

WEBVTT – This file was automatically generated by VIMEO

0

00:00:01.170 --> 00:00:05.640

Thank you everybody. It's now just after 1601.

1

00:00:05.830 --> 00:00:10.280

1602. And we're resuming this hearing, uh,

2

00:00:10.660 --> 00:00:14.520

before passing to the point made, uh, by Ms. Affo.

3

00:00:14.760 --> 00:00:17.800

I just wanted to clarify, um, Mr. Elvin,

4

00:00:18.340 --> 00:00:22.440

you mentioned the N R A that you'd been, uh, producing,

5

00:00:23.180 --> 00:00:26.080

um, to be submitted at Deadline two. Yes.

6

00:00:26.080 --> 00:00:28.800

And I wondered if I could clarify that. Um,

7

00:00:28.980 --> 00:00:32.920

it was mentioned in your relevant representation. Um,

8

00:00:33.380 --> 00:00:35.720

is it possible that could be submitted at Deadline one?

9

00:00:40.380 --> 00:00:41.840

Excuse me. Can I go into a huddle?

10

00:00:47.700 --> 00:00:48.560

No, I'm told

11

00:00:51.720 --> 00:00:53.280

I give your candor. We will, we will

12

00:00:53.380 --> 00:00:57.360

Try and produce it before deadline to if it is possible,

13

00:00:57.780 --> 00:00:59.560

but there's still quite a bit of work to do.

14

00:00:59.830 --> 00:01:04.720

That would be welcome, I think, from all parties. Thank you. Um, Ms.

15

00:01:04.720 --> 00:01:09.720

Staffer, uh, we think that your right on balance that, um,

16

00:01:10.290 --> 00:01:15.080

there will be sufficient overlap between your interests and please

17

00:01:15.710 --> 00:01:19.200

proceed and then we'll pick up questions to, uh,

18

00:01:19.370 --> 00:01:23.120

we'll actually give an opportunity to C L D and to take the same view whether

19

00:01:23.120 --> 00:01:27.680

you want to hear back from the applicant before representing, but first,

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00:01:28.010 --> 00:01:28.360

we're

21

00:01:28.360 --> 00:01:29.360

Gonna get through summaries first.

22

00:01:29.700 --> 00:01:34.160

So we'll ask you to present the S'S position.

23

00:01:35.920 --> 00:01:39.480

Isabella for D F D S. Thank you, sir. Um,

24

00:01:40.250 --> 00:01:44.120

responding first to, uh, just a point that Mr. Straw made in his opening,

25

00:01:44.610 --> 00:01:48.520

which was about the fact that the port's n p s doesn't require a

navigational

26

00:01:48.550 --> 00:01:52.360

risk assessment. And that may be so sir. Um,

27

00:01:52.460 --> 00:01:56.160

but section 104 of the Planning Act requires you to have regard not just to

28

00:01:56.160 --> 00:02:00.760

the port's N P s, but to appropriate marine policy documents,

29

00:02:01.210 --> 00:02:06.160

which include the UK marine policy statements and the East inshore and offshore

30

00:02:06.300 --> 00:02:07.240

marine plans,

31

00:02:08.180 --> 00:02:12.920

all of which you'll be unsurprised to here contain policy on the importance

32

00:02:12.980 --> 00:02:16.880

of ensuring navigational safety and the way that, that, uh,

33

00:02:16.980 --> 00:02:20.600

the applicant seeks to demonstrate that in this case is through the navigational

34

00:02:20.630 --> 00:02:25.280

risk assessment. Now, just briefly, sir, if I may,

35

00:02:25.420 --> 00:02:27.840

uh, outline, uh, in brief summary,

36

00:02:28.280 --> 00:02:33.240

D F D FDSS operations at the Port so that you can understand their concerns and,

37

00:02:33.260 --> 00:02:35.240

and the risks that they're exposed to.

38

00:02:35.990 --> 00:02:40.680

They are one of the largest users of the Port of Ingham with around a thousand

39

00:02:41.040 --> 00:02:44.920

employees there on most days. They have at least three, uh,

40

00:02:44.920 --> 00:02:48.000

scheduled vessels arriving and departing from the port,

41

00:02:48.810 --> 00:02:53.240

which is considerably higher than most other users of the Ingham infrastructure

42

00:02:54.060 --> 00:02:58.680

and means that D F D S will be disproportionately affected by any safety or

43

00:02:58.680 --> 00:03:01.680

operational issues caused by the proposed development.

44

00:03:03.220 --> 00:03:07.320

Its operations at Ingham are one of the largest row row, uh,

45

00:03:07.320 --> 00:03:10.600

operations in the UK during 2023.

46

00:03:10.660 --> 00:03:14.800

Its forecast to move a total of 6 760 freight units through the port.

47

00:03:16.260 --> 00:03:17.920

If its operations in Ingham,

48

00:03:17.920 --> 00:03:21.000

were a standalone port that would make it the eighth largest.

49

00:03:21.260 --> 00:03:25.840

In terms of throughput in the UK and its operations there,

50

00:03:26.300 --> 00:03:30.360

uh, at Ingham are a key part of the strategic supply chain in the uk.

51

00:03:31.060 --> 00:03:35.600

It was heavily relied upon to ensure resilience in the supply chain during the

52

00:03:35.600 --> 00:03:39.680

lead up to Brexit and during the Covid pandemic, um,

53

00:03:39.680 --> 00:03:43.840

which included it being one of the government's strategic freight capacity

54

00:03:43.840 --> 00:03:45.120

acquisition corridors.

55

00:03:46.620 --> 00:03:51.360

The Port of Ingham Ingham itself is one of the UK's busiest ports. It her hosts.

56

00:03:51.360 --> 00:03:55.240

As we've heard a number of key port infrastructure facilities,

57

00:03:55.250 --> 00:03:59.680

which are of national significance, where dangerous cargo is handled in bulk,

58

00:04:00.220 --> 00:04:01.480

in close proximity to,

59

00:04:01.620 --> 00:04:05.600

for port infrastructure and an area of strong and complex tidal flows.

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00:04:06.170 --> 00:04:10.960

There have been multiple marine incidents in the area as summarized in section

61

00:04:10.970 --> 00:04:15.200

3.5 of our relevant rep, which is r r 0 0 8.

62

00:04:16.100 --> 00:04:19.280

One incident, which isn't included there, um,

63

00:04:19.900 --> 00:04:24.240

is one that took place in 2022 last year. Um,

64

00:04:24.660 --> 00:04:26.080

and I, in that incident,

65

00:04:26.360 --> 00:04:31.200

a loaded tanker departing from the Ingham oil terminal collided with a

66

00:04:31.220 --> 00:04:33.680

boy in the very location, um,

67

00:04:33.820 --> 00:04:36.280

of the project's proposed births.

68

00:04:37.390 --> 00:04:41.440

That didn't particularly matter at the time because it was just a boy there.

69

00:04:41.820 --> 00:04:43.840

But if there are three additional births there,

70

00:04:43.840 --> 00:04:47.360

obviously the implications will be very much more significant. Um,

71

00:04:47.360 --> 00:04:50.880

and we understand that at the time of that incident, the, um,

72

00:04:50.890 --> 00:04:54.520

conditions were benign and the vessel was being, um,

73

00:04:54.790 --> 00:04:58.800

piloted by a pilot with, um, considerable experience.

74

00:04:59.180 --> 00:05:03.680

It was just a result of human e error. As an aside,

75

00:05:04.020 --> 00:05:07.640

um, it's worth noting that A B P, um,

76

00:05:08.380 --> 00:05:12.760

didn't inform stakeholders of that incident at subsequent has ID

77

00:05:13.080 --> 00:05:15.640

workshops, and we don't know whether it's, uh,

78

00:05:15.910 --> 00:05:20.480

accounted for at all in their N R A Now,

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00:05:20.480 --> 00:05:24.520

given the importance of its operations and the constraints and complexities at

80

00:05:24.520 --> 00:05:29.400

the Port D F D S has engaged extensively with a

81

00:05:29.440 --> 00:05:34.120

B P and other stakeholders to try to ensure that safety and operational impacts

82

00:05:34.340 --> 00:05:37.440

are properly assessed and appropriately mitigated.

83

00:05:38.540 --> 00:05:43.120

It has responded to consultation attended, has ID workshops and simulations,

84

00:05:44.400 --> 00:05:47.520

arranged meetings at the highest level with A B P,

85

00:05:47.950 --> 00:05:51.520

both in the UK and Denmark, and engaged with the Harbor Master.

86

00:05:52.580 --> 00:05:57.360

And so pausing there for a moment, uh, to respond to a submission that Mr.

87

00:05:57.500 --> 00:06:01.440

Strand made. Those aren't the actions of, uh,

88

00:06:01.580 --> 00:06:06.280

simply a commercial rival who wants to scupper this scheme at all costs.

89

00:06:06.750 --> 00:06:09.480

This has been positive engagement designed.

90

00:06:10.260 --> 00:06:12.480

We hoped to positively influence the outcome.

91

00:06:12.480 --> 00:06:16.080

We've made constructive suggestions, um,

92

00:06:16.260 --> 00:06:21.200

as to further data and input that should be included and further workshops

93

00:06:21.200 --> 00:06:23.200

that should be carried out throughout the process.

94

00:06:23.900 --> 00:06:26.760

And we will provide a summary of all our, um,

95

00:06:26.760 --> 00:06:30.680

correspondence and engagement and samples of the relevant communications that

96

00:06:30.680 --> 00:06:32.080

we've sent, which will make that good

97

00:06:34.020 --> 00:06:37.400

in spite of its concerted efforts to positively influence the process.

98

00:06:38.260 --> 00:06:39.080

As of today,

99

00:06:39.080 --> 00:06:43.320

D F D SS retains fundamental concerns that A B P has

100

00:06:43.780 --> 00:06:48.680

failed properly to assess or appropriately mitigate the impact on the court's

101

00:06:48.790 --> 00:06:53.080

safe and efficient operation on safety.

102

00:06:55.020 --> 00:06:59.160

It remains of the view that the applicant's N R A and the simulations that

103

00:06:59.260 --> 00:07:03.560

inform it are not fit for purpose. Firstly, with the N R A,

104

00:07:03.700 --> 00:07:08.040

the principle concerns are the use of mixed methodologies

105

00:07:08.700 --> 00:07:12.920

in the N R A, which incorporate elements, um,

106

00:07:13.180 --> 00:07:18.160

of a risk assessment methodology, um, for offshore installations,

107

00:07:19.220 --> 00:07:20.053

um, whose,

108

00:07:20.370 --> 00:07:24.680

which explains in its executive summary that is the R r I risk assessment

109

00:07:24.680 --> 00:07:28.840

methodology that it's intended for assessing marine navigational safety of

110

00:07:29.040 --> 00:07:34.040

offshore renewable energy installations. As we know,

111

00:07:34.630 --> 00:07:38.680

this port is in an area controlled by the statutory Harbor Authority and

112

00:07:38.920 --> 00:07:42.520
Competent Harbor Authority, both incidentally, A B P,

113
00:07:42.900 --> 00:07:44.920
and it's clearly not an offshore installation.

114
00:07:45.260 --> 00:07:48.680
And the use of the OR I methodology is not appropriate.

115
00:07:49.660 --> 00:07:53.600
The assessment should have been based exclusively on the Port Marine Safety Code

116
00:07:53.600 --> 00:07:57.120
rather than the bespoke mix with none of the, uh,

117
00:07:57.120 --> 00:08:02.000
navigational safety experts from DFDS have ever seen used in any other N R

118
00:08:02.040 --> 00:08:07.040
A before Indeed ABPs own I Green Energy terminal

119
00:08:07.320 --> 00:08:11.280
a few hundred meters away. It is intending,

120
00:08:11.280 --> 00:08:16.160
according to its preliminary environmental information report to carry out an

121
00:08:16.200 --> 00:08:19.880
N R A using the Port Marine Safety, uh, code methodology,

122
00:08:20.210 --> 00:08:23.800
which its peer describes as best practice. And we agree,

123
00:08:23.900 --> 00:08:27.880
and that's the methodology that should have been employed exclusively here.

124
00:08:28.700 --> 00:08:30.520
The difficulty with the, um,

125

00:08:30.820 --> 00:08:35.760

hybrid approach adopted is that the Port Marine Safety Code and the

126

00:08:35.860 --> 00:08:39.280

ORI methodology produce different outputs to measure risk,

127

00:08:39.700 --> 00:08:43.560

one quantitative and one qualitative. And by mixing the two,

128

00:08:43.760 --> 00:08:48.600

the outputs from the N R A are not transparent and they don't enable the reader

129

00:08:48.700 --> 00:08:53.120

to understand and interrogate the conclusions as to the tolerability of risk.

130

00:08:54.880 --> 00:08:59.600

The N R A also uses inappropriate wind data with the applicant

131

00:09:00.000 --> 00:09:02.640

choosing to use wind data from homicide airport,

132

00:09:02.640 --> 00:09:07.120

which is some 15 kilometers inland and not representative of conditions at the

133

00:09:07.120 --> 00:09:07.660

port,

134

00:09:07.660 --> 00:09:12.400

rather than ABPs own local data from the Ingham Dock Marine Control

135

00:09:12.420 --> 00:09:17.120

Center and the Stone Creek radar mast. Furthermore, Mr.

136

00:09:17.120 --> 00:09:21.160

Steff, I, yes, I, forgive me, I I really don't want to be rude. Um,

137

00:09:22.110 --> 00:09:25.000

your PAD submission was terrific,

138

00:09:25.300 --> 00:09:29.480

and we've noted all the points in there and there's, there's a lot of them. Um,

139

00:09:29.840 --> 00:09:33.320

I don't think, uh, it's necessary because every,

140

00:09:33.560 --> 00:09:38.440

I think most of the people here have had the opportunity to recite them in

141

00:09:38.450 --> 00:09:39.283

total.

142

00:09:39.640 --> 00:09:44.040

I also think it's really useful if you could take the opportunity to address

143

00:09:44.180 --> 00:09:48.800

the, uh, the, the statement that Mr. STR made for the applicant, um,

144

00:09:49.620 --> 00:09:53.800

in particular the, the, the, the, the, uh,

145

00:09:53.950 --> 00:09:58.720

case was made that it's not been a mixed methodology

146

00:09:58.980 --> 00:10:03.640

as such, but they have drawn on the has id, uh,

147

00:10:03.640 --> 00:10:07.400

process that is recommended in the annex one term,

148

00:10:07.700 --> 00:10:10.640

GN 6 5 4. Um, if,

149

00:10:10.640 --> 00:10:15.560

however you disagree with that statement, I'd really appreciate it if you could,

150

00:10:15.620 --> 00:10:17.200

uh, give us some detail,

151

00:10:18.200 --> 00:10:21.280

Isabella, for D F D S, sir, on that particular issue,

152

00:10:21.280 --> 00:10:24.160

the mixing of the methodologies, I'm going to ask Mr. Bishop,

153

00:10:24.260 --> 00:10:26.520

who is joining us online, um,

154

00:10:26.740 --> 00:10:31.560

to address you on whether there are indeed mixed methodologies in the N R A and

155

00:10:31.560 --> 00:10:35.600

what that means in terms of the outputs and the conclusions and their

156

00:10:35.600 --> 00:10:37.560

transparency there. He is,

157

00:10:39.560 --> 00:10:43.960

Uh, good afternoon. He says, Graham Bishop on behalf of D F D S, very, um,

158

00:10:44.620 --> 00:10:45.260

the, the, the,

159

00:10:45.260 --> 00:10:49.680

the term methodology is used within the two

160

00:10:49.680 --> 00:10:53.630

different, uh, uh, uh, uh, uh, conscripts if you like.

161

00:10:53.730 --> 00:10:55.590

So the,

162

00:10:55.690 --> 00:10:59.750

or the offshore one refers to itself as a methodology and the,

163

00:10:59.810 --> 00:11:02.070

the term methodology is used within Portman Safety Code.

164

00:11:02.410 --> 00:11:06.310

So although they follow the F Ss a guidance, you know, they, they,

165

00:11:06.570 --> 00:11:10.790

in terms of data collection, uh, uh, uh, has Id, uh, uh,

166

00:11:10.850 --> 00:11:13.590

and review, they, they both follow that guidance.

167

00:11:14.220 --> 00:11:16.110

They both do it in slightly different ways,

168

00:11:16.410 --> 00:11:19.230

and they both produce slightly different outputs. One quantitative,

169

00:11:19.230 --> 00:11:23.550

one qualitative, and it's at that point where it becomes confusing.

