

(ABP: 2 of 3 – DL8)

Proposed Lake Lothing Third Crossing (TRO10023)

Associated British Ports (20013261)

**Summary of oral submissions made by ABP at the examination hearing held
on Monday 1 April 2019**

Resumed Issue Specific Hearing 2 (Environment)

This Post Examination Note sets out the submissions made by Associated British Ports ("ABP") at the LLTC resumed Issue Specific Hearing 2 (Environment) held on Monday 1 April 2019 in relation to:

- Vessel Navigation Video;
- Bridge Operational Matters;
- Berth Utilisation; and
- Port Operations.

For clarity, this note also incorporates the following Annexures:

- **Annex 1** – Plans 1 to 4 of Future Berthing Scenarios;
- **Annex 2** – North Quay Bollard Plan;
- **Annex 3** – Port of Lowestoft, Berth Utilisation Assessment – Years 2015 to 2017, ABPmer (April 2019), clean and comparison versions;
- **Annex 4** – Post Examination Note – Justification of Assumptions of Future Development at the Port of Lowestoft;
- **Annex 5** – Assessment of Trends in the European CTV Market, prepared by 4C Offshore Limited (5 April 2019);
- **Annex 6** – Njord Offshore Crew Transfer Vessels – Future Vessel Development Plans Paper, ABP Lowestoft (April 2019);
- **Annex 7** – Oral Statement of Mr Andrew Harston, Regional Director for ABP Short Sea Ports; and
- **Annex 8** – Post Examination Note - Impact of additional restrictions imposed by the Scheme of Operation on vessel transit times.

Where appropriate, these responses are cross-referenced to ABP's Written Representations and other submissions made by ABP for Deadlines 4, 5 and 7.

1 VESSEL NAVIGATION VIDEO

1.1 ABP provided the ExA with a Vessel Navigation Video, which showed a grain vessel entering the Port of Lowestoft and mooring at Silo Quay. Captain Gary Horton, Harbour Master and pilot at the Port, provided commentary on the video as it was played to the ExA, to assist with the ExA's understanding. Captain Horton's CV was provided as part of ABP's Deadline 7 submissions (ABP: 3 of 3 – DL7).

1.2 In summary, the video showed:

- a. A vessel of approximately 90m LOA, 13.4m beam and 25m air draught, entering the Port in ballast, destined for Silo Quay. The vessel was piloted by Captain Richard Musgrove.
- b. Weather conditions at the Port comprised a 15-20 knot wind, coming from the South. Accordingly, Captain Musgrove had to make adjustments to the approach of the vessel and requested an early opening of the bascule bridge, as a dynamic risk assessment led him to judge that the prevailing wind strength and direction would render a controlled stop manoeuvre of a vessel in ballast condition to be unreasonably risky should the bridge fail to open. The vessel experienced wind sheltering in the vicinity of the bascule bridge, due to the bascule bridge leaves, proximity of quay structures and buildings. The vessel, however, was exposed to strong wind once it entered the open basin.
- c. The bascule bridge was closed to traffic for approximately 7 mins, to allow the vessel to enter the Port.
- d. The vessel was turned within the turning basin by using bow thruster and engine and rudder movements, perpendicular to the quay. There was an approximate 15m clearance between the vessel and the quay edge. The available safe turning circle of the vessel at 4m draught is approximately 125m. At 6m draught, the turning circle would be 100m.

