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00:07

Okay, so I'm going to resume this issue specific hearing. And we're up to agenda item F, which is the landscape mitigation proposals. Our original question asked if the South downs National Park Authority could provide an update on the suggestion in its local impact report that some of the land required for landscape mitigation appeared to be out of the applicants control. We understand that agreement has recently been reached on this matter, but does the South downs National Park Authority want to add anything today?

00:42

Good morning, sir. It's Mike Houston, South Mountain National Park Authority. Nothing further to add. I think our position is hopefully, clearly stated our deadline five, which is sponsored, we have reached common ground with the applicant on this matter. Thank you, sir.

00:54

Thank you very much anything from the applicant? Okay, Miss Joyce. So let's move on. Following the applicant submission of further information detail deadline one, does the South downs National Park Authority have any remaining concerns or objections in relation to the updated landscape mitigation proposals for converter station? Has Common Ground being reached to the applicant over this matter? And again, we're obviously well, things have moved on substantially since deadline one but Mr. Hughes

01:31

it's myself Robin butcher, on behalf the South downs National Park Authority answering the question to after the written representations and the responses to the examining authorities first written questions, the southdowns. Still, concerns regarding landscape mitigation still generally stand. In particular, we'd like to cover three, three points, one being the point about additional woodlands and hedgerow planting, the second point being the strategy to deal with ash dieback. And the third point to be the use of a bigger range of planting sizes to provide additional screening. Taking the first point, the applicant has made some revisions to the indicative landscape mitigation plans to include additional areas of woodland planting to the south and the west of the converter stationary. But the southdowns considers it's disappointing how little woodland has been added to the proposals, and the proposals don't address the concern raised by the surf dance. In the deadline one submissions that the treatment of the western and northern boundaries is very rectilinear in contrast to the surrounding field patterns in the applicants response to the south downs National Park answer at examining question authority question one and the question Lv one 9.25 in the reference, our EP two hyphens 008 that the new woodland planting had to be balanced with the impact on viable agricultural land. southdowns would suggest that the statement about hedgerow alignment in the same reference discusses that the need for visual screening and ecological connectivity hedges are introduced in smaller fields created which replicate those to the south of stoner cops. The southdowns would suggest that the smaller field areas could be

considered to be less viable as agricultural land and therefore in line with the applicant statement could be considered for the additional woodland planting the furtherance would suggest this is required. The planting on the small areas will also be beneficial in safeguarding the local area from further loss of land to horticulture, and other functions. Land uses already found extensively in the local area that are detrimental to landscape character. In the applicants environmental statement, volume three, Appendix 15.5. It states on page six that the landscape counts has already been eroded by diversification of land use with subdivision of fields into numerous small paddocks edged by electric fences and set aside for horse grazing as well as areas off road mountain biking, we would suggest that with our request for additional woodland, this would not only provide the additional screening required, but it would also be it could also be used to stem the possible further erosion of the already degraded landscape character by reducing the subdivision of fields in the surrounding area proposed in the application. Taking the second point that southdowns would like to raise with regard to the landscape mitigation. This is the strategy to deal with ash dieback when we take on board that the applicant has commissioned an ash dieback survey and we welcome that and we would we look forward to be looking at the findings in due course. The outline landscape biodiversity strategy also states Further a gas station is required to determine the condition of the trees and whether appropriate replacement planting must be introduced where there are suitable gaps in Woodland and where trees have failed and gaps evident. The southdowns Welcome to statement, but the Saturn's considered that once this condition survey is undertaken, there will be a need to need to be additional landscape mitigation proposals set out to address any identified future gaps. So we feel that that it should specify the period of time of which replacement planting would be carried out and explain what will happen in the future. If other areas of disease develop that are not present in the original condition survey. We'd like to suggest that further revisions should be made to the outline landscape of biodiversity strategy to address these points covering the future strategy. The third point we'd like to raise is the use of a bigger range of planting sizes to help provide screening at an earlier stage. We recognise that the out applicants outline landscape and biodiversity strategy sets out recognises the need for a mix of plant stock,

06:03

including larger trees native pioneer species, and this will help to create variations in the woodland structure and mix. Further details of the applicants approach and intent would be welcome. Not least as the planting schedule that has been submitted in the environmental statement, which is an appendix 15.7 incorporates the smaller planting sizes that the southdowns raised concerns about in the deadline one submission, and we would welcome that's either to be varied or altered or, or or struck off. I'm not sure that's the right word but struck off from the application subject to further further agreements through the development control.