170

00:11:23.750 --> 00:11:27.430

'cause at the start of the documentation, the, the applicant states that they,

171

00:11:27.430 --> 00:11:32.190

they're using the, the offshore one. Uh, and again, uh,

172

00:11:32.600 --> 00:11:37.510

we're not saying that the the offshore one is, is, is,

173

00:11:37.730 --> 00:11:42.620

um, is not right. We're just questioning whether it's the most appropriate, uh,

174

00:11:42.620 --> 00:11:45.500

because of the statement that it's used for offshore installations rather than,

175

00:11:45.880 --> 00:11:49.100

uh, a port environment. You know, they, they, they, they,

176

00:11:49.100 --> 00:11:50.380
they both follow the guidance,

177

00:11:50.430 --> 00:11:55.200
which comes from the overarching documentation issued by the I M O,
the,

178

00:11:55.200 --> 00:11:58.280
the F S A guidance, but they go about it in slightly different
routes,

179

00:11:58.500 --> 00:12:01.640
and they produce slightly different outputs. And, and what happens
is,

180

00:12:01.740 --> 00:12:06.200
as as you, you, you start reading down the offshore, um,
installation,

181

00:12:06.780 --> 00:12:08.240
uh, uh, methodology, which,

182

00:12:08.250 --> 00:12:10.400
which is the one they're telling you they're going to use,

183

00:12:11.140 --> 00:12:14.640
and then you get halfway through the process and it seems to jump
across and

184

00:12:14.640 --> 00:12:17.880
start quoting stuff that's written within the port main safety code,

185

00:12:18.060 --> 00:12:21.080
but not referred to within your, the offshore installation
methodology.

186

00:12:21.500 --> 00:12:25.720
And that's where the whole thing becomes confusing. So to the
reader, it,

187

00:12:25.720 --> 00:12:28.920
it then becomes confusing as to which, which,

188
00:12:29.790 --> 00:12:34.740
which flow they want to use and how they're

189
00:12:34.740 --> 00:12:39.060
getting their answers be because they're, they're, they're slightly
different.

190
00:12:46.790 --> 00:12:49.650
Beg your pardon, Mr. Bishop, thank you very much. That's very
helpful. Mr.

191
00:12:49.890 --> 00:12:54.410
Er is, uh, would you like to ask anything further, Mr. Bishop at
this stage?

192
00:12:54.710 --> 00:12:59.610
Um, so I, not at this stage, I don't think, um,

193
00:12:59.870 --> 00:13:04.330
on the nr on the N R A, unless you have any particular questions on
that.

194
00:13:04.870 --> 00:13:09.370
Um, on the simulation, sir, we have six broad concerns.

195
00:13:09.370 --> 00:13:14.090
I'll take them quickly because I take your point. Firstly, use of
title,

196
00:13:14.350 --> 00:13:19.130
um, direction data that is more favorable than actually exists. Um,

197
00:13:19.350 --> 00:13:22.810
and so there is an additional point that I'd like to, um,

198
00:13:24.950 --> 00:13:28.890
ask somebody from my team to respond on that. And that was the use,
um,

199

00:13:28.960 --> 00:13:33.890
that the applicant referred to of a boy to take, um,

200
00:13:34.700 --> 00:13:39.090
tidal measurements, which were then used to inform the simulations.
Um,

201
00:13:39.390 --> 00:13:43.770
and best place to do that. Um, I think it might be Mr.

202
00:13:43.770 --> 00:13:46.530
Nielsen I'm going to introduce, but effectively, uh,

203
00:13:46.550 --> 00:13:50.850
if I can summarize effectively, we don't,

204
00:13:51.550 --> 00:13:54.130
at D F D S, we don't have any, um,

205
00:13:54.600 --> 00:13:59.130
data to contradict the boy in the position that it was, um, which
is,

206
00:13:59.550 --> 00:14:04.050
uh, land wood, um, of the, um,

207
00:14:04.650 --> 00:14:05.890
I o T terminal.

208
00:14:06.760 --> 00:14:11.570
What we do know is that from the data that the applicant took from
that boy,

209
00:14:12.280 --> 00:14:16.450
they show tidal flows at the I o T to run

210
00:14:17.290 --> 00:14:22.250
parallel with the terminal. And that is contrary both to, um,

211
00:14:22.250 --> 00:14:26.930
publish data, even including ABPs own guide to pilots,

212

00:14:27.550 --> 00:14:32.410

and also with the consistent experience of the experienced

213

00:14:32.730 --> 00:14:36.810

mariners who have been involved in those maneuvers. And I,

214

00:14:36.970 --> 00:14:41.970

I wonder if it, if perhaps Jonathan Bush might be the appropriate person,

215

00:14:42.670 --> 00:14:47.010

um, to speak to that or, um, or Mr. Nielsen, uh,

216

00:14:47.230 --> 00:14:50.210

or indeed, captain Carson, all of who have, um,

217

00:14:50.220 --> 00:14:52.720

experience of navigating those waters.

218

00:14:57.030 --> 00:15:00.880

Yeah. Yes. But Nelson, on behalf of, uh, D F D S, and, and maybe I,

219

00:15:01.000 --> 00:15:05.320

I should just start by, by clarifying what, uh, Mr. Forter said that,

220

00:15:05.740 --> 00:15:08.760

and in order to, to, uh, not waste too much time,

221

00:15:08.760 --> 00:15:13.240

because we have indeed discussed the title flow quite, uh, quite a lot. Uh, and,

222

00:15:13.240 --> 00:15:17.360

and we are still not fully in agreement. But to make it absolutely clear,

223

00:15:17.500 --> 00:15:21.480

we are not disagreeing what the boy has measured because we don't know that we

224

00:15:21.480 --> 00:15:25.000

have not seen the measurements in and around where the terminals supposed to be

225

00:15:25.000 --> 00:15:25.590

built.

226

00:15:25.590 --> 00:15:30.400

What we are questions is the flows that is under northern part of the I o ot

227

00:15:30.590 --> 00:15:35.520

that seems at odds in the model provided by, uh, by the simulations,

228

00:15:36.140 --> 00:15:40.080

uh, of what our captains experience on, uh, on every day when they,

229

00:15:40.080 --> 00:15:43.560

when they sail there in our res written response. We also, uh,

230

00:15:44.740 --> 00:15:47.880

showed a picture, a picture taking from the same, uh,

231

00:15:48.030 --> 00:15:52.520

institute making the, the simulations. And there we, uh,

232

00:15:52.520 --> 00:15:56.200

were present because we needed to do some simulations of our own. Um,

233

00:15:56.860 --> 00:16:01.360

and we tested the two models, the two, the project from, from this.

234

00:16:01.360 --> 00:16:03.400

We are looking at the project that, that, that we made.

235

00:16:04.260 --> 00:16:07.760

And despite being told that, uh, the model was the same,

236

00:16:08.050 --> 00:16:12.560

there was a difference on the angle on the, on the current. As you could see in,

237

00:16:12.560 --> 00:16:16.720

uh, in our response, I was told that the data behind was, was the same,

238

00:16:17.220 --> 00:16:21.040

but it's still curious. And of course, uh, suspect for us that, uh,

239

00:16:21.040 --> 00:16:23.720

that we can see there is a difference on the, on the, in

240

00:16:25.320 --> 00:16:29.160

A. And so what we suggest that's just on that same issue,

241

00:16:29.230 --> 00:16:33.000

what what we've suggested in the interest of positive, um,

242

00:16:33.490 --> 00:16:38.400

steps that could be taken is that a boy or a measurement should be taken by

243

00:16:38.400 --> 00:16:41.520

the applicant north of the I O T, because of course,

244

00:16:41.840 --> 00:16:46.440

tidal flows there affect the maneuverability and the simulations shown because

245

00:16:46.440 --> 00:16:50.920

vessels are intending to start north of the iot to maneuver into the births.

246

00:16:51.500 --> 00:16:53.840

So that is, um,

247

00:16:54.040 --> 00:16:57.920

a practical step that we would ask the applicant to take that we think would

248

00:16:57.920 --> 00:17:01.040

assist them in narrowing or hopefully resolving this issue.

249

00:17:04.260 --> 00:17:09.120

So basically a new data, data input.

250

00:17:09.900 --> 00:17:10.580

Yes.

251

00:17:10.580 --> 00:17:11.280

Yep.

252

00:17:11.280 --> 00:17:12.240

A new data input.

253

00:17:12.980 --> 00:17:17.440

Now, has that recommendation or that request already been made,

254

00:17:18.060 --> 00:17:19.960

is this the first time that the applicant's heard

255

00:17:19.960 --> 00:17:22.600

Of it? So we have, um, repeatedly,

256

00:17:23.600 --> 00:17:26.400

repeatedly raised concerns with the title, uh,

257

00:17:26.510 --> 00:17:30.600

data used in the simulation and repeatedly informed a B P,

258

00:17:30.600 --> 00:17:35.240

that that is not the experience of, um, those involved from our side,

259

00:17:35.240 --> 00:17:39.960

navigating those waters or shown in their own handbook. Um,

260

00:17:40.190 --> 00:17:43.560

long before today, we wrote to the Harbor Master in August of 2022,

261

00:17:43.560 --> 00:17:48.240

raising a number of concerns, including the title data used in the simulation.

262

00:17:48.260 --> 00:17:52.600

So this has been a consistent, um, point that we've raised.

263

00:17:53.570 --> 00:17:54.300

Thank you.

264

00:17:54.300 --> 00:17:58.600

And whilst I could make assumptions on what the implications of,

265

00:17:58.820 --> 00:18:03.560

of that, um, if you like, difference of, uh, uh, uh, of, um,

266

00:18:03.910 --> 00:18:08.400

opinion on, on the data input would have, um,

267

00:18:08.560 --> 00:18:12.560

I think it's best for you to spell it out for the examination, what,

268

00:18:12.670 --> 00:18:15.760

what that means in regard to the simulations.

269

00:18:17.110 --> 00:18:21.960

Yeah. Yes. On, uh, behalf of, uh, D F D ss. Thank you,

270

00:18:21.960 --> 00:18:22.920

sir. Um,

271

00:18:25.060 --> 00:18:29.480

The difference is the way that you want to approach the new facility,

272

00:18:30.190 --> 00:18:34.200

because if the current is going parallel to the I o ot,

273

00:18:34.200 --> 00:18:37.360

then it will not take you on neither of the i o ot.

274

00:18:37.590 --> 00:18:42.240

What we experience is that the current is moving, and if it's, uh,

275

00:18:42.510 --> 00:18:46.920
depending whether it flawed or I will either take you on the I o OT
or off the

276

00:18:47.100 --> 00:18:51.040
iot. So the first turns that you're going to make will be, uh, some

277

00:18:52.640 --> 00:18:57.000
somewhat different than what the model shows. I hope it, uh,

278

00:18:57.000 --> 00:18:59.520
explains to the US other than I, otherwise, I think we need to, uh,

279

00:18:59.520 --> 00:19:01.440
to have Jonathan push to, to clear it to us,

280

00:19:01.710 --> 00:19:04.120
been piloting in and out of this area many times.

281

00:19:05.290 --> 00:19:06.200
Thank you, sir. One,

282

00:19:06.590 --> 00:19:10.720
certainly I did anticipate asking questions on this,

283

00:19:10.780 --> 00:19:15.520
but I think in the interest of moving forward, what I'd like to do
is to have,

284

00:19:15.780 --> 00:19:20.000
uh, from the, uh, I think it's APP oh nine one, uh,

285

00:19:20.000 --> 00:19:25.000
which is the second of the simulation reports in the examination

286

00:19:25.000 --> 00:19:30.000
library. Um, I'd like to see run 59 on screen,

287

00:19:30.060 --> 00:19:30.893
if I may.

288

00:19:49.460 --> 00:19:54.000

Now, my understanding of this, just to try and cut it short, is,

289

00:19:54.300 --> 00:19:57.680

uh, this is, this is flood tide.

290

00:20:00.140 --> 00:20:05.080

Um, the arrows are indicating the, uh,

291

00:20:05.080 --> 00:20:09.840

current direction parallel or effectively parallel to the proposed

292

00:20:09.840 --> 00:20:14.160

development, um, fingers. Um,

293

00:20:17.830 --> 00:20:20.960

what I don't see is the maneuver being completed,

294

00:20:21.380 --> 00:20:24.000

is this one of the runs, which was aborted.

295

00:20:24.030 --> 00:20:26.880

Perhaps a quick answer from the applicant's team on this,

296

00:20:33.020 --> 00:20:35.000

And just finding out for you, sir,

297

00:20:37.260 --> 00:20:41.720

Um, whilst we're doing that, uh, it might be worth asking,

298

00:20:42.060 --> 00:20:46.960

um, Ms. Nielsen to give a commentary on what's happening here.

299

00:20:53.390 --> 00:20:54.170

Yeah. Yes,

300

00:20:54.170 --> 00:20:58.640

Benen on, uh, on behalf of, uh, D F D Ss, uh, thank you, sir.

301

00:20:58.840 --> 00:21:02.280

I think I will, uh, pass on to, uh, one of my more experienced

colleague in, uh,

302

00:21:02.280 --> 00:21:07.280

in this, uh, area with, uh, with the, with the mistake. I,

303

00:21:07.360 --> 00:21:10.400

I may, may, uh, make a little bit mistake here and, uh, and that would not be,

304

00:21:10.400 --> 00:21:11.560

uh, be wise, time-wise.

305

00:21:16.200 --> 00:21:18.680

I will pass on to, um, captain Carlson, please.

306

00:21:19.350 --> 00:21:24.120

Yeah, Kim Carlson on behalf of d ft s. Uh, we talked, um,

307

00:21:24.930 --> 00:21:27.240

about the current, how it affects the, uh,

308

00:21:27.740 --> 00:21:30.000

can please put it down a little so I can see it on the top.

309

00:21:31.110 --> 00:21:33.240

Just need to see it on the computer here. Just one second.

310

00:21:36.710 --> 00:21:41.400

Yeah. The, the way of reworking down to the birth is, is that the, the swing,

311

00:21:41.400 --> 00:21:46.240

what was been done here is, uh, I don't know who did that, but the, uh, the,

312

00:21:46.300 --> 00:21:50.840

the current, uh, grabs the, the, the stone of, of the ship and actually, uh,

313

00:21:51.180 --> 00:21:52.880

you, you lose control, uh,

314

00:21:52.970 --> 00:21:57.000

where you should be at a smallest angle as possible with the current.

315

00:21:57.060 --> 00:22:01.840

So everything you do exactly there with that current will make a big difference.

316

00:22:02.540 --> 00:22:04.720

So here, the, uh, the angle,

317

00:22:04.820 --> 00:22:08.000

the swing of the ship comes with all the current on the side.

318

00:22:08.000 --> 00:22:11.160

That's almost impossible to control. So what you do, you,

319

00:22:11.160 --> 00:22:14.720

you get closer to get down to the berth is actually to make sure that the

320

00:22:14.720 --> 00:22:17.040

current is from the stern with the smaller angle as possible,

321

00:22:17.380 --> 00:22:22.320

use the socks and slowly slide down in where you need to go. So here it's,

322

00:22:22.380 --> 00:22:27.320

um, it's showing that even with toxin, um, the ship, uh,

323

00:22:27.540 --> 00:22:32.360

is, uh, yeah, it doesn't hit anything here, but it's very, very close.

324

00:22:32.620 --> 00:22:36.400

And I think they almost auto control, uh, um, they's try to, to,

325

00:22:36.400 --> 00:22:40.200

to get into position. They save it, but it's just the final coal there.

326

00:22:40.460 --> 00:22:42.880

So I think that is what's happening on, on, on this maneuver.

327

00:22:43.380 --> 00:22:47.320

It just shows the importance of a small angle with the current and where you

328

00:22:47.320 --> 00:22:50.280

need to go. And if you have the wind on the same side, um,

329

00:22:51.030 --> 00:22:54.000

it's going to be a dangerous situation. So this is what's happening here.

330

00:22:54.900 --> 00:22:59.000

And sir, just to confirm, this was one of the aborted simulations.

331

00:23:04.940 --> 00:23:09.040

Am I to understand from that, that if there is, uh,

332

00:23:09.520 --> 00:23:13.360

a difference of, um, several degrees between the,

333

00:23:15.140 --> 00:23:19.720

the input to the model, uh, for current direction,

334

00:23:20.670 --> 00:23:25.560

that it would make a difference to, um, how that maneuver is conducted?

335

00:23:27.470 --> 00:23:30.800

Well, I think the, the, yeah, the,

336

00:23:31.100 --> 00:23:35.880

the situation there is probably, uh, um, yeah, maybe,

337

00:23:35.940 --> 00:23:38.040

um, a, a personal, uh,

338

00:23:39.410 --> 00:23:42.120

wrong decision making there or, but if you have,

339

00:23:42.120 --> 00:23:47.000

let's say a difference of 20 degrees, um, compared to what you expect, then,

340

00:23:47.110 --> 00:23:48.880

then you have a little push to start with.

