

## Hearing Transcript

<b>Project:</b>	Five Estuaries Offshore Wind Farm
<b>Hearing:</b>	Recording of Issue Specific Hearing 6 (ISH6) - Part 1
<b>Date:</b>	21 January 2025

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## **Five Estuaries\_Colchester\_ISH6\_21 Jan\_PT1**

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### **FULL TRANSCRIPT (with timecode)**

00:00:05:09 - 00:00:16:11

Good afternoon everybody. It's now 1:30. And time for this hearing to commence. Uh, can I check in the room? Can everybody hear what I'm saying? Yep. Thank you.

00:00:18:18 - 00:00:23:14

Can I also confirm with the case team? Uh, the live streaming and recording have both commenced.

00:00:27:03 - 00:00:29:00

Stream and recording has commenced.

00:00:29:14 - 00:00:59:28

Thank you. And could somebody online indicate whether you can both hear and see us? Yes. I'm seeing at least one hand. Yep. Couple of hands. Thank you. I'd like to welcome everybody, uh, to issues specific hearing relating to environmental matters for the application for development consent concerning the proposed five estuaries offshore wind farm. My name is Graeme Gould. I'm a charter town planner, and I am an examining inspector with the Planning Inspectorate.

00:01:00:05 - 00:01:06:08

I've been appointed by the Secretary of State to be the lead member of the panel comprising the Examining authority.

00:01:09:08 - 00:01:12:20

I'm now going to ask my colleagues to introduce themselves. Mrs. Norman.

00:01:13:26 - 00:01:21:18

Good afternoon. My name is Rebecca Norman. I'm a chartered town planner and examining inspector. I've been appointed as a panel member of the Examining Authority.

00:01:23:21 - 00:01:34:15

Good afternoon. My name is Mark Harrison. I am also a chartered town planner and an examining inspector. I have been appointed as a panel member of the Examining Authority.

00:01:36:03 - 00:01:44:17

Good afternoon. My name is Matthew Herron. I am a chartered town planner and an examining inspector, and I have been appointed as a panel member of the Examining Authority.

00:01:45:27 - 00:02:16:00

Good afternoon. My name is Felicity Weber. I'm a chartered town planner and an examining inspector. I have been appointed as a panel member of the Examining Authority. Our role is to examine the application and to report to the Secretary of State for Energy Security and net zero, with a recommendation as to whether or not the development Consent Order should be made at this point. I would also like to introduce a member of the Inspectorate's case team who is supporting us today.

00:02:16:02 - 00:02:51:01

You may have already spoken to Mr. K.J. Johansson, case manager for this project. In addition, technicians from the audiovisual company CVS international contracted by the applicant are in attendance solely for the purpose of managing the recording and live streaming for this hearing. I'll now cover some of the housekeeping matters. Can everyone please set all devices and phones to silent? Toilets are located out in the corridor provided that provided entry to this room.

00:02:52:01 - 00:03:22:07

Fire alarms. Alarm tests. In the event of a fire alarm, Please leave the room and use the marked fire exits as at either end of the building or the building's central staircase. Then make your way to Assembly Point A in the main car park, which is on the left hand side of the parking area. You should then wait at the assembly point until stadium staff advised that it is safe to re-enter the hearing room.

00:03:23:20 - 00:03:54:28

The hearing format. Today's hearing is being undertaken both in person and with some online participation via Microsoft teams. We will make sure that if you are attending online today, you will be given a fair opportunity to participate. The hearing is being both live streamed and recorded. For those people participating or observing via Microsoft teams in order to minimize background noise and disturbance.

00:03:55:00 - 00:04:25:09

Can you please ensure that you stay on mute unless you are speaking? If you are participating online and you wish to speak at the relevant point in the proceedings, please use the raise hand function. Please be patient as we may not get to you immediately, but we will invite you to speak at the appropriate time. I would also remind everyone that the chat function on Microsoft Teams has been switched off for this event.

00:04:26:09 - 00:04:57:12

A recording of today's hearing will be available on the five Estuaries Offshore Wind Farm project page of the planning Inspectorate's National Infrastructure website, as soon as practicable after the hearings. Conclusion. With this in mind, please ensure that you speak clearly into a microphone stating your name and who you are representing each time before you begin speaking. If you are not at a table with a microphone.

00:04:57:14 - 00:05:01:08

There is a roving microphone which our colleague is holding.