1.3 Captain Horton clarified that distance between the existing bascule bridge and proposed LLTC is 850m, and the maximum speed within the Port is 4 knots, which equates to 2m per second. Accordingly, the transit time between the two bridges

ranges between approximately 4 mins for a smaller vessel, up to 10 min for a larger vessel. **Post Hearing Note:** *ABP has since formally reviewed this point, and confirms that the transit time between the two bridges ranges between approximately 8 mins for a smaller vessel and 14 mins for a larger vessel.*

- 1.4 Captain Horton also explained that vessels typically have an asymmetric turning circle, and the pivot point on the vessel can vary due to external factors. Some modern vessels can rotate within their own length; however, this capability depends on how many rudders, propellers and thrusters the vessel has. Vessels can be turned in the vicinity of North Quay 6, however there is only a 106m turning circle available at that part of the Port.
- 1.5 Counsel, on behalf of ABP, explained that ABP still has misgivings about the Applicant's Vessel Simulation Exercise for a variety of reasons. In particular, the design of the LLTC has not been finalised, and the final design will alter dynamics at the Port, such as the impact of wind upon vessel transits through the LLTC and berthing operations close to the proposed bridge.
- 1.6 Captain Horton explained that the Vessel Simulation was unable to accurately model wind shear and wind shelter, which impacts how a vessel moves. The simulation could only apply wind uniformly across the vessel, whereas in practice, wind creates specific varying turning movements on a vessel. As such, the simulation was unable to model how the LLTC will actually affect a vessel transiting through the bridge. The LLTC is located in an exposed area when compared to the A47 Bascule Bridge, and the prevailing direction of wind at that location is a south-westerly. Captain Horton considers that it is likely that the huge sail of the LLTC will provide wind shear and shelter and will consequentially impact vessels transiting through this area. It is unlikely the navigational channel in the vicinity of the proposed LLTC will benefit from sheltering from the embankment or nearby buildings, due to the width of the channel.
- 1.7 The Applicant considers that the issues raised by ABP will be addressed by the further Vessel Simulation exercise specified in Requirement 11 of the dDCO and within a side agreement with ABP. The danger of the ExA accepting the Applicant's position is that further Vessel Simulation exercises may well result in further design changes to the proposed LLTC, with the attendant risk of invalidating the Environmental Impact Assessment that accompanies the application.

2 BRIDGE OPERATIONAL MATTERS

- 2.1 ABP confirmed that, following discussions with the Applicant, the variance in data regarding the number of existing Bascule Bridge openings during the restricted periods has been resolved. The disparities primarily occurred due to timing differences at either end of the restricted periods, where the Applicant's data set timings did not accord with the ABP Bascule Bridge opening schedule – in particular, the specific timings on each parties' clocks did not align. For example, taking the restricted period of 1700-1745, due to disparity in the timings on clocks, ABP may have commenced the restricted period at 1701/1702 with 45 min duration, which ended at 1746/1747. The difference in the shifting of the restricted period by a few minutes at either end dealt with vast bulk of the variances between the parties. Once these variances were accounted for, this left a further 3 incidents where the Bascule Bridge was opened during the restricted period (in addition to the 7 incidents previously identified and explained by ABP in its DL5 submissions). These additional incidents have been resolved.
- 2.2 Overall, ABP confirmed that the operating regime accords with the restrictions of the Bascule Bridge, and ABP is operating the bridge consistently with that regime.
- 2.3 The Applicant confirmed that it agrees with ABP's analysis, and what it considered to be a significant discrepancy has now fallen away. The Applicant explained that during the second vessel survey period (where all events were recorded on a 24 basis), towards the end of the periods the clocks changed from GMT to BST, however the clocks used for the survey continued to record in GMT. This point was not factored into the Applicant's analysis. Further, once the first 2 mins and last 2 mins of the restricted period were discounted to account for minor discrepancies between the timings, this addressed a large number of incidents. Therefore, the Applicant accepted that, taking into account the human factor and the variations in the time keeping of the bridge operating personnel, these incidents should not be regarded as evidence that ABP has departed from its own operating regime.
- 2.4 The Applicant has now accepted that ABP operates the opening regime in line with its published notice. As such, the Applicant will update the commentary and figures in the Port Impact Paper to address this issue.