06:47

Thank you,

06:49

Jarvis, so expect you to want to make some responses that perhaps an update because if you are one of your team,

06:57

I will let Marissa Bowden rest on in relation to the need for additional woodland and hedgerow planting. And in relation to the Rangers, plant advisors and species that before then I would just mentioned that the applicant has submitted a request to the examining authority, which has yet to be published and I believe will be published tomorrow. And that relates to issues in connection with the rapid spread of ash dye back and how that can be managed and also how the applicant is hoping to be able to provide additional replacement planting in areas of Woodlands not currently included in the application to ensure that there is an adequate screening function. I appreciate that has not been published at the moment. So I won't go into that further at this time. But I will also confirm that that copy of that, if it is not already with the authorities will be sent to the authorities for their review also. But I'll let Mary to Bowden as I say, respond in relation to the need for additional headstone within chanting and the range of plantings. Thank you, sir.

08:00

Thank you, sir. And I'll just touch on planting size first if that if that's okay, because that's a little bit simpler. So in response to the south downs national parks queries on planting sizes, as part of deadline six, we will be looking at revising the application sorry, Appendix 15.7 to actually strike out any reference to plant sizes so it aligns better with the outline landscaping part of SEO strategy, and links more appropriately to the requirements requirements seven referring to detailed landscaping scheme providing greater flexibility in terms of plant sizes. So that's the first point in terms of points in relation to additional woodland. And then the number of points I'd like to make here, sir. Firstly, the extent of planting around the vicinity of the converter station has been limited by a number of infrastructure and health and safety constraints, which are referred to in Section 1.6. point four of the landscaping biodiversity strategy, this is constrained the extent of planting that could take place this specific point in relation to the proposed hedgerow to the north of the converter station. That proposed head row was actually indicated on our rep one, indicative landscape mitigation plans and it has always been there. What has happened subsequently is that it has been widened to address concerns by Winchester city council over connectivity. And the other points, the other key points I want to just make is the planting aims to mimic some of the small caucuses around the Dells or sort of old quarries. And the rector linear planting has resulted through the maturing of belts have linear hedgerows and that that's also replicated. One of the things we have sought to do and we are submitting revised indicative landscape mitigation plans as part of that Line six is to round off planting on the western side of the converter station onto the northern side of the converter station as well, where we can. The other point I just like to make is that in terms of the plans themselves, the the plans as they say by the title is they are indicative, and the plans will be refined through the detailed landscaping scheme. The planting that we're anticipating will be softer. And as referred to in the landscape biodiversity strategy will refer to margins being created and loose woodland edge generated where practicable. So it's a matter of interpretation. When you look at the plans and what we're trying to seek to achieve. There will be subtly rounded edges where we'll be able to create understory and allow ground floor to develop. And that will obviously have benefits in terms of biodiversity as well as landscape. Thank you, sir.

11:00

Thank you very much. Are there any other comments on this matter? Please? Nothing heard on that. And I can confirm Jarvis that the change request has been received and that the planning inspector

candidate us as an examining authority to hope to process this once the hearings are over. There's nothing else on the agenda item f I'm going to move on to agenda item g which is tranquillity. The first question under this section was can the applicant demonstrate how the predicted effects on tranquillity have been taken into account in the environmental impact assessment for users of the South downs National Park, including the potential effects of construction traffic movements of hgv's movements of abnormal indivisible loads, car parking provision, access and haul roads? We have your transcript as burden, but could you give us a summary please?

12:03

Yes, of course. So, in terms of our assessment on tranquillity, tranquillity forms one element of landscape character, and as part of aesthetic perceptual and experiential character, as referred to in the glossary of the guidelines for landscape and visual impact assessment. Third Edition 2013. tranquillity is referred to as a state of calm and quietude, associated with peace, and considered to be a significant asset of landscape. The vi considered tranquillity in the context of the landscape character areas and types on the LVR a focusing on greed three kilometre radius for local distinct side local district and city landscape character. In more specific local features. tranquillity was assessed covering the converter station and its immediate surroundings, including the edge of the National Park. All landscape character areas types landscape features in the setting southdowns National Park, the judgement was made over their sensitivity and their magnitude change, as referred to in appendix 15.8, paragraph 1.2 point 2.2. And support and further detail in the agreed appendix 15.3 landscape and visual impact assessment methodology. Landscape sensitivity is combination of judgments in relationship set ability to change, or development proposed and the value attached to landscape for landscape character is tranquillity during construction was considered not to be significant. Just like to add that sort of in terms of local features, we've identified those as moderate. Thank you.