00:05:04:27 - 00:05:34:27

Stating, um, so please wait for some one of these to be brought to you before you speak. If anyone wishes to use social media, report, film or record during today's hearings or any subsequent hearing, then they are free to do so. But please do so responsibly and with proper consideration for other parties. This must not be disruptive and the material must not be misused.

00:05:35:06 - 00:06:08:17

We aim to keep the hearings focused so that it can be conducted efficiently. You will find information about this application on the planning Inspectorate's National Infrastructure Planning Project page for this application, and we would strongly encourage you to continue to familiarize yourself with this website, because the examining authority is using it to communicate with you and to provide access to documents throughout the examination. General data protection regulations.

00:06:08:19 - 00:06:42:13

It is necessary for me to say a few words on the General Data Protection regulations. This hearing is being recorded as well as being live streamed. The digital recordings are retained and published. They form a public record that can be contained your personal information and to which the GDPR applies. The planning Inspectorate's practice is to retain and publish recordings for a period of five years from the Secretary of State's decision on this application.

00:06:42:17 - 00:07:18:19

Consequently, if you participate in today's hearing, it is important that you understand that you will be recorded, and that you therefore consent to the retention and publication of the digital recording. The examining authority will only ever ask for information to be placed on the public record. That is important and relevant to the determination of the application. It will only be in the rarer circumstances that we may ask you to provide personal information of the type that most of us would prefer to keep private and confidential.

00:07:19:12 - 00:07:53:13

Therefore, to avoid the need to edit the digital recordings, I would ask that you try your best not to add information to the public record that you would wish to be kept private, or that is confidential. Please bear in mind that the only official record of the proceedings is this recording that are to be placed on the Inspectorate's website. Tweets, blogs and On similar communications. Rising out of this hearing will not be accepted as evidence in the examination of this application.

00:07:54:15 - 00:08:26:01

We will now move on to introductions. I'm going now to ask those of you who are planning to speak today at today's hearing, to introduce themselves, could you please introduce yourself, stating your name and who you represent along with the agenda items or item you wish to speak on? If you are not representing an organization, please confirm your name. Summarize your interest in the application and confirm the agenda items upon which you wish to speak.

00:08:26:21 - 00:08:52:05

Please could you could everybody also state how you wish to be addressed, i.e. Mr.. Mrs.. Miss, miss etc.. Can we start with the applicant and its advisors please? If we can hear first from whomever will lead this submission today and then from the others who will take may take regular make regular contributions. Thank you.

00:08:55:23 - 00:09:09:20

Good afternoon. I am Miss Paula McGeady. I'm a solicitor at Burgess Simon appearing for the applicant today. I will ask the members of the applicant team at the table to introduce themselves for this first session. We will have other speakers who will introduce themselves and other agenda items if that's acceptable.

00:09:09:25 - 00:09:10:12

Thank you.

00:09:14:15 - 00:09:17:08

Uh, Alice Maynard, engineering manager for the applicant.

00:09:18:19 - 00:09:22:19

Julian Boswell, solicitor and partner with Burgess Salmon for the applicant.

00:09:24:24 - 00:09:28:19

Daniel Brown from SLR consulting. Uh transport. Um technical lead.

00:09:31:12 - 00:09:34:02

Uh James Eaton, onshore consents. Lead for the applicant.

00:09:37:19 - 00:09:38:08

Thank you.

00:09:39:24 - 00:09:40:27

Moving on.

00:09:46:24 - 00:10:21:27

Is there someone in the applicant team that will be able to keep a list of action points, as they are arised during the course of the hearing, so that they can be discussed under agenda item five prior to the closing hearing. Closing. Thank you. Yes, madam. Now moving on to the other interested parties who intend to speak again. Please introduce yourself and tell us which agenda items you wish to speak on. I will be covering covering in these introductions those who are both present in the room today and online via teams.

00:10:22:07 - 00:10:29:27

Firstly, I'd like to move. Um, ask uh, is there a representative here from Tendring District Council?

00:10:32:01 - 00:10:34:28

Jacob, you are representing Tendring District Council?

00:10:36:01 - 00:10:39:16

Yeah. Is there anybody else from your team here today that you will speak?

00:10:39:27 - 00:10:40:24

I know it's just me.

00:10:44:19 - 00:10:47:06

And moving on to. Essex County Council.

