moment ago by the applicant, um, hyperbolic though they were.

01:46:35:21 - 01:47:09:18

Was it ever suggested to any extent that the co-location of offshore bivalve aquaculture, in the context of the order limits and in the project would be incompatible with the project and the delivery and maintenance and operation of the infrastructure? Uh, so, so the that I'm going to focus now on that second strand of policy that I referred to it in my opening remarks. So that's the strand of policy dealing with the sustainable development of the marine resource.

01:47:09:20 - 01:47:47:05

And as I said at the outset, that goes beyond mitigation. And fundamentally, that is why the applicants responses and submissions at deadline five and the submissions made a moment ago don't go far enough. All they do is point out that mitigation has already been directed towards existing commercial fisheries, both in terms of fixed and static assets, but it's candidly acknowledged in the written material that, in fact, no consideration has been given to opportunities to co-locate offshore bivalve aquaculture.

01:47:47:09 - 01:48:23:01

And it is, despite the protestations made a moment ago by the applicant. Sir, it is abundantly clear that opportunities of that nature are supported in the policy context, both by Ian one, Ian three and the Welsh National Marine Plan policies. FIS stroke one, econ stroke O1 and econ stroke O2. In terms of N3, the text that we rely on is not in the mitigation chapter of N3.

01:48:23:03 - 01:48:56:03

Despite the indication implicit though it was a moment ago that we have suddenly and somehow read words out of context. Uh, so paragraph 2.8.48 is not a mitigation policy, and it says this applicants are encouraged to work collaboratively with those other developers and sea users on coexistence, stroke, co-location opportunities, comma shared mitigation, comma compensation and monitoring where appropriate.

01:48:56:08 - 01:49:05:09

So again coexistence, stroke, co-location opportunities is a different matter in substance to mitigation.

01:49:07:01 - 01:49:45:22

The Welsh National Marine Plan provides further details in terms of what is expected by applicants, in terms of opportunities to deliver coexistence and co-location, and the jumping off point is Econ Stroke zero one, and that is a policy that supports sustainable economic growth in terms of the marine resource. Paragraph 96 provides that proposals that provide or promote opportunities to support the economy are encouraged by this policy, and paragraph 102 says promoting coexistence where appropriate and pausing there.

01:49:45:24 - 01:50:15:29

This is entirely appropriate and nobody has suggested otherwise will help to optimise the use of the marine area. Paragraph 98 is a specific policy dealing with coexistence and its subset co-location, and it is defined as where multiple developments, activities, or uses can exist alongside or close to each other in the same place and or at the same time. Coexistence is already common in the marine environment.

01:50:16:01 - 01:51:00:18

Co-location is a subset of coexistence and is where multiple developments, activities, or uses coexist in the same place by sharing the same footprint or area. That's just the definitional aspect of the policy, and frankly, ought not to be controversial. And so that then sets the framework for the next policy, which is econ stroke zero two, and explains that policy explains what is already and ought to be abundantly self-evident, namely, that supporting proposals for coexistence and collocations and not just proposals but opportunities is absolutely critical to the sustainable development of the marine environment and the marine resource.

01:51:00:20 - 01:51:35:13

And so the policy that we end up, uh, dealing with is econ stroke zero two. And so at this point, uh, I just flagged that border and Marine is deeply concerned that in two econ stroke zero two was not on the agenda. And we have pointed out previously that this is effectively the critical policy in this space, uh, because it specifically deals with coexistence. And we know from econ zero one that co-location is a subset of coexistence.

01:51:35:15 - 01:52:20:29

And we would invite with respect, of course, the examining authority to issue further written questions if it was deemed helpful, uh, to elicit responses, in particular in respect of econ zero two, uh, from the applicant and other stakeholders, including the marine environment. But we just note in passing at this point that econ zero two appears, perhaps inadvertently, to have been omitted from XQ two. But it's critical, absolutely critical, because what it says is this proposals should demonstrate how they have considered opportunities for coexistence with other compatible sectors in order to optimize the value and use of the marine area and marine natural resources.

01:52:21:03 - 01:52:56:19

And then para 104 says that under that policy, proposal should set out how potential opportunities for coexistence with other activities have been assessed and how realising these opportunities could optimise the value and sustainable use of the plan area. Proposals should demonstrate the extent to which they will coexist with other activities and how this will be achieved. And again, so here there is absolutely no doubt whatsoever that offshore bivalve aquaculture is compatible with offshore wind infrastructure.