13:44

Thank you very much. I'm conscious that I'm going to move on in the next point to the actual interpretation of the assessment and any mitigation being proposed to you the South downs, National Park Authority or any of the parties want to comment on the approach to their tranquillity assessment and the mitigation that have been used in the environmental statement. Mr. Hughes, your content wait for the next point.

14:12

Thank you. So I am concerned to make to wait to the next point. And then I would appreciate an

14:16

opportunity to respond. Thank

14:17

you, sir. Thank you very much, in which case, let's go straight on to the next point. And that's a request for an update on common ground between the applicant and the South downs National Park Authority on the predicted effects of the construction and operation of the proposed development in relation to tranquillity and indeed, any mitigation that has been proposed. Was Bowden anything further to say in terms of the output from your assessment?

14:42

No, I think it also, we haven't had a resolution on this particular issue. Thank you.

14:48

Mr. Hughes.

14:53

Thank you, sir, is my cue for sometimes National Park Authority and as Mr. Bowden has said, there isn't common Round on this between ourselves and the applicant, we consider as an authority that during construction in particular, there will be significant impacts on tranquillity in the National Park from such things as movement of vehicles, and including and cranes that we talked about earlier, and including over 200 car parking spaces. We accept that the impact during operation, in terms of movement of people will be considerably considerably less. And one final thing I would say, sir, is that the tranquillity is one of the special characters of the National Park on a seven time special characters National Park, which applies to all of the National Park and not just to parts of it. Thank you, sir.

15:46

Are there any comments from an either local authorities or other parties in relation to the tranquillity assessment output? I don't see any hands up. So it sounds to me like this may be one of those issues where the discussions and agreements have gone as far as they can possibly go, and the differences again to remain. So we'll need to take those into consideration in our deliberations. And when we come to reporting. If there's nothing else on tranquillity, I'm going to move on to agenda item H, which is the design. And the first point under this heading is in terms of the design of the converter station building, and the corresponding elements of the landscape and visual impact assessment. Is there any update on the design meetings held between the applicant and the relevant local planning authorities? And any progress towards agreeing design principles? What matters have any remained unresolved between the parties in terms of designing colour palette proposed for the converted station buildings? No, no, we've got some quite lengthy transcripts from the applicant and indeed others in relation to this. So if I may, I'm going to raise a few specific points. But then I propose that we proceed on the basis that the authorities involved in the design group meetings, raise any points of dissent from the applicants transcript, or any additional points, which they believe should be addressed in relation to the building design. So my points in the first place. gratefully, the applicant can have a look at these. So in relation to general design, principle seven, which is access, the local authorities have raised concerns that this principle is too vague. However, the applicant considers that this design principle is sufficient and continues to seek agreement with the local planning authorities on it. Is there likely to be any narrowing of the divergence between the parties here? And if so over what time period? Chavez who's going to answer these questions

17:52

will be missed both in answering these questions. So

17:55

thank you.

17:56

Thank you. So there has been movement. So in relation to this particular design principle. So we have had agreement from Winchester and these tance that they agree with that particular clue design principle. We are still waiting for confirmation from South downs national park that they're happy.

18:16

Thank you to any of those local authorities. southtowns wish to comment on that one. Thank you, sir.

18:25

Like you said, we'll come back in writing on that point and deadlines. Six if that's okay, sir. Thank you.

18:31

That's fine. Thank you very much. Anybody else? Which case Can I ask about design principle building design principle, one place? That's the external cladding. And can I ask the applicant if that's now been agreed with Winchester city council?

18:48

Yes, sir, that that particular design principle has been agreed. And it has been agreed by all local authorities.

18:58

Excellent, good progress. Thank you. And in relation to building design, principle three, the applicant notes and intention to present a revised elevations and refined colour palette to future design group meeting before the hearings for agreement. Did that meeting take place? And if so, what was the outcome please?