3 BERTH UTILISATION

Berth Sterilisation

- 3.1 Captain Horton explained the adverse impact of the sterilisation of berthing at North Quay 1 & 2. This analysis includes impacts arising from factors other than the physical extent of the bridge, such as consideration of mooring availability and manoeuvrability of vessels in the relevant quayside space. As part of this exercise, Captain Horton considered assertions provided by the Applicant, for example, that the berth space at NQ 1 & 2 could 'accommodate a 60m and a 45m vessel concurrently' (Page 32 of the Response to ABP's DL5 and Oral Submissions at 7&8 March 2019 Hearings), and various other potential berthing scenarios.
- 3.2 In summary, Captain Horton described the following future berthing scenarios:
- a. **Scenario 1 – 60m and 45m vessels:** This scenario is not feasible due to the geography of the area, in particular, operational factors such as the lack of available mooring points and lack of manoeuvring space. It would also be further impacted by adverse weather conditions. Captain Horton explained that he cannot moor a vessel directly against the fenders of the LLTC, and there is not enough space along the quay, between the fenders and the knuckle, to fit both vessels. Although Captain Horton acknowledged that some vessels are particularly manoeuvrable, it is still unlikely they would fit in this space.
 - b. **Scenario 2 – 2 x 50m vessels:** This scenario is not a viable option, due to operational factors such as lack of mooring availability and manoeuvrability, and insufficient space between the vessels along the quayside.
 - c. **Scenario 3 – 1 x 100m vessel:** Depending on factors such as favourable weather conditions, vessel manoeuvrability and imposition of a safe distance between vessel and adjacent knuckle or LLTC fenders, this scenario represents the largest single vessel that ABP could potentially fit in the quay space between the knuckle and the LLTC fenders.
 - d. **Scenario 4 – 2 x 45m vessels (or alternatively, a 60m vessel and 30m vessel):** Subject to favourable weather conditions, vessel manoeuvrability and imposition of a safe distance between vessels, there is the potential to moor 2 x 45m vessels along the quayside. This scenario may not be viable for certain vessels, however, due to the requirement for one vessel to come into close proximity to the LLTC whilst manoeuvring into the berth, which may not

represent a safe manoeuvre. Once a 60m vessel is moored at the quay, only the smallest vessels would fit in the remaining space. Captain Horton considers this could potentially be a 30m vessel at a push, depending on factors such as weather conditions and subject to the relevant vessel Master's discretion.

- 3.3 ABP has provided plans depicting its analysis of the various future berthing scenarios described above as part of its Deadline 8 submissions (**Annex 1 to ABP 2 of 3**).
- 3.4 A plan identifying the position of the bollards along North Quay has been provided as part of ABP's Deadline 8 submissions (**Annex 2 to ABP 2 of 3**).
- 3.5 In terms of the use of North Quay 4E, Captain Horton explained that there are 4 bollards (Numbers 16, 17, 18 and 19 shown on **Annex 2**) located between the west of the LLTC and the fence at the end of North Quay 4E, with a further bollard (Bollard 20) on the other side of the fence, at North Quay 4W. One bollard (Bollard 16), however, is too close to the bridge deck to be used, and another is in line with the fenders (Bollard 17). A vessel must be located at least 10m from the fenders, for safety and manoeuvrability reasons. North Quay 4E has a total available quay space of 29m and 2 available bollards for berthing, which is insufficient to safely moor a vessel. Consequently, the whole of North Quay 4E is not utilisable for berthing and is lost as a result of the LLTC.
- 3.6 Captain Horton explained that the purpose of the fence between North Quay 4E and 4W is to provide a secure area to the quayside to the west of the fence, which has previously been used as a controlled Customs area. North Quay 4W is not currently used as a secure area, as Petersons and another tenant have been provided with secured sites within the overall area, however, subject to what happens with Brexit and requirements for Customs controls, this terminal area may once again be required by ABP as a secure site.
- 3.7 Captain Horton also acknowledged that the fence could be moved and areas reallocated, however this would be difficult based on current operations. In particular, the fence is currently located just to the east of the access door to 3 Shed, which provides a direct link to the secure quayside.
- 3.8 ABP was asked by the ExA whether it had considered potentially moving the locations of the bollards to overcome the mooring constraints along North Quay. Captain Horton confirmed that ABP does not have the data to ascertain or consider alternative bollard locations, as this would require investigative works to be undertaken to deconstruct the

quay to ascertain the location of the structural support pillars and see how bollards are tied back and secured into the suspended quay.