01:52:56:28 - 01:52:57:21

The sea.

01:52:58:01 - 01:53:34:06

Yes, yes. Sorry to interrupt there. Um, but the Exa are fully aware of what's in policy. And the examining authority's questions as a EX2 were focused on, particularly the particular threads that we required. Further clarification, obviously, what you've submitted at a particular deadline, that is part of the evidence now. So I just want to make it clear to yourself and to others that we are fully aware of the policies now, bearing in mind that this is generally a progress update.

01:53:34:13 - 01:53:43:17

Are there any other further points you would like to make? Um, before I can maybe ask some questions and also go to the applicant, would that be okay with you?

01:53:44:10 - 01:54:16:17

That would be perfectly acceptable, sir. I was just going to, uh, just just say that in terms of policy, econ two, which deals specifically with coexistence, which is referred to in econ one, and that is what EC2 was directed at. There's no doubt that offshore bivalve bi bivalve aquaculture is compatible. It's feasible. There's a community in North Wales ready to deliver the relevant assets. Those assets would be economically beneficial. They would optimise the value and use of the marine area.

01:54:16:29 - 01:54:34:19

This is a golden opportunity to deliver these assets within the order limits, and that opportunity simply has not been considered at all, let alone acceptably, by the applicant. And we stand by our submission that that is a major shortcoming of the project.

01:54:36:15 - 01:54:37:08

Thank you sir.

01:54:38:04 - 01:55:14:06

Thank you very much. Um, before I hand over to the applicant, uh, so that they can respond. Um, can I just clarify, uh, just one thing whereby you mentioned mitigation, and it appears as though in your submission that you've identified a form of mitigation, and that would be in the form of a assets, and the assets would be something in the region of not less than five blocks of marine space, surface and seabed, each block not being less than 50 hectares in area.

01:55:15:14 - 01:55:30:11

I'm, um, I'm trying to understand, how did you identify that that size would be adequate mitigation? So what where does that, uh, derive from?

01:55:32:22 - 01:55:43:17

George McKenzie, former Dorgan marine. Sir, can I ask Mr. Wilson, James Wilson, to address that matter? He is able to speak to the technical matters. Okay. Yeah, that'd be great.

01:55:43:23 - 01:55:44:21

Thank you very much.

01:55:45:06 - 01:55:45:21

Sir.

01:55:49:26 - 01:55:54:11

Thank you. Chair. Um, yes. The idea of blocks comes from.

01:55:54:13 - 01:55:54:28

Um.

01:55:55:00 - 01:55:55:16

Quite well.

01:55:55:18 - 01:56:11:15

Established work taking place in, uh, the European Union at the moment in terms of their co-location progress and also relates back to, to work that was undertaken in, um, Wales in the early 20 tens. So.

01:56:12:08 - 01:56:25:01

And the size of the block and there's if something not a lot then not less than 50 hectares an area. So is that five blocks times 50 hectares. Is that, um, what must have been put forward?

01:56:25:20 - 01:56:46:23

The principle of the of the block is to try and, um, determine um, agreed usable space. But, um, within the framework of the four turbine areas. So, so it's the, the space that's available, which is unused for other purposes effectively. So whether that's a 25 hectare area or 50, It's it's a moveable feast.

01:56:47:10 - 01:56:59:10

Okay. Thank you for clarifying that. I'm going to ask the applicant now. Uh, if you'd like to respond to the points that you've heard. Um, from bodega marine limited.

01:57:00:06 - 01:57:31:17

So at least done on behalf of the applicant. As I said, we will be responding, um, in detail. I would just like to point out, um, a point I made at the start around the cherry picking of policy and references. Um, just it is important if you look at the wording from the Welsh National Marine Plan policy econ zero two, which Mr. McKenzie read out in full detail, save the last bit, which says it is recognised that projects may not be able to identify realistic co-existence opportunities.

01:57:31:19 - 01:58:14:12

As I said throughout our submissions, um, the policies that um, Mr. McKenzie has referred to as being somehow imperatives for the Moana project are not imperatives for that project. They are aspirational policies that are designed to encourage coexistence where possible. They do not place requirements on applicants and non-compliance with them, as is alleged by uh, by Mr. Mackenzie and border and Marine uh is is is is not a position I mean the applicant has made very clear the basis on which these matters, um, have been considered to date and where indeed they haven't.