19:17

The meeting did take place, sir. Unfortunately not. Not everyone could be around the table. We still have we have got resolution on the wording of the majority of the design principle free. However, the specific raw colours have yet to be agreed. A revised colour palette study was presented on third December, and we had board agreement however southtowns National Park have now confirmed they would prefer a wider range of colours. We're hoping to set up a meeting shortly to actually try and reach some resolution on this.

19:53

Thank you, Mr. Hughes. Anything to add?

19:57

Thank you, sir. Mike Houston, southdale Centre. National Park Authority. We didn't give our agreement in that meeting of a third of December, we said that we would take it take it away in terms of rail colours. But it is fair to say that there is a difference of opinion in the route colours between ourselves and Winchester City Council. At the moment. We are happy to work with all parties to try to keep agreement on that. And we've suggested to the applicant that they produce some visualisations of the

development in certain views. So that ourselves Winchester City Council and the applicant can discuss them. So we don't view the matter is closed, but there is more work to do. Thank you, sir.

20:39

xbone, are you able to facilitate that?

20:42

Yes, we're more than happy to actually set up a meeting to actually discuss that further. And the applicant has agreed to prepare a couple of montages from one particular viewpoint to eight discussion.

20:58

Thank you. Is there anything else on building design principles? Three from anybody? Nothing heard that. So let's move on to building design principle eight? And could the African Tell me what the position is and seeking an agreement on plant on the converstation? roof? In particular, two references to material plant remain? And if so what does that actually mean, please.

21:24

In terms of the actual particular clause, what has been agreed is that reference to heating and ventilation will be removed. And that the reference to no plant on the roofs of the highest building will be retained. And that's been agreed by Winchester city council and Ds tance. And we're waiting on confirmation from the south downs national parks to whether they're happy with those revisions.

21:50

And the references to material planted actually remain or have they been removed?

21:55

Let me just check that so. Okay. It refers to there will be no plant on the roof of the pious buildings,

22:05

especially Clara. Thank you very much. Anything from Mr. Hughes on that one?

22:15

Thank you, sir. No, we'd be happy to see no plots on the roof of that station buildings. Thank you, sir.

22:22

Anything from Winchester on building design? principle eight. Nothing heard on that one. So in terms of in relation to the building design principles, or any points of descent from the local authorities, or the South downs National Park Authority in relation to the rest of the applicants transcript for this hearing? Or are there any additional points which you believe should be addressed that aren't in there?

22:56

It's gone.

23:03

You're still muted as code.

23:04

Thanks. Sorry. Sorry. So I do want to come back at the end of this section to deal with paragraph 4.4 3.23 of Quinn's response to question four, ah, forgive me if you hadn't quite finished with all the other principles, but I'm, I wanted to just flag that up. So

23:29

yeah, we're gonna go through the landscape design principles and the sustainability principles. So if you could remind me at the end of that section, I'd be grateful.

23:37

So I will keep my hand up, but it will be only for that passage.

23:41

Thank you. Does anybody else wish to raise anything on the building design principles? Thank you very much. So in terms of the landscape design principles, landscape design principles, six, new woodland scrub and hedgerow planting. the applicant's transcript tells us that they are awaiting feedback from the local authorities on the addition of landscape and ecological conductivity. We may have covered this already, but there are any updates, specifically in relation to this connectivity point. And the landscape design principle was bang.

24:18

Thank you. So again, we have had an agreement from Winchester city council a nice hands over this matter. We're just waiting for confirmation from the south downs National Park.

24:29

Thank you. That will do you begin to come into course. Mr. Hayes.

24:36

Thank you. So Mikey stuff, that's National Park Authority. And it will come in due course but I can confirm here that we're we're happy with that same principle. Thank you.

24:44

Thank you very much for that. So in relation to the remaining landscape design principles, again, are there any points of descent from this from the transcript or any additional points which the local authorities or the South downs National Park Authority believe should be addressed anything further on the landscape design principles? Nothing heard on that one. So similarly, any comments on the applicants transcript in relation to the sustainability principles, please from either the local authorities or southtowns, National Park Authority?

25:24

Nothing heard on those. So I think that brings that particular section to a close. But could the applicant please briefly summarise how the design principles can be secured to ensure that the final building

design this is the converter station would be in accordance with them, such that the views of each of the local planning authorities that have participated in the process are taken into account? I have the applicants response in the transcript. Really? Does anybody else have anything to add to that, in terms of securing that participation from all of the local authorities? Do any of them remain unhappy? I see no signals. So Miss Cahoon, your point again, please.