- 3.9 ABP was also asked whether it agreed with the accuracy of quay lengths specified in the Port Impact Paper. ABP confirmed that certain figures were agreed; however it would check the figures provided by the Applicant.
- 3.10 **Post Hearing Note:** *ABP confirms that it agrees with the figures contained in Table 1. In respect of paragraph 5.1.1, ABP clarifies that there is 2,100m of quay in the Entrance Channel and Inner Harbour, and 720m of operational quay to the west of the Scheme (from Shell Quay to North Quay No. 4W).*
- 3.11 Conversely, the Applicant considers that vessels are able to moor within the blue 'rights strip' surrounding the fenders of the LLTC. As such, it considers that North Quay 2 increases to 69m and North Quay 4E is 34m, and the whole of these lengths can be utilised by ABP for vessel mooring. The Applicant asserts that there are a significant number of vessels that can still utilise North Quay 4E. In addition, accommodation works, such as moving the fence and investigating whether bollards could be moved, could be undertaken by the Applicant to assist with vessel berthing on this quay. The Applicant also considers that the presence of the bridge on North Quay 3 provides the same constraint as a vessel permanently berthed on North Quay 3, which is a situation that can be dealt with by ABP, as it does not differ from normal port operations.
- 3.12 Captain Horton totally rejected these propositions because they fail to take into account the actual practicalities of both port operations and the complexity of berthing. The position is in fact completely different. A 60m vessel typically has a beam of 12m, whereas the fenders surrounding the bridge pillars are closer to 35m in width, protruding into the navigational channel. Vessels intending to moor at the quayside must approach at an angle, and consequently, require additional water space to manoeuvre in correctly. They are unable to do so with the bridge in place, as the waterside to one side of the vacant berth will be lost, and the vessel will be unable to safely manoeuvre into the remaining berth space.
- 3.13 ABP also clarified the LLTC impacts on the ability of the Port to use this quayside area within the vicinity of the LLTC efficiently, due to the reduction of space. Vessels are directed to particular berths with regard to best fit and best location, based on factors such as length of vessel, cargo, operational requirements, and duration of stay at the Port, etc. This operational flexibility is materially inhibited by the introduction of the bridge structure.

- 3.14 As such, ABP considers that the Applicant's proposition that North Quay 2 will gain a notional benefit due to additional quay is fanciful – it does not allow for flexible use and certain vessels cannot be located there. Further, North Quay 4E cannot accommodate certain types of smaller vessels, due to the suspended quay. Even if the fence separating North Quay 4E and 4W were to be relocated, this does not provide ABP with any additional quay space – it would merely result in the reallocation of space between these adjoining berths.