00:10:49:01 - 00:11:02:28

Mrs. Carol Wallace, principal planner of Essex County Council. Um, I also joined by, um my colleagues, uh, technical colleagues all night as well. And they will speak at, um individual agenda item. Thank you.

00:11:04:25 - 00:11:13:24

Thank you. Um, is there anybody from Faber? Just district council, but they may be online. Good afternoon. Yes.

00:11:14:04 - 00:11:20:18

Curtis. Faber, district Council, item 3.3, please. And I'll be supported by my colleague, Catherine Bailey.

00:11:21:12 - 00:11:26:18

Thank you. Uh, moving on now to Suffolk County Council.

00:11:29:11 - 00:11:53:04

Thank you. Madam. My name is Michael Bedford. King's council, instructed by Suffolk County Council. I'm joined by Mr. Isaac Nunn, who is a senior planning officer with the county council. But I expect to do the speaking myself. We are primarily interested in item 3.3, but we have also got something on item 3.1.

00:11:54:21 - 00:12:02:01

Thank you. Moving on. Is there somebody from the Maritime and Coastguard Agency at present?

00:12:04:01 - 00:12:16:05

Good afternoon ma'am. Vaughn Jackson on the offshore renewables project, lead at the Maritime Coastguard Agency. Uh, here to speak on item agenda item 3.2. Uh, just to be addressed as Mr. Jackson. Thank you.

00:12:17:29 - 00:12:23:10

Thank you, Mr. Jackson. Next. Moving on. Um. National highways. Anybody present?

00:12:30:23 - 00:12:32:23

No one on line from National Highways.

00:12:35:06 - 00:12:36:13

Okay. Moving on.

00:12:38:00 - 00:12:39:15

Port of London Authority.

00:12:44:24 - 00:13:08:00

Yes, I'm Mrs. Vicki Fowler. I'm a solicitor and partner at Gowling Wlg, and I'm representing the Port of London Authority. And I'm joined by Miss Lucy Owen, deputy director of planning and development at the PLA, and Miss Lydia Hutchinson, marine manager and Mam. Um, we're interested in agenda item 3.2. Effects for navigation and shipping.

00:13:09:09 - 00:13:15:17

Thank you. Um. Moving on. Is, uh, Suffolk and Coast Heaths a and B?

00:13:18:18 - 00:13:38:11

Afternoon, ma'am. It's Simon Hampstead, representing the National Landscape Partnerships at the Suffolk and Essex coast and the Dedham Vale and National Landscapes. I'd wish to be addressed as Simon Amsterdam, and I may wish to speak at item 3.3 A. Thank you.

00:13:39:10 - 00:13:47:16

Thank you. Thank you. Moving on now to London. Gateway port limited.

00:13:50:29 - 00:14:04:00

Good afternoon, ma'am. Um, Trevor Hutchinson, London gateway port limited. I'm director of planning. I'm happy to be referred to as Mr. or Trevor. Um, we may wish to speak on item 3.2, shipping and navigation today.

00:14:05:20 - 00:14:07:05

Thank you. Thank you very much.

00:14:09:08 - 00:14:19:09

Moving on now to, uh, people representing the farming community. Um, is there a mr. Farrelly Thomas Farrelly in the, uh, today?

00:14:21:11 - 00:14:25:26

Uh, hello, I'm Thomas Farley. Um, I won't be talking today, but Tamsin will.

00:14:29:20 - 00:14:41:06

Mrs.. Tamsin Fairley for t family and sons. We may wish to comment on A 3.3, B and C and also 3.5.

00:14:43:09 - 00:14:44:11

Thank thank you.

00:14:44:27 - 00:14:51:23

Ma'am. Ma'am, if I may, it's Trevor Hutchinson again. I, I, um, omitted to introduce my colleague Paul Brooks. Apologies.

00:14:53:14 - 00:14:55:00

Okay. Thank you. Apology.

00:14:55:02 - 00:14:57:22

I'll ask Paul to introduce himself. Apologies again.

00:15:00:09 - 00:15:10:03

Good afternoon ma'am. Paul Brooks, harbourmaster for DP World London Gateway Port Limited. Happy to be called Paul Brooks. Uh, maybe talking on agenda item 3.2.

00:15:11:18 - 00:15:21:10

Thank you very much. Right. Moving on now. Um, are there any representatives from James Farley and Sons, maybe here in the room or online?

00:15:25:17 - 00:15:26:10

Thank you.