01:58:14:14 - 01:58:51:15

And the reasons that that is the case, as the applicant has also made clear, it is not in a position to grant the things that water and marine is asking for at this stage. It is not in a position to do that. I can say it again, the applicant is not in a position to grant any lease over the area, uh, in which the the mono array area is situated. That is a matter that bodega marine will need to take up with the Crown Estate, and the Crown Estate will then engage with the homeowner offshore wind farm project in respect of of the potential for those projects to coexist.

01:58:51:17 - 01:59:25:24

There's been no application made for a marine license, which is also a necessary part of bringing this development forward. Um, in terms of of the applicant's ability to somehow have or suggestion that somehow the applicant should have been aware of this project previously. Um, again, uh, Mr. Lewis will talk about the Welsh National Marine plan and the, um, and the, the databases that they hold around this type of activity, um, which are not in the Moana Offshore Array area.

01:59:25:26 - 01:59:31:08

They are identified in inshore areas. Um, would you like to continue, Mr. Lewis?

01:59:32:02 - 02:00:08:14

Johnny Lewis, on behalf of the applicant? Um, yeah. So obviously all of this is in the context. A lot of this is in the context of the Welsh National Marine Plan, our organisation, erm, have been involved historically and in contributing aspects to that, including including policy development, pressure testing of those policies against larger policies like the NPS, but also involvement in the development of resource areas across many sectors. We work across other sectors, including wave tidal aquaculture, and so we're very familiar and we use regularly that the marine planning portal and, you know, just just a cursory look at that and you can toggle on it.

02:00:08:16 - 02:00:51:03

It's very user friendly. You can see clearly the defined areas for firstly aquaculture around the Welsh coast. Then you can drill down and you can actually select sort of bivalve seabed and suspended um areas. Now there's a logic here that the Welsh Government are deliberately trying to identify areas through marine spatial planning, or it's a proxy at the moment, if I'm honest, the marine spatial planning force for such developments, and then there'll be a future development into what's called strategic resource areas, and I'm happy to concede the point that the strategic resource area for aquaculture yet has not been identified, but logically it would sit within the broad resource areas that cover a large parts of the Welsh coast.

02:00:51:06 - 02:01:18:24

So in conclusion, I'll point is, of all the things we've looked at and, you know, I actually refute the point that we've not considered coexistence because our interpretation of coexistence with all the work we've done around the scallop fishery, I think, totally complies with that policy. But even if we had been considering considering aquaculture very quickly, we would have had our eyes drawn to lots of other areas away from the array area in line with with the planning portal.

02:01:21:23 - 02:01:35:00

And with regards to to the point about the five blocks of marine space. Can the applicant just briefly give me a respond to that? What effect would that have on the proposed development?

02:01:40:06 - 02:01:51:12

Gerard Butler for the applicant. And as my colleagues have said this, this is new information to us. It hasn't been considered in formulating our application or indeed assessed.

02:01:53:06 - 02:02:02:10

Um, in terms of an action point. This is something that you can address. I don't like for this particular hearing.

02:02:03:21 - 02:02:36:06

List done on behalf of the applicant, we will be responding, as I've said to the deadline five response. Um, we, um, I want to reiterate that there is a there is a willingness for further discussion, but we will not be spending time wasting time, uh, responding to information that, um, is unnecessary or irrelevant going forward. So we will look at the at the suggestion around the marine blocks, um, and, and and respond to them. Um, but that may be quite a short response.

02:02:38:11 - 02:02:54:00

Can I ask the Welsh Government, uh, to come on? Uh, obviously must be referenced to, uh, the Welsh national policy and marine policy. And I'd like the Welsh going to give a response to what they've heard so far.

02:02:58:07 - 02:03:07:07

I, uh, I'm waiting for the Welsh Government Fisheries Division. Um, yeah. Thank you very much for that opportunity to to speak. So, um,

02:03:08:26 - 02:03:43:17

uh, I reiterate that agriculture is not my area, and there are slightly different, uh, uh, you know, policy leads for these things. So this isn't something that I've had to consider. I mentioned the, the, the possibility of developing, uh, co-location plans and etc. as mitigation in my submission. Um, I can't speak specifically to the submission, uh, from, uh, Mr. Wilson, uh, I'm afraid, um, but, um, is presumably the kind of plan that could be possibly developed in future.