Berth Utilisation Assessment

- 3.15 ABP reiterated its concerns regarding the vessel survey analysis undertaken by the Applicant in the Port Impact Report, as it only relates to the historic position of the Port identified over 3 short periods in 2017/18. As such, it does not take into account the Peterson's vessels now calling at the Port. The Applicant's analysis also does not address the features of efficient utilisation of berthing and 'best fit' and as such, does not provide a correct baseline for analysis.
- 3.16 ABP considers that the Berth Utilisation Assessment ("BUA"), prepared by ABPmer, which analyses the historical utilisation of berths at the Port (from 2015 to 2017) should be relied upon by the ExA, as it identifies the potential implications of the Scheme on future berth utilisation at the Port - although ABP clarified that even the BUA does not take into consideration recent changes at the Port, for example, the arrival of Peterson's in January 2019.
- 3.17 Adam Fitzpatrick, Maritime Senior Consultant at ABPmer provided the ExA with further information regarding the analysis undertaken within the BUA. Mr Fitzpatrick's CV was provided as part of ABP's Deadline 7 submissions (ABP: 3 of 3 – DL7).
- 3.18 Mr Fitzpatrick advised that the main source of data analysed in the BUA are records of vessel sailings maintained by the Port, that were supplemented, where required, by PAVIS records if the vessel sailing records were missing key data. Once the data was collated, it was 'cleaned' to ensure that particular berths were not overrepresented (for example, berths with multiple names were adjusted and berths referred to as 'North Quay' were amalgamated and distributed across all berths). The analysis method adopted in the BUA to assess berth utilisation is a common method used to analyse the efficiency of Ports, which has been applied in various independent reports.
- 3.19 In terms of berth utilisation, the optimal range is between 50 – 70%. Once a berth is over 70% utilised, there is an increase in congestion and a drop in the efficiency of

available quayside services, such as waste, water, bunkering, fuel and supplies. These percentages underpin the analysis undertaken in the BUA. It is current practice for some berths at the Port to be leased to one company for its sole/priority use – referred to as a 'dedicated berth'. Where this occurs, the berth is recorded as 100% utilised in the BUA, as there is no opportunity for other vessels to use that berth.

- 3.20 The BUA considers four scenarios, based on data from the years 2015 to 2017, which sets out a baseline occupancy percentage for each berth and then considers the predicted utilisation in the future, based on scenarios including and excluding the LLTC. Where vessels have been displaced in future scenarios, the BUA has sought to relocate vessels on other suitable berths within the Port. The future scenarios are based on the potential growth of the Port identified by ABP's master planning process and the analysis undertaken by BVG Associates in the BVG Report (REP5-027).
- 3.21 In terms of future opportunities in the offshore windfarm activities, the BUA considers that Shell Quay could accommodate 18 CTVs, if the vessels are double-banked. If, however, commercial operators of CTVs are unwilling to be located to the west of the Scheme, the only other safe, suitable alternative berth for CTVs is Talismans, which can only accommodate 4 CTVs double-banked. Therefore, approximately 14 CTVs would be unable to berth at the Port (i.e. cannot operate out of Lowestoft due to lack of safe, suitable berth space). These are future opportunities that are lost to the Port as a result of the presence of the Scheme.
- 3.22 The BVG Report concluded that there is potential for 50 CTVs to use the Port based on future opportunities. The BUA assumes that 24 of these will use the Outer Harbour (as is current practice), and up to 18 CTVs could be accommodated on Shell Quay, but there would be no further berthing available for the additional 8 CTVs. As the BUA considers time berthed rather than number of vessels, to include the increased number of CTVs in the BUA future scenarios (Scenario 3 and 4), the berthed time for CTVs using the Outer Harbour were duplicated and assigned to Shell Quay to provide representative times on berth. This was carried out on the basis that Shell Quay could be redeveloped to accommodate up to 18 CTV vessels.
- 3.23 Looking at the future scenarios, the BUA provides that some berth's utilisation at the Port will be over 75%, which means that these berths would be considered over-utilised and may lead to a detrimental reduction in efficiency. The average berth utilisation across all Inner Harbour berths is 73% without the LLTC, and 87% with the LLTC in place. The Port is particularly over-utilised when the LLTC is in position, as

this reduces the available common use berths and therefore the Port's capability to berth ad hoc commercial traffic. In addition, there is also less potential to accommodate CTV vessels at the Port, due to operators' unwillingness to be located to the west of the bridge.