26:12

So thank you. Obviously, Portsmouth has not been involved in the discussions about design principles of the converter station and telecoms building, because it's not within their their authority area. But at the end of the applicants responses to this section, there's reference to both the telecoms building and the optical regeneration station. And they're referred to as principles. Paragraph 4.4 3.23 of Quinn's transcript says that all of the remaining telecommunication buildings and optical regeneration stations principles of relevance to the converse and station area have been agreed. Now, clearly the LRS isn't them it was there is an overlap between what is to be provided at the telecoms building and the optical regenerations station in terms of lighting etc. There is an overlap in terms of those principles, but Portsmouth has not to be clear as not agreed or been in discussions about the principles that relate to the IRS itself. And so, for your reference, we understand that in terms of any design principles, those are set out in the design and access statement, which is document 5.5. And as I call around, what is it section sorry, section 5.5, the design and access statement. And in addition to which, so if there is to be discussion about the design principles of the IRS, then of course, Portsmouth needs to agree them. And secondly, that Portsmouth would like to flag up the fact that it did it too, would require a similar protection from from any subsequent lighting that may be required by a third party operator of the IRS, as with requirement 23 in the order that relates to works number two, so we would like to be protected in the same way as the telecoms building from that. So we can put that in, and those points can be raised within our response at dl deadline six, but I just wondered whether there was any indication, perhaps through you that the applicant could give in terms of trying to agree those matters.

28:55

Okay. Mr. Jarvis, we talked earlier about lighting at the IRS. Is there anything further you want to come back in terms of the general building design principles of the IRS?

29:07

Yes, please, sir, I would just highlight the paragraph that Miss Cahoon is quoted as clearly referring to the converter station area. The title of the section of the design principles is the telecommunications building an optical regeneration station principles, which is why that is referred to specifically with regards to lighting I would highlight design principle five, which says the O RS and telecommunications buildings will not be illuminated other than in circumstances, such as upon activation of an intruder alarm, or maintenance repair operations. And as I've highlighted, if we need to secure that more clearly and an operational requirement we can do so. I think the general point we'd welcome engagement with Portsmouth City Council in relation to the design principles. We have made various requests today to discuss these matters, none of which have been taken up. So if there are comments on them, we'd be grateful to receive them and if they could be provided at deadline six, that would be very helpful. So thank you.

30:00

Thank you, Mr. Jarvis. Again, this sounds like something that should be progressed. I'm quite happy for it to be progressed deadline six, but something could perhaps be discussed outside of the hearings and the examination as well. Are there any further points on agenda item four before I move on? Let's go in your hand is still up. You have another point?

30:18

It is I was simply just going to say that that that yes, of course we will. We'll have offline discussions if required. I'm I hear what Mr. Java says about. Apparently, portswood not engaging, but I am not going to enter into that sort of debate.

30:38

No, we don't need that sort of discussion today. But we'd be very grateful for anything that can be progressed outside the examination. Are there any other comments on agenda item four, please. not hearing anything there. So I am going to move on to agenda item five, which is marine matters. So agenda item five. Hi, the team to marine licence. Thank you again to the marine management organisation for your patience. And this morning. Can you confirm whether you and if you know natural England, are satisfied in relation to the methods of non burial protection for the cable? And are they adequately secured in the DCR on the de marine licence. Following the Africans response a deadline to to still consider that further detail needs to be added to the design parameters to confirm the maximum amount of cable protection required. We've heard from the applicant deadline five and we've heard that the meeting was held on 19th of November. And the applicants position now is that the only outstanding error of discussion in regard to conditions of the marine licence between the applicant and the MMO are those matters identified in the statement of common ground in table 4.1 with which the applicant is engaging with MMO in order to resolve deadline five also natural England did confirm that its content with the methods of non burial protection for this cable and that the new amended definition set out in the applicants responses at line two as appropriate. In terms of MMO your deadline five responses not quite so final. So could you please explain in summary points arising from your pre hearing transcript in relation to this is it was fold?