341

00:23:48.880 --> 00:23:51.040

And if you do not correct it straight away,

342

00:23:51.380 --> 00:23:54.760

you end up a situation like this that you lose control. And then finally, when,

343

00:23:54.760 --> 00:23:58.800

when you're stopping the ship, uh, she, she's still drifting. Um,

344

00:23:59.390 --> 00:24:03.640

that is the situation there. So, um, if you have 20 degrees difference,

345

00:24:03.640 --> 00:24:06.560

for example, with parallel, with the I O T,

346

00:24:06.560 --> 00:24:09.920

because you don't wanna get too close to, uh, the i o OT at the, um,

347

00:24:10.540 --> 00:24:14.440

at the alpha corner, um, this is where the,

348

00:24:14.440 --> 00:24:18.840

the current system most strong, uh, and most aggressive. So if you get in there,

349

00:24:18.940 --> 00:24:21.960

you need to be slow moving all the time to get in there.

350

00:24:22.100 --> 00:24:25.680

So start turning a little, or the current is on the wrong side, uh,

351

00:24:25.790 --> 00:24:29.800

more than you anticipate, then you lose control if you're not very much aware.

352

00:24:29.990 --> 00:24:34.000

It's easy for me to see when I do it, um, all the time. But, uh,

353

00:24:34.400 --> 00:24:37.120

I think this is what happened here. So, uh, changing in the,

354

00:24:37.120 --> 00:24:40.120

in the direction of the current and how you maneuver, um,

355

00:24:41.010 --> 00:24:44.920

makes a big difference. You need to be awake all the time and really be sharp,

356

00:24:44.990 --> 00:24:49.280

because this is, uh, exactly way it changes. Yeah. So, yeah.

357

00:24:50.010 --> 00:24:53.520

Thank you Captain Carlson. I think the follow up question is, um,

358

00:24:53.940 --> 00:24:56.000

and I think that there may be a number of,

359

00:24:56.300 --> 00:25:00.600

of people who would either be able to, or wish to speak to this,

360

00:25:01.980 --> 00:25:05.320

um, in that situation, what happens

361

00:25:07.100 --> 00:25:11.600

in the, in the real world and, uh, the judgment, uh,

362

00:25:11.820 --> 00:25:16.440

has gone wrong. Um, how does,

363

00:25:18.100 --> 00:25:20.160

how does the vessel bail outta that?

364

00:25:21.270 --> 00:25:24.520
Yeah, well, uh, in simulations,

365
00:25:24.940 --> 00:25:29.480
the things can always be, uh, redone or being checked again or tried again.

366
00:25:29.740 --> 00:25:31.920
In the real world, you uh, just try to, to,

367
00:25:31.920 --> 00:25:34.120
to rescue the ship and stop the ship from, from, uh, from,

368
00:25:34.150 --> 00:25:37.240
from drifting or being out of control, and then getting back,

369
00:25:38.210 --> 00:25:41.840
going up to a, to a safe position and start from there and, and go back.

370
00:25:41.860 --> 00:25:44.960
But in the real world, it'll be, um, a, a terrible situation.

371
00:25:47.840 --> 00:25:52.000
I think I, I'll be asking the applicant to, to comment in a moment, but, um,

372
00:25:52.570 --> 00:25:54.120
where are the tugs in this is

373
00:25:56.260 --> 00:26:00.680
The talk that they, on a small, uh, do is sadly for me to see what yeah,

374
00:26:02.910 --> 00:26:04.160
they, they want that they're pushing.

375
00:26:04.600 --> 00:26:09.400
I, I would say this is a deliberately naive question. Um, we've got a bit,

376
00:26:09.400 --> 00:26:12.440

but I, I think it will be very helpful for you to, to, uh,

377

00:26:12.840 --> 00:26:14.800

indicate those which are pushing, and those which are pulling

378

00:26:21.980 --> 00:26:26.440

The one on the sides on the, on the, on the, on the north side of,
of, of, of,

379

00:26:26.460 --> 00:26:29.160

of the ship is pushing you, you have them lying on,

380

00:26:29.160 --> 00:26:33.560

on the side trying to push the stern. Uh, the one is old is, is,

381

00:26:33.660 --> 00:26:36.920

is in the side of the, um, of, of the ship's control.

382

00:26:36.980 --> 00:26:40.680

You can see that that one is pushing, and the one far away is, is
trying to, to,

383

00:26:40.680 --> 00:26:44.160

to heav it up. Uh, you can see the, well,

384

00:26:44.160 --> 00:26:46.880

it's a little confusing to see the, the TOXs where they're pushing,

385

00:26:46.930 --> 00:26:49.200

where they're heaving. So, um,

386

00:26:52.670 --> 00:26:54.080

yeah, uh,

387

00:26:56.460 --> 00:26:57.440

Um, for the applicant's,

388

00:26:57.440 --> 00:27:00.760

It's look like the, so somebody's is heaving on, on, on the, on, on
the stern,

389

00:27:00.760 --> 00:27:05.680

yeah. And then one is pushing again, and they, um, if, if, if,

390

00:27:05.680 --> 00:27:08.360

if that's a, if that's a maneuver, then it's, um,

391

00:27:09.070 --> 00:27:13.440

it's a completely misunderstood kind of maneuver when, when, when doing it. Uh,

392

00:27:13.620 --> 00:27:18.360

so my anticipation was actually push the ball more to

393

00:27:18.540 --> 00:27:22.520

the, uh, parallel with the arrows when, when going in. Um,

394

00:27:22.860 --> 00:27:26.320

so it looks, right now it looks like somebody is actually, uh,

395

00:27:26.320 --> 00:27:30.600

wants to bring the ship, doing, doing, doing it in,

396

00:27:30.780 --> 00:27:33.680

in the port swing. That looks like it, yeah. With the tos connected. Yeah.

397

00:27:35.010 --> 00:27:39.320

Thank you, um, for the applicant, just very briefly, uh, now the,

398

00:27:40.340 --> 00:27:44.760

the, um, you've had an opportunity to look at this. Two questions. One is,

399

00:27:45.460 --> 00:27:49.040

is there any differentiation that is obvious in the, uh,

400

00:27:49.900 --> 00:27:54.720

if you like the, um, the symbols for the tugs as to which is pushing,

401

00:27:54.770 --> 00:27:55.603

which is pulling,

402

00:27:56.740 --> 00:27:57.380

Uh, yeah,

403

00:27:57.380 --> 00:28:02.200

sir James drawn for a v p I think if you want to understand what's going on

404

00:28:02.200 --> 00:28:06.760

here. Yeah, I'll just ask Mr. Par, who is, yeah, from HR Wallingford,

405

00:28:07.360 --> 00:28:10.080

I don't think Captain Carlson was even at this simulation,

406

00:28:10.380 --> 00:28:12.920

and therefore may assist, uh,

407

00:28:12.940 --> 00:28:17.320

if we pick up a number of those questions about this. And indeed,

408

00:28:18.140 --> 00:28:19.280

uh, if it's convenient,

409

00:28:19.380 --> 00:28:24.240

we might as well deal with the question of the tidal flow at the I

410

00:28:24.280 --> 00:28:26.320

o ot, which is, seems to have prompted this

411

00:28:26.680 --> 00:28:31.280

Question. I, I think that although it's interrupted your flow, um, staffer,

412

00:28:31.320 --> 00:28:33.880

I think it'll be helpful to address this straight away.

413

00:28:34.280 --> 00:28:37.120

'cause I think it goes to the heart of the matter. The second question I have,

414

00:28:37.120 --> 00:28:41.680
apart from the symbolism, so to help us understand what's going on
here, is,

415
00:28:41.940 --> 00:28:46.360
um, it's been established that this was an abort. Is it re uh,

416
00:28:46.460 --> 00:28:48.800
in the N R a, uh, recorded as a fail?

417
00:28:49.990 --> 00:28:54.320
I'll, I'll, I'll ask, um, mr part to explain that to you, but, uh,

418
00:28:55.100 --> 00:28:59.640
yes. Um, so can I, what I'll ask Mr. Par is just to,

419
00:29:00.660 --> 00:29:02.320
before we get onto the simulation,

420
00:29:02.330 --> 00:29:06.560
could we just go back one stage to the question that prompted your
reference to

421
00:29:06.560 --> 00:29:10.920
simulation? And that's the question, the title flow, uh,

422
00:29:11.400 --> 00:29:14.160
measured at the births or model from the birth,

423
00:29:14.330 --> 00:29:19.120
using the boy data and the tidal flow at the I O T and the apparent

424
00:29:19.130 --> 00:29:22.240
difference, and whether that is of consequence.

425
00:29:22.300 --> 00:29:25.040
And then to turn to this simulation.

426
00:29:27.060 --> 00:29:31.440
So Mike Par, HR Wallingford, uh, representing a b p here today,

427

00:29:32.140 --> 00:29:37.120
uh, in terms of the flows at, uh, the port and used in the simulations,

428
00:29:37.720 --> 00:29:40.160
I think HR Wallingford would agree with, uh,

429
00:29:40.320 --> 00:29:45.280
D F D S that the flows to the north of I o T aren't represented in the way that,

430
00:29:45.500 --> 00:29:49.880
uh, pilots, uh, experience them on a day-to-day basis. However,

431
00:29:50.780 --> 00:29:54.840
the focus of the modeling that we've undertaken at HR Wallingford is to ensure

432
00:29:54.840 --> 00:29:59.680
that the flows at the iott as representative as we can manage,

433
00:30:00.380 --> 00:30:04.920
so that the feasibility of the large ships operating in the vicinity of the new

434
00:30:04.920 --> 00:30:07.640
infrastructure has been properly assessed.

435
00:30:08.820 --> 00:30:12.880
And that dec and the decision to concentrate on the modeling of the flows in

436
00:30:12.880 --> 00:30:15.680
that position, rather than in the Humber as a whole,

437
00:30:16.220 --> 00:30:19.960
is due to the nature of the very complex flows in the Humber.

438
00:30:20.660 --> 00:30:24.840
So in this area here, the, the river is on a bend. Uh,

439
00:30:24.840 --> 00:30:28.920

there's a lot of infrastructure in and around, uh, the,

440

00:30:29.020 --> 00:30:31.560

the area which has its own effect on the flows,

441

00:30:31.620 --> 00:30:35.480

the number of piles on the infrastructure slows down the water, et cetera.

442

00:30:35.480 --> 00:30:38.640

So it's a very, very complex place for us to, uh, model.

443

00:30:39.580 --> 00:30:41.080

The modeling that we've, uh,

444

00:30:41.360 --> 00:30:45.520

provided has been verified by initially six months of A D C P

445

00:30:46.700 --> 00:30:50.640

or AAC data. So, uh, acoustic, um, data, um,

446

00:30:50.640 --> 00:30:53.880

current observations, which were provided to us by A B P mer.

447

00:30:54.500 --> 00:30:59.200

And we verified the flows in the vicinity of the proposed IOT terminal. Uh,

448

00:30:59.200 --> 00:31:02.240

initially in April of last year,

449

00:31:02.610 --> 00:31:06.520

additional data was made available to us, which showed some, uh,

450

00:31:07.600 --> 00:31:12.200

vertical variations within the water column at the IOT terminal location.

451

00:31:12.460 --> 00:31:15.240

And we did some additional, uh, modeling,

452

00:31:15.770 --> 00:31:20.360

which was used in the, uh, simulations, which you've now got up on the screen.

453

00:31:20.380 --> 00:31:24.120

So the simulations, which we conducted in the summer of 2022,

454

00:31:25.780 --> 00:31:29.560

If I may. So just quickly, the a i data, uh, what,

455

00:31:29.560 --> 00:31:32.320

what is the location for that data source?

456

00:31:33.280 --> 00:31:36.120

I, okay. It's in, it's in the reports, and I can provide you the,

457

00:31:36.180 --> 00:31:40.920

the exact location, but, um, it, it's approximately in the vicinity of the iat,

458

00:31:41.250 --> 00:31:42.120

maybe, uh,

459

00:31:42.130 --> 00:31:47.000

50 to 75 meters to the north and, uh,

460

00:31:47.510 --> 00:31:52.240

west of the, uh, of the middle pier, as it's very,

461

00:31:52.240 --> 00:31:54.400

it's very adjacent to the, the location of

462

00:31:54.420 --> 00:31:57.080

The, so yes, please submit that to the examination. Um,

463

00:31:57.320 --> 00:31:59.720

I think that will be helpful. And then, uh, it gives the opportunity,

464

00:32:00.060 --> 00:32:03.440

the ips to consider that, um, sorry to interrupt your flow,

465

00:32:05.020 --> 00:32:08.280

Uh, so that, that, that modeling was, um, done and the, uh,

466

00:32:08.280 --> 00:32:12.040

an updated model was used for the simulations in July last year.

467

00:32:12.930 --> 00:32:13.960

Subsequent to that,

468

00:32:14.440 --> 00:32:18.720

A b P have undertaken additional title monitoring to verify

469

00:32:19.580 --> 00:32:22.400

the readings, which were take, which were collected at the,

470

00:32:22.400 --> 00:32:25.560

the Awac Boy in the period of 2019 to 2020.

471

00:32:26.790 --> 00:32:30.160

They took the opportunity to take additional, uh,

472

00:32:30.430 --> 00:32:34.640

flow sectors across the, uh, approaches to the Ingham Bell mouth,

473

00:32:35.380 --> 00:32:40.160

and in other parts of the, uh, approach move into, in towards the, the iert,

474

00:32:40.500 --> 00:32:42.160

uh, HR Wallingford, uh,

475

00:32:42.680 --> 00:32:46.320

verified the title model against those observations and a, and a report,

476

00:32:46.320 --> 00:32:50.840

which shows how strong the correlation is between the model and the

477

00:32:50.840 --> 00:32:55.160

independent observations of, uh, flow is that report was also provided,

478

00:32:55.160 --> 00:32:58.400

and I think that's been submitted, um, previously. So,

479

00:32:58.700 --> 00:33:01.280

And again, to con clarify what you've just said,

480

00:33:01.900 --> 00:33:04.640

you are referring to the, uh,

481

00:33:05.070 --> 00:33:08.960

correlation in the region of the, uh, proposed development

482

00:33:09.020 --> 00:33:10.520

In the region of the proposed development

483

00:33:10.620 --> 00:33:14.400

As opposed to further out into the, into the Humber?

484

00:33:14.620 --> 00:33:17.600

Yes, and at the beginning of the simulation sessions, which we've,

485

00:33:17.600 --> 00:33:20.720

which we've run subsequent to each piece of flow modeling, we've done,

486

00:33:20.720 --> 00:33:24.600

we've explained the process and we've explained where we're content, where the,

487

00:33:24.660 --> 00:33:28.200

the, the flows are representative in terms of the,

488

00:33:28.300 --> 00:33:31.800

the difference that we see in the main part of the river and the IMing and

489

00:33:31.800 --> 00:33:36.440

Balmouth, uh, HR Wallingford advice to a B P has been that,

490

00:33:36.510 --> 00:33:41.440

that to concentrate on the getting the flows right in the vicinity of

491

00:33:41.440 --> 00:33:44.800

the new terminal, because that's what we're assessing. Uh,

492

00:33:44.820 --> 00:33:48.640

we know by observation that vessels can maneuver across the flows,

493

00:33:48.640 --> 00:33:52.520

and there are ways of managing the maneuver in order, for example,

494

00:33:52.700 --> 00:33:54.320

to enter into, um,

495

00:33:54.750 --> 00:33:59.000

Immingham block or as D F D S does, uh, today to,

496

00:33:59.000 --> 00:34:01.320

for their operations in I Immingham Mountain Harbor.

497

00:34:01.500 --> 00:34:05.080

So it is a difficult operation, and it, and it requires great skill to,

498

00:34:05.080 --> 00:34:08.040

to complete, but we're confident that in the sort of flows,

499

00:34:08.040 --> 00:34:12.680

which in reality or experienced in the Humber that is

500

00:34:12.880 --> 00:34:17.720

achievable. And the point at which you're looking at now at, uh, on this run 59,

501

00:34:17.720 --> 00:34:21.960

which was the aborted run, uh, what the pilot's done there. So the, the,

502

00:34:21.980 --> 00:34:25.600

the pilot was one of the Humber pilots. It was his third consecutive run.

503

00:34:26.340 --> 00:34:27.140

And that you,

504

00:34:27.140 --> 00:34:30.480

you'll understand that pilots don't normally do more than two or three runs a

505

00:34:30.480 --> 00:34:33.120

day. So this is quite an intensive bit of, uh, work we're doing.

506

00:34:33.460 --> 00:34:37.480

And he's made a mistake in the, in the early part of this. So rather than, uh,

507

00:34:37.870 --> 00:34:42.360

keeping the vessel broadly parallel to the tide and allowing it to set himself

508

00:34:42.360 --> 00:34:46.240

across into the, uh, approach, he's turned, uh, too sharply.

509

00:34:46.950 --> 00:34:51.560

He's been closing the, uh, Ingham West Jetty, uh, too fast,

510

00:34:51.560 --> 00:34:53.680

and he's got too close to Baer whether,

511

00:34:53.680 --> 00:34:55.800

whether or not he would've recovered it in,

512

00:34:55.860 --> 00:34:59.080

in the manner that Kim Carson suggested, uh,

513

00:34:59.100 --> 00:35:02.160

at the stage where it became obvious that we were, that he, that the,

514

00:35:02.220 --> 00:35:05.760

his early action had got him into a position where we,

515

00:35:06.060 --> 00:35:10.480

we were gonna learn nothing from this. We aborted the run, reset it up,

516

00:35:10.700 --> 00:35:15.160

and he repeated the run using the process that he had intended to,

517

00:35:15.540 --> 00:35:18.680

rather than following on from the, the, the, the, the,

518

00:35:19.260 --> 00:35:21.400

the error which was made in the early part of the approach.