00:15:28:27 - 00:15:33:18

Uh, finally, there is a resident. Is there a Christine Barrett?

00:15:35:17 - 00:15:38:09

This is Christine Barrett in the room online.

00:15:49:27 - 00:15:57:17

Thank you. Um, I'm. Is there anyone else present in the room or online today who may wish to speak during this hearing?

00:16:02:23 - 00:16:11:27

No hands in the room. Anybody online? I was wondering, is there a representative of Little Bromley Parish Council available?

00:16:24:29 - 00:16:26:02

Thank you very much.

00:16:31:27 - 00:16:38:03

Assuming everybody has made themselves or have identified themselves to us, or we'll now move on.

00:16:44:27 - 00:17:19:00

If anybody else, if anybody else decides that they wish to speak during the course of the hearing, for example, to make comments in response to representations made by other parties, you may do so, but please raise your hand either physically or use the function within teams and we will get to you as soon as possible. Thank you. Moving on. Moving on to item two. Purpose of the hearing. This hearing was will generally follow the agenda as issued on the project page on the 14th of January.

00:17:19:16 - 00:17:52:02



It would be helpful if you had a copy of this in front of you. And could applicant please arrange for the agenda to be displayed on the screen. You will see the hearing guidance note in that agenda document for expediency. I assume that everyone has read this, and therefore I don't propose to spend the time reading it out now, but I will make some elaborating remarks. The examination of this application will primarily be conducted in written form.

00:17:52:15 - 00:18:28:26

The purpose of today's hearing is for the examining authority to hear evidence concerning a range of onshore and offshore environmental matters. The matters for discussion during the course of issue six have been identified by the Examining Authority, based on its consideration of the application documentation and the relevant representations and other submissions made during the examination by other interested parties. When you are answering the questions, Please ensure that you provide succinct answers.

00:18:29:08 - 00:19:02:07

Where a question. Where a questioning is deserving of a yes or no type answer, then please respond accordingly, followed by any amplification as necessary. You have noted in the agenda, published 14th of January, that this hearing will be conducted in two parts, with a continuation tomorrow at 10 a.m. the order will follow the published agenda, unless there is anyone present now who will not be available tomorrow. In which case we will seek to accommodate their availability today.

00:19:03:20 - 00:19:09:06

Are there any comments or questions anyone wishes to make under agenda item two?

00:19:19:04 - 00:19:22:18

And that extends to anybody on the teams who may wish to speak.

00:19:26:18 - 00:19:27:08

Thank you.

00:19:30:13 - 00:19:31:13

Oh, sorry.

00:19:32:16 - 00:19:44:15

Tamsin Fairley, if we were able to cover 3.3 and 3.52 in 1 sitting, obviously it would be preferable. So that we don't have to come back tomorrow. Um, but I don't know how that would affect the agenda.

00:19:47:06 - 00:19:53:00

I'm not sure that we're going to be able to get through both items today.

00:19:53:13 - 00:19:55:15

Do you think we will get to 3.3 today?

00:19:55:19 - 00:20:01:06

3.3? Yes. Yes. We are definitely hoping to get 3.3 today. Thank you.

00:20:03:22 - 00:20:10:06

Right. Turning now to item three of the agenda. I'm handing over to Mr. Gould.

00:20:15:22 - 00:20:29:20

Uh, at this point, I would say the examining authority has exercised its discretion. We're going to add an agenda item, Handwriting, albeit there's only a couple of questions to it. We'll call this item three zero so that it doesn't affect the numbering

00:20:31:06 - 00:21:15:14

of the other items. And really it's an overarching type question relating to the timescale for the project. Um, can the applicant clarify what the expected operational life of the proposed development would be? Um, where this is, this is mentioned in the application documents. A lot refer to 40 years. There are however some for example the greenhouse gas assessment um, which is AWP 094 where the operational phase has been identified as being between 24 years based on 41 turbines and 40 is based on 79 turbines.

00:21:16:08 - 00:21:18:06

Um, and also the report that

00:21:19:23 - 00:21:29:26

to inform the appropriate assessment, which is rep 101 16 similarly refers to an operational phase of between 24 to 40 years.

00:21:32:05 - 00:21:39:12

So is somebody from the applicant team able to provide some sort of clarification as to the operational life, please?

00:22:28:26 - 00:22:30:13

Alice Maynard for the applicant.