32:29

Yes, it is yes. This is Jennifer for from the LMA. And to summarise and the LMA were originally concerned around the use of grout bags. And we welcome the applicants explanation that will be required to approve the deployment or cable protection as per the licence conditions in the DML. The MMA will be reviewing these conditions again internally with respect to this and will provide your confirmation at deadline six if you're content with that. And the other main issue that the MMA has around cable protection is that the MMA had requested a condition and sharing data now older than five years was to be presented before post construction cable protection is approved. And the applicant has provided the EMI overdraft waiting for this condition. They provided that to us on the eighth of November. And once the MMA appreciate that this condition does cover that the data no more than five years old will be presented. We would still like to see this condition secure the need to provide descriptions of seabed habitat and the information regarding what cable protection has been made to date. We're concerned that the wording proposed at an alien doesn't cover the seabed habitat description. And we would like to see that just to ensure that the presence of ephemeral species have

you identified because they may not have been that the baseline survey, but we'll be working with the applicant on that wording. I will provide a full response.

34:05

Thank you very much. Is it Mr. Hudson going to respond to this?

34:10

So yes, it is. Thank you.

34:13

Yes, Ross up soon for the applicant. And just really to add regarding the position of the MMO. But I I agree with the general overview provided by Jennifer Ford on this matter. And a couple of points which perhaps been useful to pick up on on this one regarding the definition of cable protection and a new one was provided to me last week by our email and we wait their response, but we considered that that should be kind of easily resolvable and agreeable. And, again, just to reinforce that we do believe that, you know, the use of temporary measures of cable protection can be controlled through approvals or plans such as the cable barrier installation plan, secured by part two, four of a DML. And I'd also add that we have agreed to provide additional information regarding the cable crossing parameters. dimensions, which I understand Vienna was agreeable to. And we will be basically updating Part One for One of the DML. To do so regarding submission, third approval of cable protection and kind of Giambi operational period and the MLS responds to kind of cover the, the five years, kind of data no longer than five years. And I think in essence, we're agreement with the IMO regarding the requirement to provide justification for the deployment of cable protection. And the use of the survey data being No, no more than five years will includes consideration of what protection we wish to lay. And also justification for its suitability with regard to surveys, which we will have undertaken prior to seeking approval. And this will cover habitats where appropriate, or it will cover habitat. So we feel as though within the DML condition that we have this secured because we discussed the need for providing justification for cable protection. And whether it's a slight change in US wording. I think we can discuss this with the LMS and hopefully seek agreement by deadline six or shortly after. And so I think, yeah, we're close to coming to agreements of these points, any small differences, I think will be resolvable, and we'll continue to work with the MMO to this regard.

36:24

Thank you Miss tots. I think the following points are beginning to merge together in this, but I'm quite happy for that to be the case. So if I do repeat myself here, please do let me know. Um, before I move on to the next one, anything specific for anybody else on that one? In relation to cable protection? I'm sorry.

36:46

So I brought up Tim for the applicant. Again, I'm really just have I think he may have mentioned it like politics. You know if I'm repeating, but I'm just to confirm that we understand that natural England in their absence, our content, you know, with cable protection, how it secured. And I think that's kind of covered in their Rep. 5097 responsive deadline five?

37:06

Indeed. Yes, we have seen that. Mr. Halton, thank you. Next point was the MMO previously noted that it was unclear and had concerns about the purpose of deemed marine licence, Part 145 that permits any other works as any be necessary or expedient. And is there any progress to report on achieving common ground on this matter? I think it's still an ongoing matter as far as my work deadline five in terms of MMO. Anything on that please Miss Ford.

37:42

For from the MMA. Russ can correct me if I'm wrong, but I understand from an email on the ninth of November, the applicant is willing to remove this part.

37:53

Souter?

37:55

Yes. Ross Thompson, the applicant? Yeah, that's, that's correct. We kind of confirmed this email last week as well, that we will be removing part 145 from the next draft of the DML.

38:08

Thank you very much. And good to see that some of these issues are heading in the same direction from both sides. And a couple more, which I too would like some clarity on again, these may be being addressed or they may have been addressed, prefixed just clarify them formally, please. And the MMO was looking for a timing restriction to mitigate effects on herring. The applicant certainly at some stage believed there wasn't enough justification for this MMO provided further justification, I believe on the 18th of November cut. As for come in update on MMS views on the herring.