519

00:35:22.420 --> 00:35:27.160

If this were real world, would the tugs be able to recover that?

520

00:35:39.020 --> 00:35:39.853

Uh,

521

00:35:43.120 --> 00:35:45.520

I think I, I think I need to, uh, to consider that further

522

00:35:48.970 --> 00:35:52.950

And, um, to the harbor master. Uh,

523

00:35:54.150 --> 00:35:56.510

v t s would be looking at this,

524

00:35:58.220 --> 00:36:00.150

what would the reaction of v t s be?

525

00:36:01.910 --> 00:36:03.030

Victoria Hutton for the Harbor Master?

526

00:36:03.170 --> 00:36:05.350

So can I turn hand over to Captain Furman?

527

00:36:08.890 --> 00:36:13.060

Yeah, Andrew Furman, uh, Harbor Master Hubber, uh, in a close situation,

528

00:36:13.120 --> 00:36:17.580
min monitoring situation like this, um, it would be possibly Dium
dock,

529
00:36:17.580 --> 00:36:22.300
which has its marine control tower that, that may alert. Um, but,
um,

530
00:36:22.880 --> 00:36:27.060
we would expect the vessel to be realizing he was in, in problems
as,

531
00:36:27.160 --> 00:36:30.660
as Mike says, the early turn 90 degrees to port,

532
00:36:30.850 --> 00:36:33.900
puts him in a situation that's very difficult and, and not normal,

533
00:36:34.160 --> 00:36:37.820
in normal operations for the, for the dock. So at that stage,

534
00:36:37.820 --> 00:36:41.140
it would be down to the, the power of the tugs and the reaction of
the pilot.

535
00:36:41.690 --> 00:36:44.220
It'd be very difficult for v t s to intervene, um,

536
00:36:44.630 --> 00:36:48.020
given the short timescale and, and close proximity of what's going
on.

537
00:36:49.840 --> 00:36:52.540
If it was from a longer, but a longer distance than, uh,

538
00:36:52.650 --> 00:36:55.380
over a longer time period, v t s would, would intervene and,

539
00:36:55.400 --> 00:36:57.220
and make sure everyone was aware of the situation.

540
00:36:58.070 --> 00:37:02.740

Thank you. That's very clear. Um, I'm not sure that it's fair to ask you to, to,

541

00:37:02.960 --> 00:37:07.420

to comment on behalf of Dock Master Control at

542

00:37:07.660 --> 00:37:12.580

Ingham, but, uh, they, they're your colleagues in a sense. Um,

543

00:37:15.090 --> 00:37:18.220

what would the doc, masters, uh, team be doing at this point?

544

00:37:20.740 --> 00:37:24.740

I, I would expect them to be, um, raising concern if, if it was a pa,

545

00:37:24.740 --> 00:37:27.300

if they were the only ones that had realized the concern,

546

00:37:27.410 --> 00:37:31.260

that then they would be raising that in, in, in, uh, in real life,

547

00:37:31.540 --> 00:37:34.860

possibly tuck skippers as well, but also be realizing the, uh,

548

00:37:35.100 --> 00:37:38.700

maneuver wasn't going as planned. So that's where in real life, there are,

549

00:37:39.030 --> 00:37:42.260

there are more pieces achieved than, than simulation after simulation.

550

00:37:44.750 --> 00:37:49.670

Ultimately, the command here is the, let's take the assumption.

551

00:37:49.860 --> 00:37:52.390

It's, uh, it, it's under the control of a,

552

00:37:52.990 --> 00:37:55.270

a master with pilot exemption certificate.

553

00:37:55.850 --> 00:38:00.670

The ultimate decision making and command is whose,

554

00:38:01.570 --> 00:38:05.630

Uh, that would be the, the pilot exemption certificate holder would, uh,

555

00:38:05.650 --> 00:38:08.390

has the conduct of navigation of the vessel, uh,

556

00:38:08.390 --> 00:38:11.110

notwithstanding that the pilot ejected, uh,

557

00:38:11.130 --> 00:38:13.910

the responsibility for the safety of the vessel remains with the master.

558

00:38:16.680 --> 00:38:17.513

Thank you.

559

00:38:20.600 --> 00:38:20.950

Sorry,

560

00:38:20.950 --> 00:38:22.750

Sir. I think Mr. Paul wants to add something.

561

00:38:23.210 --> 00:38:24.043

Cha check.

562

00:38:25.090 --> 00:38:29.430

So my power HR willing for having time, had time to consider your question.

563

00:38:30.230 --> 00:38:34.190

I, I think the answer is that the key to this maneuver is the same as it is for

564

00:38:34.470 --> 00:38:37.920

approaches to, in Immingham Mount Harbor and to the Immingham Bell mouth,

565

00:38:38.020 --> 00:38:42.600

in that the pilot has to bring the vessel under control before he can get it

566

00:38:42.600 --> 00:38:46.080

into a position where he's happy to start the maneuver. So in this case here,

567

00:38:46.080 --> 00:38:50.040

that would've been approximately where the, the red vessel is. So the,

568

00:38:50.100 --> 00:38:51.600

the 10 minute into the maneuver mark,

569

00:38:51.860 --> 00:38:56.160

so when he is well away from the eastern jetty, the point at which,

570

00:38:57.220 --> 00:39:00.640

and he, at this point here, the pilot hadn't settled the vessel,

571

00:39:00.700 --> 00:39:03.640

and the vessel wasn't steady, and he wasn't ready to back up into the,

572

00:39:03.710 --> 00:39:08.680

into the ber because of the rate that had turned down towards

573

00:39:08.780 --> 00:39:12.920

the eastern jetty initially having got himself into that position,

574

00:39:13.270 --> 00:39:16.080

that would've been the pos the time to abort the maneuver,

575

00:39:17.060 --> 00:39:20.640

not when we got it all the way back down to the, to the Eastern jetty.

576

00:39:21.140 --> 00:39:23.480

And this is this, and this, this speaks to the,

577

00:39:23.480 --> 00:39:28.320

the criticality of the training that's gonna be required in order to ensure

578

00:39:28.320 --> 00:39:32.080

that, that the pilots and the peccs are familiar with the maneuver,

579

00:39:32.080 --> 00:39:33.520

which they have to undertake it.

580

00:39:33.520 --> 00:39:36.680

And that's in line with what we see happening for, uh,

581

00:39:36.790 --> 00:39:40.880

with pilots and peccs for Ingham Bellmouth, and for the, uh,

582

00:39:41.050 --> 00:39:44.920

other ports on parts of the, uh, Humber, which are equally challenging.

583

00:39:46.460 --> 00:39:51.200

May I ask, and does that same comment apply to the,

584

00:39:51.300 --> 00:39:53.080

um, the tug masters?

585

00:39:54.620 --> 00:39:57.960

Uh, HR Wallingford recommend that tug masters attend,

586

00:39:59.620 --> 00:40:03.240

uh, continuation training with pilots because it's a really valuable way to make

587

00:40:03.240 --> 00:40:07.520

sure that the tug masters and the pilots work with each other. I think that

588

00:40:09.360 --> 00:40:13.560

A B P Humber have been pushing that process in the, uh,

589

00:40:14.340 --> 00:40:16.960

in the continuous professional development with their pilots that they've been

590

00:40:16.960 --> 00:40:20.080

doing HR with H R W, and it's a very positive step.

591

00:40:21.140 --> 00:40:23.320

Did you have tug masters involved in the simulations?

592

00:40:23.820 --> 00:40:24.653

We have.

593

00:40:24.660 --> 00:40:29.040

All the simulations were supported by tug masters who were from

594

00:40:29.600 --> 00:40:33.040

Humber tug service or com companies, which provide marine services on Humber.

595

00:40:33.040 --> 00:40:38.000

And their opinion has been really important in establishing whether they thought

596

00:40:38.140 --> 00:40:41.240

the simulations and effects which we were, uh,

597

00:40:42.640 --> 00:40:45.040

demonstrating were realistic and achievable.

598

00:40:46.700 --> 00:40:49.920

Um, this is an near miss. Um,

599

00:40:50.670 --> 00:40:52.160

what would happen in real life

600

00:40:53.740 --> 00:40:58.320

as an near miss if they had managed to bail out at the position of the red, uh,

601

00:40:58.320 --> 00:41:02.480

vessel, as you say, um, whilst it's still, uh, um,

602

00:41:03.440 --> 00:41:06.640

a ship's length away from the, um, the eastern jetty,

603

00:41:08.190 --> 00:41:10.040

what would then happen?

604

00:41:12.220 --> 00:41:13.920

If I can use an analogy, sir?

605

00:41:14.740 --> 00:41:18.000

So at the point I was suggesting the original bailout should have happened,

606

00:41:18.600 --> 00:41:20.280

I wouldn't suggest that was a near miss.

607

00:41:20.280 --> 00:41:23.040

That would be the equivalent of when you're trying to parallel park,

608

00:41:23.620 --> 00:41:25.920

you make your first maneuver back into, and, and you,

609

00:41:25.940 --> 00:41:28.320

and you assess that it's wrong and you come back out and you start again.

610

00:41:28.780 --> 00:41:31.680

So it's only a near miss if, if it's gone beyond that, if

611

00:41:31.680 --> 00:41:35.520

You, and so the, the near miss is, is where you continue to, to,

612

00:41:35.520 --> 00:41:37.320

to try and you hit the car behind you,

613

00:41:37.660 --> 00:41:40.720

and then you have to put a note on the windscreen. And I, and I, and I,

614

00:41:40.840 --> 00:41:43.480

I speak to the Port authority about what, what would happen in this case.

615

00:41:45.580 --> 00:41:49.200

So I wonder if I might ask Mr. Jonathan Bush, um,

616

00:41:49.220 --> 00:41:51.440

who has navigated, um,

617

00:41:51.990 --> 00:41:55.080

over 2000 times in this actual area, um,

618

00:41:55.100 --> 00:41:56.600

as well as being involved in simulations,

619

00:41:56.600 --> 00:42:01.280

but as the actual practical experience, I wonder if his input on this image.

620

00:42:01.580 --> 00:42:06.200

Um, and so I would point out that if you add the fails to the aborts in,

621

00:42:06.380 --> 00:42:10.760

um, the applicant's simulations, that's 26%, um,

622

00:42:10.760 --> 00:42:15.280

that were either aborted because there was a near miss or a collision or a li or

623

00:42:15.280 --> 00:42:18.000

collision. Um, and the actual fails, that's 26.

624

00:42:18.060 --> 00:42:23.000

And we say that that's an underestimate because the amount

625

00:42:23.220 --> 00:42:24.053

of, um,

626

00:42:24.560 --> 00:42:29.280

reliance that's placed on the bowel thrusters to achieve the successes is

627

00:42:29.750 --> 00:42:34.040

unrealistic and would result in failures in any other simulation

628

00:42:34.470 --> 00:42:38.440

that Jonathan Bush can talk about that he's been involved in or others as well

629

00:42:38.440 --> 00:42:39.280

as being dangerous.

630

00:42:39.380 --> 00:42:42.680

And I wonder if I could bring Jonathan Bush in to address those points and this

631

00:42:42.740 --> 00:42:43.573

and this image.

632

00:42:43.940 --> 00:42:45.280

Can I just hold you for a second? Yeah,

633

00:43:45.830 --> 00:43:47.290

Ms. Tougher what we are,

634

00:43:47.290 --> 00:43:51.410

we're trying to plan ahead to our timing this afternoon,

635

00:43:51.950 --> 00:43:56.810

and I think that what we must do now is we've exposed some interesting

636

00:43:56.810 --> 00:43:57.643

issues here,

637

00:43:58.950 --> 00:44:03.730

and I think that what's best now is that we've return having derailed your,

638

00:44:03.950 --> 00:44:07.290

um, summary statements for you to return to the summary statement.

639

00:44:07.970 --> 00:44:12.090

I think there's an opportunity if you wish to call your witness to talk more

640

00:44:12.090 --> 00:44:14.330

about this later on. But before we do that,

641

00:44:14.330 --> 00:44:16.730

we're going to pass to C L D N and then, uh,

642

00:44:16.830 --> 00:44:19.970

ask i o t if there's anything further before we, um,

643

00:44:20.940 --> 00:44:21.930

we've run out of time,

644

00:44:23.130 --> 00:44:27.610

Isabella, for D F T S. Understood, sir, and with your indication,

645

00:44:28.030 --> 00:44:30.490

um, earlier that you know,

646

00:44:30.490 --> 00:44:35.000

your well familiar with our P A d, um, issues. I,

647

00:44:35.160 --> 00:44:38.440

I think it would now really you've, you know,

648

00:44:38.440 --> 00:44:40.880

what we say about aborts and fails and,

649

00:44:41.060 --> 00:44:45.000

and their use in this simulation or our, our concern about that.

650

00:44:45.540 --> 00:44:47.720

One additional point I'd like to return to from Mr.

651

00:44:48.030 --> 00:44:51.160

Straw's presentation earlier is, um,

652

00:44:51.340 --> 00:44:54.080

the governance arrangements. Now,

653

00:44:54.660 --> 00:44:57.760

the Port Marine Safety Code identifies the duty holder as Mr.

654

00:44:58.000 --> 00:44:58.833

Raun outlined earlier,

655

00:44:58.900 --> 00:45:01.640

and that's the person that's accountable for marine safety within an

656

00:45:01.640 --> 00:45:02.473

organization.

657

00:45:03.740 --> 00:45:08.640

But the code recognizes that often that person will be

658

00:45:08.670 --> 00:45:11.640

from a business background rather than a marine safety background.

659

00:45:12.340 --> 00:45:17.200

And so they advise that a different person known as a designated person with a

660

00:45:17.200 --> 00:45:21.200

marine safety background will need to be appointed to advise the duty holder.

661

00:45:21.740 --> 00:45:26.680

Now, the difficulty in this case is that the designated person didn't attend

662

00:45:26.860 --> 00:45:31.680

the has ID workshops or the risk assessment meetings at which relevant

663

00:45:31.680 --> 00:45:36.160

stakeholders raised their concerns and so wasn't present to hear those

664

00:45:36.560 --> 00:45:39.880

concerns. For example, some of which you've just heard outlined,

665

00:45:39.880 --> 00:45:42.800

which have been raised numerous times, um,

666

00:45:42.860 --> 00:45:45.640

at those workshops and simulations, et cetera.

667

00:45:46.140 --> 00:45:47.920

And so I wasn't able to take those factors

668

00:45:49.630 --> 00:45:54.160

into account in the same way in advising the duty holder. Um,

669

00:45:54.510 --> 00:45:58.840

another point that I wonder if I might ask, um, Mr. Um,

670

00:45:58.910 --> 00:46:01.320

Bush to come in on if now is the appropriate moment.

671

00:46:01.320 --> 00:46:06.120

Still part of our presentation is firstly the use of the bowel thrusters

672

00:46:06.300 --> 00:46:10.720

and whether the assumptions in the simulation are safe and realistic.

673

00:46:11.300 --> 00:46:14.600

And secondly, I wonder if you might have any comment on, um,

674

00:46:14.980 --> 00:46:19.880

the suggestion that the maneuver here is akin to or

675

00:46:19.880 --> 00:46:24.480

can be equated with or used by analogy with reversing a car

676

00:46:24.670 --> 00:46:29.000

into a space, um, and, and whether that's a appropriate when,

677

00:46:29.660 --> 00:46:33.920

um, being, uh, in charge of vessels of this nature,

678

00:46:34.580 --> 00:46:37.960

in this environment with wind and flows and gusts and that sort of thing.

679

00:46:39.080 --> 00:46:41.280

I wonder if I could bring him in briefly Now, let's

680

00:46:41.280 --> 00:46:44.040

Hear from Mr. Bush. Thank you. And, uh, we'll try and keep it fairly

681

00:46:44.040 --> 00:46:44.873

Short. Yes indeed.

682

00:46:50.840 --> 00:46:54.230

Hello, Jonathan Bush for D F D S. Um,

683

00:46:56.780 --> 00:47:01.070

yeah, um, the analogy of parking a car with the, uh,

684

00:47:01.150 --> 00:47:05.070

currents that we have is not possible that with a car you can just put the

685

00:47:05.070 --> 00:47:09.590

brakes on and stop, um, with the wind and current, you are constantly moving.

686

00:47:10.130 --> 00:47:14.840

Um, so that, that's a nonsense. Um,

687

00:47:16.420 --> 00:47:18.000

in this particular maneuver, the,

688

00:47:18.100 --> 00:47:23.020

the maneuver was he turned very sharply to port as

689

00:47:23.260 --> 00:47:26.980

approaching the birth and then to swing the vessel through the tide, um,

690

00:47:27.190 --> 00:47:30.280

swung very quickly, but swung too far beyond the line of the tide.