- 3.24 Port and marine operations are time sensitive, which means that relatively small delays may result increased costs, for example, vessels may have to travel faster to maintain a schedule (thereby using more fuel) or incur costs where the technicians are waiting to be taken to an offshore wind farm (increase unproductive time of employees). Where CTVs are double-banked, which is envisaged at Shell Quay under Scenario 3, a minor delay for the first vessel departing could have significant knock-on effects for the other vessels berthed at that quay, as vessels berthed in this manner can only leave one at a time. The cost of delay depends on the particular operation in question – for example, the significant costs for CTV operations primarily relate to the technicians (normally 12 or 24 personnel on one CTV) and there is a very small limit on the flexibility of those operations, before costs increases substantially. This has been emphasized by CTV operators and results in a reluctance to be situated west of the LLTC. Therefore, operators may look to relocate elsewhere away from the Port or in the alternative, seek to push that their vessels take priority over others as the LLTC is perceived as providing a further potential point of failure which may result in delays.
- 3.25 The Applicant raised some queries regarding the methodology adopted in the BUA, the calculation of berth utilisation averages and the future scenarios described in the BUA.
- 3.26 In response, Mr Fitzpatrick confirmed that the methodology adopted in the BUA has been based on and draws upon the methodology adopted in recognised professional reports and consequently, can be accepted by the ExA. The methodology has been used by the United Nations Conference on Trade and Development to assess Port performance. The utilisation figure of 70% represents the peak efficient utilisation for the majority of berths, after which there is a decline in efficiency. If a berth is 75% utilised or over, this is the point at which the inefficiency becomes detrimental to operations. Mr Fitzpatrick also clarified that the reference to 'liner services' relates to a vessels that follow a set route which is scheduled well in advance of the time of call (approximately 12-18 months in advance). The majority of operations at Lowestoft do not comprise "liner" services, and as such, this has been taken into consideration in the BUA.

- 3.27 Mr Fitzpatrick confirmed that ABPmer would review the calculation of berth utilisation averages in the BUA and provide the ExA with a revised report. The revised BUA (April 2019) has been provided as part of ABP's Deadline 8 submissions (**Annex 3 to ABP 2 of 3**), in both clean and comparison versions.
- 3.28 At part of the methodology of the BUA, berths that are dedicated to a specific operator are given a berth utilisation of 100%, as the berth cannot be used by other vessels and in effect, is fully utilised. Dedicated berths from the baseline data were not included in the analysis for this reason. There is a significant rise in berth utilisation in future scenarios, due to the increased use of dedicated berths at the Port – for example, it is assumed that Town Quay 2 and 3, and North Quay 6 and 7 will become dedicated berths. For the analysis these additional dedicated berths have been set to 100% utilisation to indicate their status as dedicated berths. The increased use of dedicated berths is a result of the nature of the growth in operations at the Port and the agreements being sought through commercial process - it is often the requirement of the specific client/operator that they have a dedicated berth. The increased use of dedicated berths is referenced throughout the BUA, for example, section 2.3 describes berthing practices, and section 5.4.1 sets out the assumptions for future scenarios. Mr Fitzpatrick confirmed that he believes that the increased berth utilisation in future scenarios due to greater number of dedicated berths at the Port is a plausible scenario, given the types of opportunities and operator requirements at the Port.
- 3.29 The Applicant questioned the future growth scenarios set out in the BVG Report, as it does not accept the position that Lowestoft will capture all emerging CTV windfarm business, with the exception of those already allocated.
- 3.30 Conversely, counsel for the Applicant suggested that CTV operators will commission their future vessel size so that the CTVs can fit under the new bridge. That proposition is not accepted by ABP.
- 3.31 ABP confirmed that the BVG Report comprises an expert assessment of what offshore wind development would come to the Port in the future, both with and without the bridge, which was undertaken on an independent and dispassionate basis. The BVG Report also adopts a conservative approach, which for example, assumes that only approximately half of the East Anglia Round 3 opportunities (based on offshore wind farm capacity) will potentially be won by the Port.
- 3.32 As such, ABP considers that there is no basis for the Applicant to simply not accept the conclusions of the analytic exercise undertaken by an independent expert.