38:49

Yeah, of course, our views are still that the mitigation needs to remain. They may feel very strongly that de temporal spatial integration should be included in the DML. And we've provided a thorough justification to the applicant, as you stated, and and we feel that we have really endeavoured to be proportionate in our recommended mitigation. We have recognised that not all of the keyboard is suitable for herring spawning. And we've used the appropriate data, such as particle size analysis data and the International herring larvae surveys to enable us to propose the mitigation spatially. We've also been able to refine the mitigation temporarily and by investigating the datasets. In order to establish the peak level densities of the cable the area. The LMA does also recognise that cabling activities will be a single event of disturbance rather than continuous ones such as aggregates for reference, other cases have a much longer period where they are not able to work. So we have reduced this for this case. At the enemy's position stands that we feel this condition should be included.

40:05

Thank you, Mr. Johnson.

40:08

Mr. Alderson for the applicant. I think our current position is for. I mean, just to reiterate that we do consider that our assessment on this matter in chapter nine of it is appropriate assesses the potential impacts. But it's not significant and no additional mitigation, including the time restriction is needed. And that being said, you know, we have been working with the MMO, including provision of additional information, a deadline, while it was rep 1153, which provides additional data, which was used as part of our assessment to provide a bit more granularity of you know, how we've used that data, including apparent love and data and PSA data. And we've worked with NOC fast to refine the possible restriction down to a four week period between the fifth of December and the fifth of January, for activities taking place along a section of the export cable. So it's cable 92 109. And we are minded to accept this restriction as why we don't feel as though it's VMO necessary being clear, where they consider our assessment in chapter nine is, is whether in a disagreement, and we don't think that the four week restriction will really impact on the build ability of the project. So we are minded to accept this four week restriction. And we will pick this up again with the MMO. You know, kind of before deadline six and hope to to come to an agreement by that deadline.

41:36

And you

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scored, you think that would satisfy you if the applicant was to move in that direction?

41:45

Yes, it needs me is that we proposed the 15th of December to the 15th of January, rather than the fifth to the fifth. But that's something that we can discuss with you.

41:56

Thank you. Again, hopefully, that is heading somewhere in the right direction, something you could take offline and come back to us with as soon as possible. It's something on our list of things, still is a difference between you. Anything else on hearing from anybody?

42:12

And Russ Hudson for the good. Just to clarify if I said the fifth fifth, and it was a it was basically an error, we do agree, but it's a 15th to the 15th.

42:21

Excellent, thank you. Nobody else is indicating. So one more for me. Could you provide me with an update if there's any outstanding differences between the applicant and the MMO? On underwater noise? I know the applicant was reviewing the response from the MMO and noise information, which were came way back in June, as I understand it, but my trail stops at that point. Could you bring me up to date on that? Mr. Hudson?

42:52

Yes, Russ Hudson for the applicant. And we've been working with our mo and C fast to address this point. And we've provided some additional information, including a a kind of a nice assessment for

cumulative continuous nice to the MMO. I don't have the exact date to hand a couple of weeks ago. I understand that they sought advice from C fast regarding this. And the responses response an update from the MLS do on this matter. But I'm I understand that I'm hopeful that the matter should be considered resolved. But I guess that's for the Alamo to confirm.

43:30

Thank you very much. And the final question in the section was related to the Atlantic the aquent interconnector Atlantic crossing interaction protection. I think we've probably covered that earlier. was anything else you wish to raise about?

43:46

No, there's nothing else to raise for me that COVID

43:49

or Mr. Hudson?

43:52

Not on the matter regarding the cable protection of Atlantic crossing?

43:56

Thank you. I'm very aware, obviously, that there's a progression of the statement of common ground between the applicant and an MMO. Nevertheless, I think I would find it useful, if possible, please, for a post hearing note from the applicant, which just very briefly pulls together all the information from these various places, and just gives us an update on where the outstanding points between the two parties are, if that would be possible, please. And the background to it. And particularly, the confidence you have that these are going to head to a conclusion quite soon, is that it would be possible to do this without them.

44:30

Yes, that's a great, thank you.

44:33

And Russell's. Gonna just confirm that if we regarding these points, and if these are kind of agreed. And that's represented in the statement of common ground that deadline six that these don't need to be covered in that. That's fine.

44:47

Yeah. I've got that in the stream to come grant. So I'm happy with that. It's the outstanding points and the progression towards a conclusion on those please.

44:55

Sure. Absolutely.

44:56

Thank you very much. It's just gone 12 o'clock so it's time for a five minute screen break. So could we be back by 10 past 12 please. Thank you.