691

00:47:30.380 --> 00:47:33.320

So the tide got onto the starboard side of the, the vessel,

692

00:47:34.460 --> 00:47:38.600

and when the current is on the side, it will push the vessel if you like.

693

00:47:38.630 --> 00:47:40.720

It's like acts as a wedge.

694

00:47:41.260 --> 00:47:44.720

So then the vessel started tracking to port towards a, uh,

695

00:47:45.390 --> 00:47:48.120

what would've been a tanker on the east jetty. It's not a bulk carry.

696

00:47:48.120 --> 00:47:51.760

It'll always be a chemical tanker there. And, um,

697

00:47:52.870 --> 00:47:53.230

yeah,

698

00:47:53.230 --> 00:47:57.440

it's a very difficult maneuver to get out of as soon as they turn through across

699

00:47:57.440 --> 00:47:59.040

the tide. Um,

700

00:47:59.790 --> 00:48:04.320

also in my experience of going to the east jetty and around the Ingham area with

701

00:48:04.320 --> 00:48:07.810

the flood tide, when you have a current like that, um,

702

00:48:08.110 --> 00:48:10.610

you would get set off for birth. So actually in the simulation,

703

00:48:11.960 --> 00:48:16.020

he would've got set to the north away from the birth if the current was correct.

704

00:48:17.400 --> 00:48:20.100

Um, but the way the current is running through to the birth,

705

00:48:21.180 --> 00:48:24.190

I've never noticed that when there's current running on the flood tide,

706

00:48:24.290 --> 00:48:28.550

you will get set away from the jetty on the upside,

707

00:48:28.890 --> 00:48:30.670

you'll get set towards the jetty.

708

00:48:34.230 --> 00:48:35.090

And, and Ms. Bush,

709

00:48:35.250 --> 00:48:38.610

I wonder if you could comment on the use of the bowel thrusters in the

710

00:48:38.610 --> 00:48:40.370

simulation where I think, um,

711

00:48:40.440 --> 00:48:44.130

they're sometimes used at a hundred percent power and for 15 minutes and what,

712

00:48:44.280 --> 00:48:48.290

what, what that actually means in practice and any issues associated with it.

713

00:48:50.160 --> 00:48:52.930

Yeah, Jonathan Bush for D F D Ss, um,

714

00:48:53.580 --> 00:48:58.210

using maximum power is you have nothing in reserve.

715

00:48:59.200 --> 00:49:03.890

That is not a, um, it's not a safe maneuver at all. It's,

716

00:49:03.950 --> 00:49:08.650

you are using everything. It would be, if you want to use a car analogy again,

717

00:49:08.910 --> 00:49:13.250

if you are driving a car and you're stopping distance is 20 meters,

718

00:49:13.550 --> 00:49:18.090

you don't apply the brakes at 21 meters hoping that you'll stop. Um,

719

00:49:18.960 --> 00:49:21.730

it's just not good practice at all. I mean, the thrusters,

720

00:49:22.860 --> 00:49:27.230

they work when the ship is brand new as the ship gets older that they are just

721

00:49:27.230 --> 00:49:30.190

for fine tuning and maneuver. They are not used to maneuver as such.

722

00:49:34.980 --> 00:49:36.730

Thank you, Mr. Staffer. Thank you Mr. Bush.

723

00:49:37.380 --> 00:49:40.090

Thank you, sir. I, I think just, um,

724

00:49:40.670 --> 00:49:44.850

in terms of the suggestions that we have for practical suggestions for safety,

725

00:49:45.470 --> 00:49:48.050

uh, resolving hopefully or narrowing safety issues,

726

00:49:49.710 --> 00:49:53.650

we think that the has ID workshops and simulations should be rerun,

727

00:49:54.870 --> 00:49:58.690

um, using data that hopefully can be agreed between the stakeholders.

728

00:49:58.710 --> 00:50:02.210
It should be capable of agreement, um,

729
00:50:03.840 --> 00:50:08.570
produce a fresh N r a following exclusively the Port Marine

730
00:50:08.570 --> 00:50:12.730
safety code methodology and informed by a more thorough

731
00:50:13.650 --> 00:50:14.930
analysis of tidal and wind data,

732
00:50:19.720 --> 00:50:24.210
Depending on the outcome of those simulations and assessment

733
00:50:26.150 --> 00:50:28.920
it well, it's difficult to predict at this stage, sir,

734
00:50:28.920 --> 00:50:32.640
but it may be necessary to consider fewer births or a different
location or the

735
00:50:32.800 --> 00:50:34.040
relocation of the finger. P

736
00:50:35.580 --> 00:50:39.760
we say there should be proper commitment to mitigation, um, uh,

737
00:50:39.860 --> 00:50:43.760
to protection of the trunk way that is not conditional for the
safety of all

738
00:50:43.760 --> 00:50:44.600
users of the port,

739
00:50:45.820 --> 00:50:50.240
and that the applicant should carry out a proper assessment of the
impact on

740
00:50:50.240 --> 00:50:51.520
vessel congestion,

741

00:50:52.090 --> 00:50:56.680

aside from safety impacts congestion during construction and operation

742

00:50:57.720 --> 00:51:02.480

informed by stakeholder engagement at workshops involving port

743

00:51:02.840 --> 00:51:03.370

operators,

744

00:51:03.370 --> 00:51:08.240

which were offered by a B p workshops as to commercial impacts rather than

745

00:51:08.240 --> 00:51:10.160

safety ones, but never held.

746

00:51:10.620 --> 00:51:12.760

And you'll see that trace through the correspondence,

747

00:51:12.760 --> 00:51:16.720

which we submit with our written representation. And there's more I could say,

748

00:51:16.820 --> 00:51:19.120

sir, on operational impacts leaving aside safety,

749

00:51:19.540 --> 00:51:23.000

but I appreciate the constraints of today and we'll put those in our written

750

00:51:23.000 --> 00:51:25.280

representation. Thanks, sir.

751

00:51:26.530 --> 00:51:28.440

Thank you very much. Uh,

752

00:51:29.360 --> 00:51:31.600

I think that in the interest of fairness,

753

00:51:32.100 --> 00:51:35.520

I'm going to ask C L D N if they'd like to come in at this point,

754

00:51:36.340 --> 00:51:40.480

and then I'm to ask, um,

755

00:51:41.120 --> 00:51:43.520

I o ot, if you're really pressed for time,

756

00:51:43.520 --> 00:51:48.160

whether you want to say anything urgently before departing and then

757

00:51:48.980 --> 00:51:50.680

the applicant to reply

758

00:51:53.830 --> 00:51:56.400

Rose Grogan for A C L D N. Thank you, sir. Um,

759

00:51:56.580 --> 00:52:00.080

you'll be relieved to know that my answer is almost literally on a post-it note,

760

00:52:00.140 --> 00:52:04.720

so I won't be very long, um, killing him, is upriver, uh,

761

00:52:04.720 --> 00:52:05.960

from the proposed development.

762

00:52:06.060 --> 00:52:11.000

So where there is construction activity or a safety incident that can result

763

00:52:11.140 --> 00:52:14.920

in traffic restrictions on the river or worst case scenario,

764

00:52:15.420 --> 00:52:16.680

the closure of the river,

765

00:52:17.010 --> 00:52:21.600

which evidently would affect C L D N operations. Uh,

766

00:52:21.760 --> 00:52:26.240

C L D N therefore has a keen interest in ensuring that the N R A is robust and

767

00:52:26.240 --> 00:52:30.520

that risks, uh, to navigational safety are kept tolerable. And A A R P,

768

00:52:31.060 --> 00:52:34.840

uh, navigational safety is plainly a material consideration, uh,

769

00:52:34.840 --> 00:52:37.880

this precedent for that in other dcos, in particular,

770

00:52:37.900 --> 00:52:42.800

the fan extension offshore wind farm D C O from 2020, um,

771

00:52:43.420 --> 00:52:47.120

in circumstances where two of the major operators on the river have expressed

772

00:52:47.120 --> 00:52:51.800

serious concerns about wrist navigational safety, um,

773

00:52:52.060 --> 00:52:56.320

we are also concerned, but we don't seek to duplicate what you've heard today.

774

00:52:57.060 --> 00:53:01.480

Um, but based on our experience, the concerns of D F D S and IOT are credible.

775

00:53:02.100 --> 00:53:05.920

And until they address CLD N'S concerns about the impact on its operations

776

00:53:05.940 --> 00:53:07.120

remain, uh,

777

00:53:07.340 --> 00:53:11.520

and a v p needs to proactively address the concerns expressed by others.

778

00:53:11.660 --> 00:53:14.800

We adopt and endorse the suggestions made by Mr.

779

00:53:14.850 --> 00:53:18.720

Defor on behalf of D F D S as to the way forward. Uh,

780

00:53:18.720 --> 00:53:20.720

and just so that you understand the bigger picture,

781

00:53:20.730 --> 00:53:25.560

these concerns are part of the context for our request for protective provisions

782

00:53:25.580 --> 00:53:30.560

at, uh, issue specific hearing one, I won't go over them again. Um, but again,

783

00:53:30.560 --> 00:53:34.080

there's precedent for that and the able D c 0 protective provisions for the

784

00:53:34.240 --> 00:53:37.640

construction period. Uh, were in place for C L D N,

785

00:53:37.660 --> 00:53:39.200

and that's all I have to say at this stage.

786

00:53:41.210 --> 00:53:45.160

Thank you very much, Mr. Vin. Um,

787

00:53:46.180 --> 00:53:47.240

how pressed time are you?

788

00:53:50.520 --> 00:53:52.120

I, I don't have to leave immediately,

789

00:53:53.340 --> 00:53:54.680

Uh, in that, but, but

790

00:53:54.680 --> 00:53:55.920

Preferably by five 30

791

00:53:56.060 --> 00:53:59.160

In, in that case, would, would it be perhaps, uh,

792

00:53:59.350 --> 00:54:04.240

more favorable to the applicant to give the opportunity to reply now

793

00:54:05.100 --> 00:54:08.520

and, uh, we'll see how we go, and then perhaps have a quick recess?

794

00:54:13.220 --> 00:54:16.280

Yes. Uh, James drawn for a b p. Uh,

795

00:54:16.340 --> 00:54:20.760

so shall I take it in the order that it came rather than reverse order? Um,

796

00:54:21.210 --> 00:54:25.280

first of all, uh, Mr. Vin's comments, uh,

797

00:54:25.380 --> 00:54:30.120

in his opening and, um, I think you are wanted me to be brief,

798

00:54:30.180 --> 00:54:33.120

so we'll, we'll obviously respond in, in writing, but

799

00:54:35.190 --> 00:54:39.760

Just picking up on some key points. First of all, uh,

800

00:54:39.930 --> 00:54:42.440

there is, in the submissions,

801

00:54:42.440 --> 00:54:46.320

you've heard a conflation between the

802

00:54:47.270 --> 00:54:52.040

Port Marine Safety Code and the Marine Safety Management system that

803

00:54:52.180 --> 00:54:54.000

arises for the ports generally,

804

00:54:55.380 --> 00:54:59.960

and the navigation risk assessment that's being carried out for the proposed

805

00:55:00.070 --> 00:55:00.903

development.

806

00:55:01.980 --> 00:55:06.840

And what the applicant has done is produce a navigation

807

00:55:06.870 --> 00:55:09.320

risk assessment. And I'll come to the detail,

808

00:55:09.670 --> 00:55:13.680

some of the detail of that in relation to subsequent criticisms you've heard,

809

00:55:13.680 --> 00:55:17.480

which we don't accept. Um, but we produce, just dealing with the procedure,

810

00:55:17.540 --> 00:55:19.560

we produce a navigation risk assessment,

811

00:55:20.010 --> 00:55:24.480

which looks at the navigational risks arising from the proposed development,

812

00:55:25.700 --> 00:55:28.840

and we've identified the data, used,

813

00:55:28.940 --> 00:55:33.880

the methodology and the governance process, and we'll come to the,

814

00:55:34.700 --> 00:55:38.880

the simulation criticisms in a moment. But, um,

815

00:55:39.260 --> 00:55:44.000

of course we also, as you've heard, have involved the stakeholders in,

816

00:55:44.100 --> 00:55:48.280

in that process attendance of simulations and, uh,

817

00:55:48.390 --> 00:55:51.160

certainly have taken on board their points,

818

00:55:51.740 --> 00:55:55.800

but are experts have addressed those points where they're valid,

819

00:55:56.110 --> 00:56:00.320

such as getting more title data flow, uh,

820

00:56:00.500 --> 00:56:02.320

in the way you've described. Uh,

821

00:56:02.500 --> 00:56:07.080

but where they don't accept the criticisms have explained, uh,

822

00:56:07.220 --> 00:56:11.200

or not accept them and will explain those. So we, we,

823

00:56:12.180 --> 00:56:15.120

that's the navigation risk assessment. Mr.

824

00:56:15.450 --> 00:56:20.040

Elvin then conflated that with the marine safety

825

00:56:20.040 --> 00:56:21.680

management system for the port,

826

00:56:22.820 --> 00:56:27.600

and suggested that that needs to be published or produced

827

00:56:27.620 --> 00:56:31.480

to the examining authority. The then, as Mr. Hannon explained,

828

00:56:31.480 --> 00:56:36.080

the marine safety management system under the code for the port obviously

829

00:56:36.080 --> 00:56:40.280

doesn't deal with the proposed development because it's not part of

the port.

830

00:56:40.740 --> 00:56:45.000

It would be updated in the event of the proposed development

831

00:56:45.310 --> 00:56:50.160

featuring as part of the port in precisely the way Mr. Hannon described,

832

00:56:50.290 --> 00:56:55.200

which was an answer to your question despite Mr. Alvin's characterization of it.

833

00:56:56.100 --> 00:56:56.960

But, uh,

834

00:56:57.020 --> 00:57:01.720

the marine safety management system that's produced in,

835

00:57:01.900 --> 00:57:05.480

in, uh, under the code, sir,

836

00:57:05.660 --> 00:57:10.560

is not required to be published if that's what Mr. Vin's suggesting. Indeed,

837

00:57:10.860 --> 00:57:15.800

uh, as far as we're aware, uh, I think 99% of people who produce such,

838

00:57:16.460 --> 00:57:21.080

uh, documents do not publish them. And the reason for that,

839

00:57:21.140 --> 00:57:25.880

and you asked us to alert, uh, you to these sorts of issues, uh,

840

00:57:26.060 --> 00:57:29.960

at least twofold. The first is a basic security concern.

841

00:57:30.450 --> 00:57:35.440

There is an awful lot of sensitive data as to the operation of strategic

842

00:57:35.460 --> 00:57:40.360

infrastructure, uh, which would be simply without going to the detail,

843

00:57:40.800 --> 00:57:44.720

contrary to the public interest to publish and make available to the public.

844

00:57:45.420 --> 00:57:46.253

And sir,

845

00:57:46.300 --> 00:57:50.920

you will look around at all the other ports for a similar practice.

846

00:57:50.930 --> 00:57:53.360

These are not public documents.

847

00:57:53.980 --> 00:57:57.120

And the second is the wider port, um,

848

00:57:58.240 --> 00:58:02.320

consideration of what goes on in the port involves an awful lot of commercially

849

00:58:02.360 --> 00:58:06.920

confidential information as to the operators within the port

850

00:58:07.420 --> 00:58:11.920

and commercial information about sensitive to other

851

00:58:12.020 --> 00:58:16.880

rivals, of course, as to what's going on in the port. So that, that is the only,

852

00:58:17.340 --> 00:58:21.480

uh, well, that's the reason why it can't be made public. Um,

853

00:58:21.660 --> 00:58:22.920

but in addition,

854

00:58:23.300 --> 00:58:27.840

it doesn't help with the assessment of this proposed development in

855

00:58:27.840 --> 00:58:31.400

navigation risk, safety navigation risk,

856

00:58:31.710 --> 00:58:33.840

because it's not going to help you with that.

857

00:58:34.500 --> 00:58:37.720

So we don't understand the reason it's being requested.

858

00:58:38.300 --> 00:58:41.880

But there's a basic problem with publication, which I've explained,

859

00:58:42.340 --> 00:58:46.000

but what you do have and what of course conventionally is provided,

860

00:58:46.140 --> 00:58:51.080

and you can look at other Port dcos Tilbury two or whatever you,

861

00:58:51.500 --> 00:58:55.000

um, is a navigational risk assessment for what is proposed.

862

00:58:55.700 --> 00:59:00.200

And we have addressed and will continue to rest those criticisms that are being

863

00:59:00.200 --> 00:59:03.440

made of the methodology and the inputs, which is, uh,

864

00:59:03.460 --> 00:59:08.440

of course a matter for you to examine. So there is a, a,

865

00:59:08.800 --> 00:59:10.080

a serious confusion there.