- 3.33 To assist the ExA, ABP has provided as part of ABP's Deadline 8 submissions a:
- a. Post Examination Note justifying the assumptions underlying the future growth scenarios at the Port, as referred to in the BUA and the BVG Report (**Annex 4 of ABP 2 of 3**);
 - b. Report on the Assessment of Trends in the European CTV Market, prepared by 4C Offshore Limited (5 April 2019) (**Annex 5 to ABP 2 of 3**), which assesses future trends in CTV growth, specifications, investments, and indication of the size of CTVs anticipated to be utilised at the Port; and
 - c. Njord Offshore Crew Transfer Vessels – Future Vessel Development Plans Paper, ABP Lowestoft (April 2019) (**Annex 6 to ABP 2 of 3**), which sets out the results of discussions between ABP and Njord Offshore, an industry leading provider of offshore wind farm services, regarding its future CTV development plans.

4 PORT OPERATIONS

- 4.1 On behalf of ABP, Andrew Harston, Regional Director for ABP Short Sea Ports, explained the impact of the Scheme on Port operations. Mr Harston's CV was provided as part of ABP's Deadline 7 submissions (ABP: 3 of 3 – DL7).
- 4.2 Mr Harston's statement is provided as an Annexure to this summary (**Annex 7 to ABP 2 of 3**).
- 4.3 The ExA queried the impact that the additional proposed LLTC restriction periods (in the morning and evening) will have on vessel transits at the Port, given the existence of the Bascule Bridge restriction periods. To assist the ExA, ABP has provided as part of ABP's Deadline 8 submissions a post examination note setting out the impact of the additional restrictions imposed by the draft Scheme of Operation on vessel transit times at the Port (**Annex 8 to ABP 2 of 3**).
- 4.4 ABP confirmed that the additional restrictions present a greater challenge during the evening period, as opposed to the morning restrictions. This will be an increasing challenge going forward, as the loss of control and port operational utility for the increased restriction periods will impact on both ABP and how operators undertake their daily operations.

Emergency Berth

- 4.5 The ExA requested clarification as to the current position between the parties in relation to the emergency berth.
- 4.6 **[Post Hearing Note:** *ABP confirms that its position regarding the emergency berth is set out in:*
- a. *Section 18 of ABP's Written Representations (REP3-024)*
 - b. *Paragraph 12 (ExA Question 2.36) of ABP's comments on the Applicant's Answers to the Examining Authority's First Written Questions (REP4-032)*
 - c. *Paragraphs 7.19 to 7.26 of ABP's DL5 Response to the Impact of the Scheme Report (REP5-023)*
 - d. *ABP's DL8 Submissions – ABP comments on the Applicant's Response to ABP's D5 and Oral Submissions at 7 & 8 March 2019 Hearings]*

Closure to navigation during construction

- 4.7 The ExA requested clarification as to the position between the parties in connection with the closure of Lake Lothing to navigation during construction of the LLTC.
- 4.8 **[Post Hearing Note:** *ABP confirms that its position regarding the closure of Lake Lothing to navigation during construction is set out in:*
- a. *Paragraphs 10.13 and 10.14 of ABP's Written Representations (REP3-024)*
 - b. *Paragraph 4 (ExA Question 1.9), Paragraph 6 (ExA Question 2.23), Paragraph 13 (ExA Question 2.38) of ABP's comments on the Applicant's Answers to the Examining Authority's First Written Questions (REP4-032)*
 - c. *Paragraph 4 (Issue No MP10) of ABP's Comments on the Applicant's Response to ABP's Relevant Representations (REP4-029)*
 - d. *Paragraphs 9.17 to 9.19 of ABP's DL5 Response to the Impact of the Scheme Report (REP5-023)*
 - e. *Paragraph 3.1 to 3.3 of ABP's Summary of Oral Submissions made by ABP at the Examination Hearing on 13 February 2019 (REP5-021)*

- f. *ABP's DL8 Submissions – ABP comments on the Applicant's Response to ABP's D5 and Oral Submissions at 7 & 8 March 2019 Hearings]*