02:03:44:15 - 02:04:10:28

Um, and the, as has been referenced, the national plan, uh, sort of does it set out the aspiration? Um, uh, so, um, it sounds if, uh, future discussions could happen on that, that'd be good. From, from our perspective. Um, but we are, um, involved in that in any way at the minute, so I can't really say any more about that, I'm afraid.

02:04:12:07 - 02:04:33:06

Uh, would it be possible for, as an action point, uh, for the Welsh Government to respond to key threads, uh, uh, regarding the elements that the, uh, the marine uh limited has raised, uh, with reference to the Welsh national Marine policy. Could, could could you take that away as an action point?

02:04:33:10 - 02:04:45:21

I'll certainly take that away and speak to the relevant people and see what what what we can say. But, uh, I can't, uh, commit to, uh, what what will be said. Okay.

02:04:45:23 - 02:05:02:16

If that's a point of reference. Also, it might be useful for you to, uh, for the Irish government to have a look at their, uh, deadline five submission. Um, very briefly before I go, uh, have you got any further comments to make, uh, Mr. Mortimer?

02:05:03:15 - 02:05:35:06

Uh, only that, um, we were aware of this the the significant engagement that has been going on. Um, and recognize that and I applaud that. Um, but we have been contacted by stakeholders subsequent to that and had concerns raised to us and possibly the sheer, um, quantity of information that is available, uh, regarding this massive planning, uh, you know, uh, Application is not the easiest for, um, anyone to, to really digest.

02:05:35:15 - 02:05:44:23

Um, you know, uh, and as a result, obviously, uh, it's great that we have these opportunities to discuss these things. Thank you very much.

02:05:45:03 - 02:06:03:12

Okay. Thank you. Um, very briefly, Mr. McKenzie, because obviously this is not a full, uh, inquisitorial, uh, aspect of the, uh, examination as it is, uh, a progress update. Uh, but, um, happy for you to make your point before I move on to the applicant.

02:06:04:12 - 02:06:38:17

George McKenzie for Border Marine, sir. Thank you. Obviously, this is now an action point, and, uh, it will have to be taken up in offline effectively at this point with the applicant. And no doubt, sir, you in the examining authority, we'll hear more about this topic. The only point that I just wanted to raise, by way of a rejoinder to the representations made by the applicant, so, is that in our deadline five submissions, we do refer to rep to Stroke 101, which is the center for environment, Fisheries and Aquaculture Science.

02:06:38:19 - 02:07:16:01

A document called review of the potential for coexistence of different sectors in the Welsh Marine Plan Area. And the conclusion of that report, page 18. Again, we set it out in our D5 reps. The mussel aquaculture sector appears to have the greatest current potential to be combined with offshore wind arrays, thus meeting economic, environmental and technical requirements. So we certainly don't suggest we don't accept the suggestion that the only spatial zone that the Welsh National Marine Plan envisages offshore bivalve aquaculture to take place is nearshore or inshore.

02:07:16:03 - 02:07:26:28

There is a document, we've highlighted it saying that it has great potential to be situated offshore and combined with offshore wind arrays. Thank you sir.

02:07:30:00 - 02:07:36:03

Thank you very much for highlighting that. Um, finally, I'll come to, uh, the applicant.

02:07:36:19 - 02:08:07:10

Uh, Jerry Vella for the applicant. Um, just just for a matter of record, we did, um, seek to engage with the aquaculture industry, uh, in 2021, when we commenced the engagement program. Um, we didn't receive a, uh, submission from bodega marine. Uh, in our preliminary environmental information reports, um, and statutory consultation and following submission of the representation, uh, in this examination by Dorgan marine. Um, we reached out to set up a meeting.

02:08:07:16 - 02:08:38:04

Uh, we set up a meeting, um, to which the party didn't attend. We then set up a further two meetings, both of which were canceled, uh, the day before. So we've tried to meet three times to to engage on

this matter. And currently, um, the action is Dorgan. Marines come back to us with dates for a meeting, and I believe that action has been sounding for about 3 or 4 weeks. So we've made efforts to engage and resign to, uh, to managing this interaction through our representations.

02:08:38:06 - 02:08:44:06

But but as my colleagues have already stated this morning, you know, we are open to discussing this further.

02:08:46:29 - 02:09:15:27

Thank you. Um, with deadline six fast approaching being the 20th of December, I would encourage both parties if you're able to have our flying discussions, and I'll look forward to, uh, the deadline. Six submissions, but the time now is 1140. I'm going to suggest a 15 minute break and we'll recommence at 1155. Thank you.