866

00:59:10.540 --> 00:59:15.240

And I do want to respond to the notion that the I o t

867

00:59:15.270 --> 00:59:19.200

have not been consulted about the marine safety management system.

868

00:59:19.300 --> 00:59:21.480

That's simply not right. They are,

869

00:59:21.550 --> 00:59:25.880

they're one of the stakeholders that has an input before the marine safety

870

00:59:25.880 --> 00:59:29.480

management system is, is produced for the port. Indeed, they,

871

00:59:29.480 --> 00:59:33.720

there's a lot of consultation with all port users to reduce the marine safety

872

00:59:33.720 --> 00:59:37.080

management system. I dunno why Mr. Elvin said that he's wrong.

873

00:59:38.300 --> 00:59:42.720

So that, uh, so that,

874

00:59:42.790 --> 00:59:45.920

that is, um, the, a lot of the thrust of what he said.

875

00:59:46.380 --> 00:59:51.320

He then turned to the question of navigation simulation.

876

00:59:51.500 --> 00:59:56.200

He said he had concerns about what was done. He mentioned, uh,

877

00:59:56.470 --> 01:00:01.280

windage and gusts, for example. Uh, again, I'm going to,

878

01:00:02.020 --> 01:00:03.160

uh, get, um,

879

01:00:03.570 --> 01:00:08.400

those who are the experts who produced the simulation and the N R A to

880

01:00:08.400 --> 01:00:10.320
respond to that. But again, it's incorrect.

881
01:00:11.250 --> 01:00:15.240
Gusts were modeled in the simulation exercise and windage was considered.

882
01:00:15.500 --> 01:00:20.400
And there's a process of those simulations of building up information, uh,

883
01:00:20.410 --> 01:00:24.600
which led to the final simulations about which, um, Mr.

884
01:00:24.700 --> 01:00:29.560
Par and the others who took part can assist you. So, um,

885
01:00:29.830 --> 01:00:33.240
turning to D F D Ss and its concerns,

886
01:00:34.460 --> 01:00:37.640
so the, um, similarly,

887
01:00:38.510 --> 01:00:42.880
there's a concern about mixed methodology,

888
01:00:43.050 --> 01:00:46.680
which is borne outta a confusion. Um, I,

889
01:00:46.920 --> 01:00:50.880
although I heard the contribution, uh, and you heard the contribution,

890
01:00:51.120 --> 01:00:55.640
I think from Mr. Bishop saying that were mixed methodologies, uh,

891
01:00:55.700 --> 01:01:00.360
in the N R A, uh, again, I can't find them. The, the, the,

892
01:01:00.470 --> 01:01:05.360
what he's identifying in the N R A, he didn't specify any paragraph.

893

01:01:05.620 --> 01:01:10.320

And, um, rather like the, um, railroad,

894

01:01:11.140 --> 01:01:14.600

uh, freight being parked off off the site, um,

895

01:01:14.660 --> 01:01:16.200

the references to chapter three,

896

01:01:16.200 --> 01:01:20.480

which we still haven't been provided with from the earlier morning session, uh,

897

01:01:20.750 --> 01:01:23.720

it's not something we recognize in the document. And of course,

898

01:01:23.860 --> 01:01:28.280

you've had the explanation as to all that's taken from the

899

01:01:29.050 --> 01:01:33.320

other methodology is, is a definitional one, which I've explained.

900

01:01:33.900 --> 01:01:38.400

Uh, and that's the extent of it. The, of course, what the, uh,

901

01:01:38.480 --> 01:01:43.480

D F D S went on to say is they want a N R A that follows the Port Marine

902

01:01:43.480 --> 01:01:47.720

safety Code. That is exactly what has been produced in terms of methodology,

903

01:01:48.380 --> 01:01:53.160

um, as, as has been explained. So that was the first,

904

01:01:54.040 --> 01:01:57.520

I think we call methodological criticism. And then of course,

905

01:01:57.520 --> 01:02:02.280

there has been a series of criticisms made in relation to the

simulation

906

01:02:02.640 --> 01:02:05.640

exercises themselves and the use of data.

907

01:02:06.340 --> 01:02:11.000

And so I'm, I'm in your hands as to how you want to do this,

908

01:02:12.020 --> 01:02:16.200

and I'm gonna get Mr. Parters to comment in, in a moment. But the,

909

01:02:16.300 --> 01:02:18.600

can I just make this observation? There's, we,

910

01:02:18.610 --> 01:02:23.120

we've leapt into the model. We picked a,

911

01:02:23.680 --> 01:02:24.640

a particular model,

912

01:02:25.260 --> 01:02:29.080

and then there's been various criticisms about fails and abort and high numbers.

913

01:02:29.630 --> 01:02:30.400

That, of course,

914

01:02:30.400 --> 01:02:34.200

reflects a basic misunderstanding of this whole simulation exercise.

915

01:02:35.020 --> 01:02:39.400

Its purpose is to test the absolute limits

916

01:02:40.100 --> 01:02:42.360

of the simulation approach,

917

01:02:42.540 --> 01:02:47.320

to understand where the limits are of operations for

918

01:02:47.710 --> 01:02:51.920

this facility under working conditions at those limits,

919

01:02:52.900 --> 01:02:57.040

and to see what is acceptable, what is safe,

920

01:02:57.110 --> 01:03:00.320

what can be delivered. And the model as a whole, of course,

921

01:03:01.080 --> 01:03:04.440

delivers on that because it demonstrates that yes,

922

01:03:04.500 --> 01:03:09.360

you can use this facility safely acceptably using the

923

01:03:09.360 --> 01:03:13.800

available methodologies with the relevant training. And just pausing there,

924

01:03:14.280 --> 01:03:16.520

although they didn't say it expressly,

925

01:03:17.060 --> 01:03:21.520

the people who talked about the use of D F D S, uh,

926

01:03:22.690 --> 01:03:26.160

their, their port, uh, were explaining as,

927

01:03:26.260 --> 01:03:28.320

as I think you heard from the last contribution,

928

01:03:28.590 --> 01:03:31.640

that the way you'd set your boat if you're going to come in,

929

01:03:32.180 --> 01:03:34.760

that's precisely the same for D F D S.

930

01:03:35.260 --> 01:03:39.640

If the D F D S ship makes a similar maneuver of this kind

931

01:03:40.100 --> 01:03:41.440

of the type that wouldn't happen,

932

01:03:42.030 --> 01:03:44.720

then of course they're going to be in similar difficulties,

933

01:03:45.020 --> 01:03:48.200

as is any other ship if it doesn't follow procedures.

934

01:03:48.620 --> 01:03:51.480

So the purpose of the simulation,

935

01:03:51.580 --> 01:03:56.400

and you'll see it set out in the N R A and the establishment of

936

01:03:56.400 --> 01:04:00.480

boughts and fails, is to push the boundaries. Indeed,

937

01:04:00.700 --> 01:04:04.560

it would be a completely hopeless document if you didn't have a boughts,

938

01:04:04.560 --> 01:04:09.120

some fails because you wouldn't have tested the boundaries of where things

939

01:04:09.420 --> 01:04:10.920

are acceptable.

940

01:04:11.260 --> 01:04:14.040

You wouldn't have tested what you shouldn't do and what you should do,

941

01:04:14.330 --> 01:04:18.200

which is the purpose of the document, as Mr. Par can explain.

942

01:04:19.220 --> 01:04:23.240

And so, uh, with that, I might just ask him to comment on,

943

01:04:24.020 --> 01:04:24.390

uh,

944

01:04:24.390 --> 01:04:29.240

windage gusting and that general observation about

945

01:04:29.380 --> 01:04:34.240

the simulations in terms of aborts and fails and what the overall picture

946

01:04:34.380 --> 01:04:35.240

is demonstrating.

947

01:04:36.570 --> 01:04:40.600

Could I ask as a framing for that? Yes, yes. Um,

948

01:04:42.910 --> 01:04:43.743

that

949

01:04:45.580 --> 01:04:50.280

in the context of seeing the N R A as being a, um,

950

01:04:51.720 --> 01:04:53.920

a, a valuable learning experience,

951

01:04:55.150 --> 01:04:59.520

what I personally haven't yet seen in the

952

01:04:59.830 --> 01:05:04.320

reports of the N R A and indeed in the environmental statement, uh,

953

01:05:04.470 --> 01:05:06.120

main chapter is

954

01:05:08.230 --> 01:05:13.200

what that has actually, um, done to change the,

955

01:05:13.380 --> 01:05:16.320

uh, the, the actual assessment of risk,

956

01:05:19.070 --> 01:05:23.280

what influence it had on the definition of hazards,

957

01:05:24.150 --> 01:05:28.240

what influence it had on the, uh, the, the, the,

958

01:05:28.340 --> 01:05:30.840

the assessment of frequency or probability,

959

01:05:30.840 --> 01:05:32.720

depending on what terminology one's using.

960

01:05:33.300 --> 01:05:37.400

And I think that's where there's work yet to be done,

961

01:05:37.980 --> 01:05:42.640

to communicate what was learned outta that n r I,

962

01:05:43.340 --> 01:05:48.320

to an extent that we can be satisfied that

963

01:05:48.620 --> 01:05:51.280

the risks have, that have been identified,

964

01:05:51.710 --> 01:05:56.200

have controls that reduce those risks to a up

965

01:05:57.260 --> 01:05:59.960

and the, the moment. Um,

966

01:06:00.110 --> 01:06:04.360

there's still work to be done on convincing us that, um,

967

01:06:05.930 --> 01:06:09.080

one's going beyond, dare I say it, marking one's own homework.

968

01:06:10.660 --> 01:06:14.200

And I, I think that's where we may run out of time today,

969

01:06:14.300 --> 01:06:18.360

and we are gonna have to continue throughout the first half of the examination

970

01:06:18.540 --> 01:06:20.000

to keep probing away on this.

971

01:06:20.750 --> 01:06:24.520

Well, certain certainly I And if, if, if it's,

972

01:06:24.620 --> 01:06:29.080

if it's not come through to you and in that process of the n r a

973

01:06:29.660 --> 01:06:33.800

as to the testing of the boundaries, then we can certainly,

974

01:06:33.800 --> 01:06:37.880

obviously respond in writing to show you where that's occurred. The,

975

01:06:37.950 --> 01:06:41.920

from my own understanding of it and my reading there,

976

01:06:42.010 --> 01:06:45.320

there are a number of, for example, in the n r A,

977

01:06:45.320 --> 01:06:48.680

there are a number of controls which are then considered,

978

01:06:48.860 --> 01:06:53.480

and the as against the risks, they,

979

01:06:53.630 --> 01:06:56.280

they go down to the level of, for example,

980

01:06:56.700 --> 01:07:01.560

should someone wear special protective equipment when constructing

981

01:07:02.220 --> 01:07:03.053

in the,

982

01:07:03.420 --> 01:07:07.400

in the vicinity of the proposed development for the risk of falling
in to the,

983

01:07:07.500 --> 01:07:12.280

the water and an assessment's made on whether the balance to be
struck

984

01:07:12.280 --> 01:07:15.040
between requiring that and the maneuverability,

985
01:07:16.020 --> 01:07:19.920
what's the acceptable control or risk and how you balance that.

986
01:07:20.420 --> 01:07:25.200
But perhaps rather than me bring that all out. If, if you are,

987
01:07:25.300 --> 01:07:29.280
if you feel that there is more work to be done in terms of
communication about

988
01:07:29.280 --> 01:07:32.720
that, we, we can certainly address that and bring that out.

989
01:07:32.720 --> 01:07:36.240
But there is quite a lot of detail in there. It, it's an,

990
01:07:36.390 --> 01:07:40.520
it's a compressed document certainly, but it, there is a detail.

991
01:07:41.900 --> 01:07:42.733
Um,

992
01:07:42.860 --> 01:07:43.640
Should I,

993
01:07:43.640 --> 01:07:46.680
I don't think you've really answered Ms.

994
01:07:46.880 --> 01:07:49.400
Taffer suggestion that the, uh, that,

995
01:07:49.400 --> 01:07:52.680
that there's a need for a further iteration here.

996
01:07:53.700 --> 01:07:54.560
No, uh, well,

997
01:07:54.800 --> 01:07:58.800

I haven't answered that directly because I was gonna ask Mr.

998

01:07:58.980 --> 01:08:02.800

Par to comment. I think the, the assess, the,

999

01:08:02.860 --> 01:08:07.280

the suggestion that there's a need for more simulation would

1000

01:08:07.280 --> 01:08:11.360

necessarily depend upon not having modeled

1001

01:08:11.920 --> 01:08:16.040

scenarios, which will require further simulation if I put it in that way.

1002

01:08:16.780 --> 01:08:20.560

And so that obviously necessarily requires one to consider

1003

01:08:21.670 --> 01:08:24.560

what is said not to have been simulated,

1004

01:08:24.890 --> 01:08:28.480

which requires simulation to test the boundaries.

1005

01:08:28.980 --> 01:08:31.960

And our position is based on our experts,

1006

01:08:32.580 --> 01:08:37.240

is that those boundaries have actually been tested. And so if I,

1007

01:08:38.020 --> 01:08:40.520

that's my initial response. I mean, if, if people,

1008

01:08:41.020 --> 01:08:45.280

if it's established they haven't, then we can look at that. But can I get Mr.

1009

01:08:45.420 --> 01:08:47.840

Par to comment on, on Indeed? Yeah. Just,

1010

01:08:48.910 --> 01:08:50.680

Just a, a a moment. I'm just gonna,

1011

01:08:57.020 --> 01:09:01.840

Uh, in, uh, Mr. Parra's responding, can you also address all,

1012

01:09:01.840 --> 01:09:05.440

if he's not the right person, somebody else in the team? The,

1013

01:09:05.440 --> 01:09:07.760

the matter that's been raised about the, the MET data,

1014

01:09:08.620 --> 01:09:12.960

why met data from the airport has been used rather than the locally

1015

01:09:13.070 --> 01:09:16.960

collected, uh, met data that apparently is available to the port.

1016

01:09:18.500 --> 01:09:19.333

You,

1017

01:09:19.940 --> 01:09:21.960

If I can answer that. Can I ask a question before I start,

1018

01:09:36.790 --> 01:09:38.290

Sir. Isabella t the applicant.

1019

01:09:38.410 --> 01:09:42.410

Just one other practical suggestion also was the measurement of tidal flows

1020

01:09:42.460 --> 01:09:46.610

north of the i o ot, because that's where the vessel begins its simulation.

1021

01:09:46.770 --> 01:09:51.170

I understand the relevance of tidal data, where the birth will be,

1022

01:09:51.170 --> 01:09:52.930

but also where the simulation begins.

1023

01:09:54.990 --> 01:09:58.250

Um, actually, I was going to probe this in a written question,

1024

01:09:58.430 --> 01:10:02.690

but I think as you've raised it, um, it's an opportunity for Mr. Pat to, to,

1025

01:10:02.690 --> 01:10:06.650

to comment, uh, whilst, if you wouldn't mind adding this into your,

1026

01:10:06.680 --> 01:10:08.330

your response, um,

1027

01:10:09.030 --> 01:10:13.450

you indicated that the title data that you had

1028

01:10:13.640 --> 01:10:16.610

modeled was in the region of the proposed development.

1029

01:10:16.970 --> 01:10:20.850

I think it would be helpful is if you could both in

1030

01:10:22.410 --> 01:10:26.690

speaking, uh, and also in your follow-up written, uh, submission,

1031

01:10:27.610 --> 01:10:30.770

indicate what that zone of influence is, um,

1032

01:10:31.030 --> 01:10:34.970

as teer refers to north of the I o ot. I,

1033

01:10:35.530 --> 01:10:38.490

I think you might address that point,

1034

01:10:38.550 --> 01:10:43.410

but I'm certainly personally interested in the area at which this maneuver went

1035

01:10:43.410 --> 01:10:48.250

wrong and whether the title data, I don't know whether the title data, um,

1036

01:10:49.030 --> 01:10:49.863
uh,

1037
01:10:50.260 --> 01:10:55.010
let's call it the alleged variance between what is experienced

1038
01:10:55.310 --> 01:11:00.290
by, uh, Mariners in, in the location and the model,

1039
01:11:00.990 --> 01:11:04.530
uh, is a factor at that point, um,

1040
01:11:04.990 --> 01:11:08.930
to the northwest of the, let's call it the approach zone.

1041
01:11:10.030 --> 01:11:14.880
But, um, if you feel that you can answer it now, do,

1042
01:11:15.420 --> 01:11:18.600
if you would prefer to address it in more detail in writing,

1043
01:11:18.630 --> 01:11:20.080
that would also be absolutely fine.

1044
01:11:23.800 --> 01:11:27.010
Mike Par from HR Wallingford representing a b P, uh,

1045
01:11:27.010 --> 01:11:29.730
there's a lot of points there. So if I, if I miss one, if you can remind me,

1046
01:11:29.730 --> 01:11:32.890
I'll, I'll, I'll come back to it. In, uh, in particular, I,

1047
01:11:32.970 --> 01:11:35.370
I missed the gist of the question, which I, that you were asking,

1048
01:11:35.370 --> 01:11:37.970
which I was going to address. So if, if I can pick that up at the end,

1049

01:11:37.990 --> 01:11:41.250
I'd appreciate it. Uh, in,

1050
01:11:41.270 --> 01:11:44.690
in terms of the maneuver here that we're, we're, we're discussing,
um,

1051
01:11:44.910 --> 01:11:46.130
the first thing I'd like to do,

1052
01:11:46.290 --> 01:11:50.890
I don't think that the tide is a factor in this maneuver. Uh, the,

1053
01:11:51.070 --> 01:11:54.450
the wind was setting the vessel down towards the eastern jetty.

1054
01:11:54.990 --> 01:11:57.250
And the problem as, as the,

1055
01:11:57.250 --> 01:12:01.010
the main problem that the pilot had was by turning down towards the
eastern

1056
01:12:01.220 --> 01:12:05.530
jetty too quickly and then swinging the vessel too late because he
had turned

1057
01:12:05.530 --> 01:12:06.363
too sharp.

1058
01:12:06.710 --> 01:12:11.570
The combined effect of the wind and the lateral drift as he came out
of

1059
01:12:11.570 --> 01:12:15.490
that turn mentee was continued to be set down towards the, um,

1060
01:12:16.030 --> 01:12:17.730
the east and jetty. So it was,

1061
01:12:17.790 --> 01:12:22.370
it was his decision at the start when he turned hard to port and

turned too

1062

01:12:22.370 --> 01:12:25.130

close and towards the jetty, which caused this situation,

1063

01:12:25.170 --> 01:12:29.970

I think it'd be a mistake to concentrate on this run as indicative of the

1064

01:12:30.170 --> 01:12:33.530

maneuvers towards the iert. And indeed that's why it was aborted,

1065

01:12:33.530 --> 01:12:38.010

because it was not considered a, a, a useful run. Apart from it,

1066

01:12:38.030 --> 01:12:42.370

it indicates that there is a requirement to ensure that the procedures in the

1067

01:12:42.370 --> 01:12:46.770

pilotage guide for approaching the jetty are clear and tested

1068

01:12:47.470 --> 01:12:51.090

at some stage in simulations before the jetty becomes operational,

1069

01:12:51.280 --> 01:12:55.170

because it does require precise moving, uh, maneuvering by the pilots.

1070

01:12:55.890 --> 01:13:00.290

I understand, just in the interest of trying to be helpful, um, the data, uh,

1071

01:13:00.340 --> 01:13:03.970

input on this, uh, uh, particular run, uh,

1072

01:13:03.970 --> 01:13:07.890

indicates 27 knot wind from about 10 degrees, in other words, just,

1073

01:13:08.160 --> 01:13:09.770

just right of north. Yes.

1074

01:13:12.580 --> 01:13:15.250

Which, which would be a, i I think as well on this run,

1075

01:13:15.250 --> 01:13:17.130

it was a gusting wind as well. So I,

1076

01:13:17.230 --> 01:13:20.570

it might be useful at this point to address one of the comments which the,

1077

01:13:20.630 --> 01:13:24.970

the I o T team made that we hadn't included gusts throughout the simulations.

1078

01:13:25.020 --> 01:13:28.890

We've in included gusts, uh, and moving on to that, uh,

1079

01:13:29.300 --> 01:13:30.930

we've also included sheltering.

1080

01:13:30.930 --> 01:13:35.930

We had long discussions with representatives from IOT in two of

1081

01:13:35.930 --> 01:13:39.210

the simulation sessions, which we ran, uh,

1082

01:13:39.670 --> 01:13:44.530

HR Wellington's position is that we wouldn't normally include sheltering in

1083

01:13:44.530 --> 01:13:45.570

this kind of, uh,

1084

01:13:46.520 --> 01:13:50.210

feasibility test because you're providing the vessel with some advantage.

1085

01:13:50.350 --> 01:13:52.850

So you're effectively reducing the environmental forces,

1086

01:13:53.460 --> 01:13:56.490

which is appreciating at the critical point of the maneuver.

1087

01:13:57.310 --> 01:14:00.890

And you can't guarantee that the vessel which will be providing the sheltering

1088

01:14:01.240 --> 01:14:02.970

will be there on every maneuver.

1089

01:14:03.070 --> 01:14:07.410

So we considered it was more conservative not to include the sheltering.

1090

01:14:09.150 --> 01:14:09.390

Uh,

1091

01:14:09.390 --> 01:14:13.880

the I o T team made the point that there were oca there would be occasions when

1092

01:14:13.880 --> 01:14:18.560

the wind was strong where an approaching vessel would experience a y

1093

01:14:19.300 --> 01:14:23.440

due to the, uh, sheltering effect effectively as it came out of the shadow of a,

1094

01:14:23.560 --> 01:14:26.920

a large ferry on the ber part of the vessel would,

1095

01:14:26.920 --> 01:14:30.120

would suddenly experience a strong wind and the vessel would turn,

1096

01:14:31.420 --> 01:14:35.840

and that would need a controlling HR Wallingford Initial position on this was,

1097

01:14:36.110 --> 01:14:36.620

well, yes,

1098

01:14:36.620 --> 01:14:39.880

but that's a training issue and it would be appropriate to include

it in

1099

01:14:40.040 --> 01:14:42.000

training. Having considered it further,

1100

01:14:42.940 --> 01:14:46.280

we developed an algorithm which demonstrated that precisely,

1101

01:14:46.900 --> 01:14:50.360

and we demonstrated that to the I o OT stakeholders in December.

1102

01:14:51.220 --> 01:14:53.360

So we, we think we, we,

1103

01:14:53.360 --> 01:14:57.520

we've certainly included that and we've had a long dialogue with IOT about the,

1104

01:14:57.520 --> 01:15:01.720

the, the wares and where, uh, the, the, the where for of, uh, of, of sheltering.

1105

01:15:02.580 --> 01:15:07.320

It might also, while we're talking about gusts and sheltering the wind data,

1106

01:15:07.330 --> 01:15:11.400

which was used by HR Wallingford initially to assess

1107

01:15:12.340 --> 01:15:16.640

the direction and the strengths which would be appropriate to test the

1108

01:15:16.640 --> 01:15:19.720

simulation came from the A B P Tower,

1109

01:15:19.820 --> 01:15:22.920

12 months worth of data was provided to us by Hess,

1110

01:15:23.340 --> 01:15:26.920

and we analyzed that to look predominantly,

1111

01:15:27.380 --> 01:15:31.840

we were looking to establish what the general directions were so that it made

1112

01:15:31.840 --> 01:15:34.360

sense that when we were doing the, the simulations,

1113

01:15:34.380 --> 01:15:39.280

we were using directions which were realistic and were gonna be the

1114

01:15:39.280 --> 01:15:42.920

most problematic on a, on a year by year basis. Um,

1115

01:15:44.360 --> 01:15:49.280

I wasn't involved in the selection of the wind data for the N R

1116

01:15:49.360 --> 01:15:51.560

A, but I'm a meteorologist,

1117

01:15:51.560 --> 01:15:56.480

and it's quite common to get wind data from the nearest airport if you're

1118

01:15:56.480 --> 01:15:58.200

trying to establish a climate of logical picture.

1119

01:15:58.660 --> 01:16:01.240

And the reason for that is because airports, uh,

1120

01:16:01.240 --> 01:16:04.400

have captured data for a long period of time. They do it very, uh,

1121

01:16:04.710 --> 01:16:09.560

very precisely, and it's a very valuable, uh, resource. And, uh, it would be,

1122

01:16:09.590 --> 01:16:12.040

it's pos and it's normally possible. Uh,

1123

01:16:12.040 --> 01:16:16.160

if you were then to extrapolate that data to make some assumptions

about over a,

1124

01:16:16.160 --> 01:16:20.600

certainly over a distance of 10 to 15 kilometers of what the situation might be,

1125

01:16:21.140 --> 01:16:26.040

um, how that might be modified, particularly in when you,

1126

01:16:26.040 --> 01:16:30.080

when you consider that a climatological data is an average data set,

1127

01:16:30.580 --> 01:16:33.840

not the actual weather, not the worst case, not the best case. So I,

1128

01:16:33.920 --> 01:16:34.760

I I would argue that

1129

01:16:36.520 --> 01:16:41.480

A large data set from an airport is a valuable data set to apply in

1130

01:16:41.480 --> 01:16:42.313

this case.

1131

01:16:46.660 --> 01:16:51.280

Uh, There,

1132

01:16:51.280 --> 01:16:52.680

there was a comment made that the,

1133

01:16:52.680 --> 01:16:55.600

what the simulators did was they showed what was theoretically, uh,

1134

01:16:55.600 --> 01:16:58.120

theoretically possible, uh,

1135

01:16:59.060 --> 01:17:01.520

but perhaps realistically not possible. And,

1136

01:17:01.540 --> 01:17:05.840

and I think that describing a simulator as a, a, the something which

does,

1137

01:17:05.840 --> 01:17:08.840

which shows you what is theoretically possible is,

1138

01:17:08.860 --> 01:17:13.240

is a very accurate and useful way to consider, uh, the simulator.
Um,

1139

01:17:13.260 --> 01:17:17.120

and there are things about a simulator which are unrealistic.

1140

01:17:17.180 --> 01:17:20.000

We have to make assumptions in how we do our modeling.

1141

01:17:20.260 --> 01:17:23.200

We have to make assumptions about which winds we put in.

1142

01:17:23.200 --> 01:17:27.320

We have to make assumptions about the, the, the vessel models we use, et cetera.

1143

01:17:27.620 --> 01:17:32.400

Now we have to understand those assumptions and make sure that the model

1144

01:17:32.450 --> 01:17:36.680

isn't providing you an outcome which is unrealistic in

1145

01:17:37.700 --> 01:17:38.260

The,

1146

01:17:38.260 --> 01:17:39.093

The wrong way.

1147

01:17:39.260 --> 01:17:42.880

So whenever we have to make a decision and we have to look at an assumption,

1148

01:17:43.310 --> 01:17:44.240

what we tend to do,

1149

01:17:44.240 --> 01:17:48.400

what we will do is we'll ensure that the decision and the assumption we're

1150

01:17:48.400 --> 01:17:50.040

making is conservative,

1151

01:17:50.900 --> 01:17:53.880

so that the outcome will generally will,

1152

01:17:53.880 --> 01:17:58.320

will not generally will be safe compared to conducting

1153

01:17:58.780 --> 01:18:01.560

the same maneuver in reality.

1154

01:18:02.340 --> 01:18:06.640

And master and pilots who use the simulator at, at Wallingford would,

1155

01:18:07.130 --> 01:18:10.600

would say that when they then go and do the maneuvers in practice,

1156

01:18:11.180 --> 01:18:14.120

the maneuvers are, are genuinely easier. And that's the,

1157

01:18:17.460 --> 01:18:21.160

that's the strategy which we've applied throughout the simulations to ensure

1158

01:18:21.160 --> 01:18:25.720

that what we're showing in our reports and and what we're presenting

1159

01:18:27.180 --> 01:18:29.440

is that the, the, the,

1160

01:18:29.740 --> 01:18:34.440

the infrastructure for the i a is feasible to operate the source of ships

1161

01:18:34.630 --> 01:18:39.560

that are considered to be operating there in the sort of conditions where that

1162

01:18:39.560 --> 01:18:42.480

we might expect to, to be on the, on, on the Humber.

1163

01:18:44.460 --> 01:18:45.293

On that line,

1164

01:18:45.440 --> 01:18:50.240

I think that also explains what to some

1165

01:18:50.240 --> 01:18:54.800

extent, why we had so many ab boards and, and so many fails. So overall,

1166

01:18:54.800 --> 01:18:56.840

we've done approximately 150 runs,

1167

01:18:57.380 --> 01:19:02.200

and the work which we've been doing is more akin to test piloting than

1168

01:19:02.200 --> 01:19:07.080

piloting. So we've been looking at how The, the,

1169

01:19:07.260 --> 01:19:11.600

the vessel is best placed to maneuver and approach the, the port in a, to the,

1170

01:19:11.600 --> 01:19:15.160

the infrastructure in, in a safe way. And along the way,

1171

01:19:16.620 --> 01:19:20.720

pilots have made mistakes or tried strategies whi, which don't work. And,

1172

01:19:20.720 --> 01:19:22.160

and this is indicative of,

1173

01:19:22.340 --> 01:19:25.680

of one of the strategies which was tried several times. So there

was,

1174

01:19:25.680 --> 01:19:26.513

there was a,

1175

01:19:26.840 --> 01:19:31.280

a theory that you could speed up the maneuver by turning towards,

1176

01:19:31.820 --> 01:19:35.240

um, the jetty and turn and, and, and swinging. And you,

1177

01:19:35.240 --> 01:19:39.280

you arrive in the position that you want to be quicker rather than having to use

1178

01:19:39.280 --> 01:19:43.040

the tide to, to make your way across in these conditions.

1179

01:19:43.140 --> 01:19:46.680

So when you've got very, very strong winds, that's not a safe thing to do.

1180

01:19:47.220 --> 01:19:49.640

And this, this run would establish that.

1181

01:19:50.870 --> 01:19:51.703

However,

1182

01:19:52.190 --> 01:19:56.200

When we rerun the run and we, and we same conditions,

1183

01:19:56.200 --> 01:19:58.160

but we take a different initial approach,

1184

01:19:58.820 --> 01:20:02.880

the pilot backs up and is able to control the vessel safely into the I

1185

01:20:02.880 --> 01:20:03.713

infrastructure,

1186

01:20:04.170 --> 01:20:07.120

which was the principle aim of what we were trying to do in the simulation.

1187

01:20:11.140 --> 01:20:14.120

Uh, is that, is that everything I said I was gonna cover? I can't remember now.

1188

01:20:14.230 --> 01:20:14.590

Yeah,

1189

01:20:14.590 --> 01:20:18.240

That well certainly covered most, there's about a question about, sorry,

1190

01:20:20.170 --> 01:20:20.610

sorry,

1191

01:20:20.610 --> 01:20:22.320

There was a question just again about

1192

01:20:24.060 --> 01:20:28.880

how smaller zone does the title model cover?

1193

01:20:30.140 --> 01:20:33.920

Yes. Um, yes. Could you help Mr. Par? You, I think you,

1194

01:20:34.580 --> 01:20:36.720

you answered some of that earlier,

1195

01:20:36.980 --> 01:20:41.120

but the specific question is whether well,

1196

01:20:41.120 --> 01:20:45.680

which title zone has been modeled and whether the title

1197

01:20:45.930 --> 01:20:50.880

zones, if they're different elsewhere, would affect the, uh, the modeling that,

1198

01:20:51.300 --> 01:20:53.760

or the safe approach to the I E R T simulation.

1199

01:20:54.700 --> 01:20:57.080

So Mike Par from HR Wallingford, I think, uh,

1200

01:20:57.160 --> 01:20:59.880

I can provide you a quick answer now, and I think, uh,

1201

01:21:00.000 --> 01:21:04.000

a more detailed answer from the, the team that did the title modeling would be,

1202

01:21:04.500 --> 01:21:07.720

um, probably the best to give you the detail, but,

1203

01:21:07.740 --> 01:21:09.880

but essentially the,

1204

01:21:11.620 --> 01:21:15.920

the zone which we're confident in the modeling is from, uh,

1205

01:21:17.020 --> 01:21:21.280

is to the south of the I A T, particularly in the, uh,

1206

01:21:21.720 --> 01:21:24.320

vicinity of, uh, the IAT terminal.

1207

01:21:25.020 --> 01:21:28.640

And then about, uh, five,

1208

01:21:28.700 --> 01:21:32.160

600 meters to the, I I,

1209

01:21:32.440 --> 01:21:34.240

I think actually would be better if I give you a, a,

1210

01:21:34.560 --> 01:21:38.120

a diagram in due course with written evidence rather than try and, uh,

1211

01:21:38.480 --> 01:21:40.040

remember discussions I've had before, but,

1212

01:21:40.100 --> 01:21:45.080

but essentially the area to the south of the iot up towards the Ingham Bellm

1213

01:21:45.080 --> 01:21:47.040

mouth and to the south and the east,

1214

01:21:48.720 --> 01:21:52.460

the comparison with the model and the data shows that very,

1215

01:21:52.460 --> 01:21:53.380

very high correlation.

1216

01:21:54.590 --> 01:21:58.620

Thank you. I, I agree. I think it's probably wrong to put you on the spot,

1217

01:21:58.720 --> 01:22:01.660

but I think it would be in everybody's interest to have that clarified.

1218

01:22:03.190 --> 01:22:04.820

There. There was also, uh,

1219

01:22:04.980 --> 01:22:07.620

a practical question about the use of bowel thrusters,

1220

01:22:08.040 --> 01:22:11.700

and I'm not sure that that's necessarily for Mr. Par,

1221

01:22:12.320 --> 01:22:17.140

but we certainly can get evidence on that

1222

01:22:17.370 --> 01:22:22.060

from the operators of the vessels, the,

1223

01:22:22.160 --> 01:22:23.460

in fact, there were, I think,

1224

01:22:23.540 --> 01:22:27.500

a stenner master who was operating the vessels and also

1225

01:22:28.130 --> 01:22:31.980

potentially, uh, the pilots. So we'll, we'll,

1226

01:22:31.990 --> 01:22:36.660

we'll provide that information to you. Oh, sorry. Mr.

1227

01:22:36.890 --> 01:22:37.723

Pars got one comment.

1228

01:22:39.360 --> 01:22:41.140

So Mike pup, h r w, the,

1229

01:22:41.360 --> 01:22:44.980

the one comment I have on the use of bound thrust is it talks to the same area

1230

01:22:45.000 --> 01:22:47.300

we were discussing when we were saying we were looking at the limiting

1231

01:22:47.350 --> 01:22:48.183

conditions.

1232

01:22:48.370 --> 01:22:52.140

It's unsurprising that you're using bound thrusters at high power for long

1233

01:22:52.140 --> 01:22:56.980

periods of time and tugs at high path for long periods of time because you're

1234

01:22:56.980 --> 01:23:01.420

working towards the limiting conditions and with models and

1235

01:23:01.420 --> 01:23:03.100

environmental conditions,

1236

01:23:03.100 --> 01:23:06.520

which are also deliberately conservative as part of the simulation.

1237

01:23:06.940 --> 01:23:09.280

And at the end of each run, it will be,

1238

01:23:09.280 --> 01:23:13.360

it's our process or HR wall infant's process that we will debrief the pilot and

1239

01:23:13.360 --> 01:23:17.320

we'll debrief the tug master and discuss with them whether the level of power

1240

01:23:17.320 --> 01:23:22.240

that they were using, um, both with the ship's propulsion, the amount of rudder,

1241

01:23:22.240 --> 01:23:26.520

the bound thruster, the proximity of the tug to adjacent shipping, et cetera,

1242

01:23:26.520 --> 01:23:28.120

whether, whether it is reasonable.

1243

01:23:28.740 --> 01:23:32.960

And that goes to form whether we consider it to be a, a fail or a success.

1244

01:23:35.160 --> 01:23:37.000

I think that it's been very helpful, but I,

1245

01:23:37.000 --> 01:23:41.440

I think what it really does do is put the owners back

1246

01:23:41.820 --> 01:23:43.800

on the applicant to

1247

01:23:45.990 --> 01:23:50.360

give us further confidence that the learnings that have come outta this process

1248

01:23:51.030 --> 01:23:55.520

have been fed not only into the risk assessment,

1249

01:23:56.070 --> 01:23:59.920

this is only just a components and input to the, uh, the assessment,

1250

01:24:00.820 --> 01:24:04.720

but also that it feeds into the, uh,

1251

01:24:06.080 --> 01:24:06.913

M S M S

1252

01:24:08.710 --> 01:24:13.240

because clearly the learning that's come outta the, the, the, the,

1253

01:24:13.240 --> 01:24:18.200

the processes that you've described are fundamental to the overall safety of

1254

01:24:18.400 --> 01:24:22.600

the port. So there's more work to be done. I,

1255

01:24:22.760 --> 01:24:27.520

I think I must ask you to take an action to really consider whether an

1256

01:24:27.520 --> 01:24:31.600

addendum to the, uh, the, the, the, the, the statement and the,

1257

01:24:31.670 --> 01:24:35.960

whether it's an addendum to the N r A appendices or an add addendum to

1258

01:24:36.780 --> 01:24:40.160

the environmental statement, I think matters, not a Jost,

1259

01:24:40.180 --> 01:24:44.800

but we need further evidence of how that makes this

1260

01:24:45.370 --> 01:24:50.200

particular development safe. And, uh,

1261

01:24:50.540 --> 01:24:54.600

the, a much more detailed question for Mr. Par,

1262

01:24:54.980 --> 01:24:57.520
if I may, on wind data,

1263

01:24:58.500 --> 01:25:02.680
you've chosen to, um, and, and defended, um,

1264

01:25:03.590 --> 01:25:07.720
valiantly the, the, the, the data, uh, set from, um, the airport.

1265

01:25:08.300 --> 01:25:12.920
But is the data set available from the Port of Ingham

1266

01:25:12.920 --> 01:25:13.753
itself?

1267

01:25:15.900 --> 01:25:18.400
Sir, my part? HR Wallingford, I can't answer that.

1268

01:25:20.210 --> 01:25:23.850
Could you take that away? Could we have that as an action to, uh,

1269

01:25:24.070 --> 01:25:24.903
to come back on?

1270

01:25:43.690 --> 01:25:44.430
Uh,

1271

01:25:44.430 --> 01:25:48.670
I think that I'm seeing some, uh, indication of wish to speak for
Mr.

1272

01:25:48.760 --> 01:25:49.710
Elvin Welling.

1273

01:25:49.710 --> 01:25:54.630
My eyebrows, you mean? Uh, so can I just raise,

1274

01:25:54.660 --> 01:25:58.630
just, uh, since I, we'll have to disappear at the next break, um,

1275

01:26:00.010 --> 01:26:02.790

if there is to be some form of addendum produced,

1276

01:26:04.220 --> 01:26:07.440

can I ask you to give some thought as to how that's going to integrate with

1277

01:26:07.840 --> 01:26:11.960

Deadline two and our wish to produce and,

1278

01:26:11.980 --> 01:26:15.920

and your request that we produce as soon as possible, our n r A version?

1279

01:26:16.150 --> 01:26:20.360

Because it may well affect it. I mean, it may be we have to do an addendum,

1280

01:26:20.360 --> 01:26:21.320

but we may be,

1281

01:26:21.740 --> 01:26:25.240

we may be grappling with things that may be answered by an addendum.

1282

01:26:25.360 --> 01:26:26.193

I don't know.

1283

01:26:27.390 --> 01:26:29.760

Well, I can certainly see the danger of this becoming circular.

1284

01:26:31.350 --> 01:26:35.800

Well, sir, I, I would say I'm afraid that my clients are also, um,

1285

01:26:36.070 --> 01:26:39.720

very seriously considering commissioning their own n r a,

1286

01:26:39.720 --> 01:26:44.040

particularly in light of the indication from the applicant that they consider

1287

01:26:44.040 --> 01:26:48.640

theirs is already entirely consistent, uh, and not a hybrid methodology,

1288

01:26:48.690 --> 01:26:51.520

which we, we, um, simply don't agree with.

1289

01:26:51.900 --> 01:26:54.560

And so we do intend to produce our own N R a,

1290

01:26:54.560 --> 01:26:56.080

which we'll submit with our written representation,

1291

01:26:56.690 --> 01:26:59.200

which we say will follow the correct methodology,

1292

01:26:59.260 --> 01:27:03.040

and perhaps that will assist in drawing out the, the, the,

1293

01:27:03.040 --> 01:27:05.560

the differences between the varying methodologies.

1294

01:27:07.420 --> 01:27:11.640

It, it may be that the best way forward to maintain momentum

1295

01:27:12.540 --> 01:27:16.160

is that, uh, is that, um, anything that, um,

1296

01:27:17.200 --> 01:27:22.120

a B P producers can be produced as a response to what we submit a deadline to,

1297

01:27:22.260 --> 01:27:25.600

or as soon as we can before deadline to,

1298

01:27:25.600 --> 01:27:27.840

it may be that that's a better way of dealing with it,

1299

01:27:30.540 --> 01:27:34.800

but, but we, but it, it does bring us close to the, um,

1300

01:27:35.540 --> 01:27:36.840

the hearings in September.

1301

01:27:38.180 --> 01:27:39.360

It does indeed. Uh,

1302

01:27:39.640 --> 01:27:44.640

I think it would be wrong for us to answer that right now if we can have

1303

01:27:44.760 --> 01:27:49.080

a, if we can, we'll have a, a, a, a consideration of that over the recess,

1304

01:27:49.260 --> 01:27:50.640

but I'm not gonna promise. Yeah,

1305

01:27:50.680 --> 01:27:52.600

I I just wanted to flag it up. Thank you. Can,

1306

01:27:52.620 --> 01:27:55.800

can I just flag up one other thing if Mr. STR will forgive me.

1307

01:27:56.380 --> 01:27:59.600

The issue on the M S M S, um,

1308

01:28:00.180 --> 01:28:04.800

can I point out that the reason the MS. MSS is relevant,

1309

01:28:04.800 --> 01:28:07.120

and we'll put this into our written statements,

1310

01:28:07.500 --> 01:28:11.880

is because it gives you an indication as to how the baseline risk of the port at

1311

01:28:11.880 --> 01:28:14.800

the moment is followed. And a and Mr.

1312

01:28:14.930 --> 01:28:19.680

Staun has been incorrectly instructed because A B P has produced its MS has

1313

01:28:19.680 --> 01:28:23.840

published on the internet, its ms, sorry, Ms. Ms,

1314

01:28:24.300 --> 01:28:26.360

for South Wales. Uh,

1315

01:28:26.420 --> 01:28:31.000

and there are numerous examples of MSM S is being published online with the

1316

01:28:31.300 --> 01:28:34.120

in risk assessments for the port. Uh,

1317

01:28:34.260 --> 01:28:38.120

and we can certainly look at the A B P version for South Wales to see how

1318

01:28:38.120 --> 01:28:41.080

consistent the methodology there is. But for example,

1319

01:28:41.140 --> 01:28:42.960

if there are security issues with these things,

1320

01:28:43.020 --> 01:28:46.120

the Port of London has produced its M S M S online.

1321

01:28:46.580 --> 01:28:50.800

So I don't accept for one moment that, uh, uh, Mr. Storm,

1322

01:28:50.860 --> 01:28:54.440

the explanation Mr. Storm has been asked to convey to you is the correct one.

1323

01:28:55.020 --> 01:28:59.560

The other, the other thing is, sorry, I'm banging on a bit. I I do apologize. I,

1324

01:28:59.680 --> 01:29:02.560

I think just one thing at a time be, because there's,

1325

01:29:02.560 --> 01:29:07.320

there's so many issues here that I think run the risk of getting,

1326

01:29:07.540 --> 01:29:12.520

if you like, obfuscated by further points. Um, Mr. Str,

1327

01:29:13.180 --> 01:29:16.720

on that particular point, um, I'd urge you to have a,

1328

01:29:16.790 --> 01:29:20.280

another conference on that. Uh, but,

1329

01:29:20.380 --> 01:29:24.960

and I understand the reasons you've given. Could you please have a,

1330

01:29:25.320 --> 01:29:29.120

a consideration of whether a redacted version might be made available,

1331

01:29:29.300 --> 01:29:32.520

if that would be of, of help in moving this forward?

1332

01:29:34.060 --> 01:29:37.240

Yes. Uh, can I, uh, I think just ask Mr.

1333

01:29:37.520 --> 01:29:42.160

Mond to respond to that suggestion about what's been published elsewhere

1334

01:29:42.430 --> 01:29:46.840

because, um, he's, he's got considerable experience on

1335

01:29:46.840 --> 01:29:47.550

That. Well,

1336

01:29:47.550 --> 01:29:52.480

also I can imagine that you might be saying that each port is different, but,

1337

01:29:55.580 --> 01:29:57.960

But James Hanon, um, A B P, um,

1338

01:29:58.480 --> 01:30:01.400

I think there's a lot of confusion between the components of a marine safety

1339

01:30:01.400 --> 01:30:03.720

management facts, uh, system,

1340

01:30:04.340 --> 01:30:09.000

and a overarching marine safety management document that actually signposts

1341

01:30:09.140 --> 01:30:12.360

the, the, the, the makeup of the system. Um, what,

1342

01:30:12.360 --> 01:30:17.040

what we're referring to as being published is mostly the overarching or is the

1343

01:30:17.040 --> 01:30:20.640

overarching documentation and not the co core components of the Marine safety

1344

01:30:20.640 --> 01:30:21.473

management system.

1345

01:30:23.690 --> 01:30:25.120

Thank you. That's helpful. Um,

1346

01:30:26.090 --> 01:30:30.840

could I urge then a conversation outside this hearing at some point

1347

01:30:31.510 --> 01:30:35.840

with I O T to perhaps pursue that point?

1348

01:30:36.340 --> 01:30:40.160

See what elements can be, uh, shared,

1349

01:30:40.160 --> 01:30:44.880

which will satisfy IOT's comment even if the, uh,

1350

01:30:45.800 --> 01:30:48.120

M S M S itself is not shareable?

1351
01:30:50.850 --> 01:30:51.683
Yes, sir.

1352
01:30:54.780 --> 01:30:56.440
Mr. Vin, back to you again.

1353
01:30:58.590 --> 01:31:00.040
That was all I wanted to raise. Thank you.

1354
01:31:04.040 --> 01:31:08.810
Well, while Mr. Vin is still here and I o OT are, um,

1355
01:31:09.890 --> 01:31:14.450
I think it would assist us because of the, the concerns that I OT
have raised,

1356
01:31:15.950 --> 01:31:20.250
um, not necessarily orally now, I think because of where we are in,

1357
01:31:20.250 --> 01:31:24.090
in the time of day, but for in writing, um,

1358
01:31:24.590 --> 01:31:27.170
it would be useful to know, um,

1359
01:31:28.750 --> 01:31:32.810
you feel like there were a, if a series of scenarios, let's say,

1360
01:31:33.830 --> 01:31:34.170
uh,

1361
01:31:34.170 --> 01:31:39.010
there's an illusion that maybe involves a vessel

1362
01:31:39.650 --> 01:31:41.210
striking, um,

1363
01:31:41.670 --> 01:31:46.450
the jetty maybe not causing significant damage,

1364

01:31:46.550 --> 01:31:51.050

but what the implications of that are presumably a strike.

1365

01:31:51.830 --> 01:31:54.890

Um, a safety team would have to go out and have a look and see,

1366

01:31:55.280 --> 01:31:59.360

they may have to stop the operation while they go out and do that.
Then,

1367

01:31:59.470 --> 01:32:02.240

then if it's stepped up, um,

1368

01:32:02.780 --> 01:32:07.480

and there is actually some damage caused either to the
superstructure or to some

1369

01:32:07.480 --> 01:32:08.680

of the, the pipelines.

1370

01:32:09.390 --> 01:32:12.800

What the implications that really one I'm looking to see is if you,
like,

1371

01:32:12.800 --> 01:32:14.000

you escalate, um,

1372

01:32:15.470 --> 01:32:20.280

some sort of accident or series of accidents and what that does to
the operation

1373

01:32:20.540 --> 01:32:24.760

of I o T. Is it a matter of hours? Is it days?

1374

01:32:25.100 --> 01:32:28.080

Is it a week, is it month? Depending on the severity.

1375

01:32:30.380 --> 01:32:32.880

So you're looking for a, a, a note which gives you a,

1376

01:32:33.000 --> 01:32:37.920

a range of potential impacts and what the effects,

1377

01:32:38.260 --> 01:32:42.200

uh, are likely to be. Yes, just, just ions.

1378

01:32:43.540 --> 01:32:44.373

Um,

1379

01:32:45.910 --> 01:32:50.440

well I suppose that there has been reference to collision vessel to vessel.

1380

01:32:51.230 --> 01:32:54.760

What, what that might also do in, in, um, again,

1381

01:32:55.310 --> 01:32:59.240

with a range of scenarios from minor to something more significant.

1382

01:33:00.130 --> 01:33:01.400

Understood. Thank you.

1383

01:33:29.440 --> 01:33:33.650

What accepting that Ms. Delvin is probably gonna have,

1384

01:33:33.720 --> 01:33:34.553

have to depart,

1385

01:33:35.080 --> 01:33:39.970

what we're gonna suggest is an adjournment for about 15 minutes to

1386

01:33:39.970 --> 01:33:41.090

enable us to go away.

1387

01:33:41.390 --> 01:33:45.730

Did he look at the list of actions that we've got and then to go through the

1388

01:33:45.730 --> 01:33:48.890

process of formally closing the hearing. Um,

1389

01:33:49.310 --> 01:33:53.130

and at that point there may be some a o B type points that other parties wish to

1390

01:33:53.130 --> 01:33:55.770
raise, uh, Mr. Elvin,

1391

01:33:55.940 --> 01:33:59.890
presumably that will not in your view, produce your client.

1392

01:34:00.560 --> 01:34:02.370
Well, I'm sure there'll be some others here.

1393

01:34:02.370 --> 01:34:05.010
Should anything arise that you need an answer from us,

1394

01:34:08.270 --> 01:34:12.760
That is then an appropriate, uh, thing to do. So we we're about 25
2. If,

1395

01:34:12.760 --> 01:34:17.000
if we can say we adjourn and resume at 10 to six.

1396

01:34:18.550 --> 01:34:20.040
Yeah. So thank you very much sir.