00:22:32:09 - 00:23:05:20

The operational life of wind farms is often, uh, it's not a fixed. It changes between wind farms and it has been changing over a number of years. It's often fatigue driven by the fatigue of the turbines themselves. Uh, the operation and maintenance and the expected lifetime of the turbine. This is often not a there is a number that say, for example, if you buy a turbine, then it will operate, um, it will be under warranty for that period.

00:23:05:22 - 00:23:42:19

But when it comes to the end of its life, you can reassess it and see if it's performed as expected, better than expected, worse. And you would then extend the operational life of the wind turbine. Um, because of these sort of uncertainties due to fatigue, life and design predictions, operations. We need a window for the operational life of the wind farm. You know, if we can keep operating turbines, we will. Um. And this. But the design of this, it then obviously relates to the design of all of the assets associated with the wind farm.

00:23:42:21 - 00:23:46:08

Some of them can replace, some not, but it's essentially just that.

00:23:55:09 - 00:24:07:06

Uh, looking at 40 years is the longest realistic operating period. And that's why that has been used in the application and in the assessments as the worst case scenario, because that would be the longest period.

00:24:23:24 - 00:24:54:25

Thank you. Just a short supplemental. And I think you've already partly answered the question. Um, so in terms of, uh, the figure that's been quoted 24 years for the 41, is that more to do with the fact that those turbines don't yet exist, and there is more uncertainty about how they may fatigue in operation, whereas the, um, smaller up to 79, there's more confidence about how they will perform.

00:24:55:28 - 00:24:58:07

Is that a fair assumption to make?

00:25:00:22 - 00:25:19:16

For the applicant? Not really. In both cases, the numbers are capturing a window. So it's capturing the maximum and the maximum the minimum and the minimum. Um, So we're just trying to define the window. It's not there's not really a relationship between the the two numbers.

00:26:09:22 - 00:26:10:23

Thank you, Mr. Bedford.

00:26:12:04 - 00:26:46:22

Thank you, Sir Michael Bedford, Suffolk County Council. Can I just. In the light of that explanation, ask for some clarification. Is there anything at which the applicant. Is proposing that would preclude if, um, the monitoring at the end of the warranty period. So, uh, allowed it, that would preclude the turbine remaining in situ beyond the warranty period.

00:26:46:24 - 00:26:59:12

And I know it's been assessed that 40 years has been said to be the outer limit, but is there anything proposed that would preclude the turbines remaining in situ beyond that 40 year period?

00:27:26:00 - 00:27:40:22

Paula, for the applicant, fundamentally, we think the answer to the question raised is yes, because the decommissioning plan under the Energy Act would require us to decommission this wind farm after the specified period, and that will need to be set out in that plan.

00:27:57:09 - 00:28:16:23

In terms of the way the Energy Act and the requirement to decommission. Presumably, though, that provision only applies at the point the operator or the undertaker Decides that the wind farm has reached the end of its operational life, or is starting to enter that phase, and therefore will need to be decommissioned.

00:28:19:09 - 00:28:26:12

As far as I can tell from the draft DCO. There is nothing that sets an outer limit for the life of the project.

00:28:44:17 - 00:28:51:18

Julian Boswell for the applicant. Apologies. Um, we may have missed a question. Was there a question just then?

00:28:57:23 - 00:29:37:28

What? What are we seeking clarification about is that miss McGeady explained that under the Energy Act, there will be a requirement to submit a decommissioning plan at some point in the future. My question, perhaps not so well phrased, was that, in effect, what triggers that? Is it the operator, the undertaker, deciding that, um, the wind farm has or is coming to the end of its operational life? Um, because it certainly doesn't seem to be anything in the draft order as drafted, that suggests that 40 years will be the outer period.

00:29:38:12 - 00:29:47:27

So how is the decision made about, um, the timing of the submission of the decommissioning plan under the Energy Act?

00:29:50:08 - 00:30:16:28

I think there are two aspects in in play here. The applicant is obliged to submit a decommissioning plan, uh, at a much earlier stage than your than your you're indicating. But I think what you're really getting at is who makes the decision to actually do the decommissioning. And just just what what the timing is really.

00:30:17:02 - 00:30:23:16

Just stepping back. When is it anticipated a decommissioning plan would be submitted?

00:30:24:27 - 00:30:31:08

Well, just double checking, but I think I think that we're obliged to, to put in something at an

00:30:32:24 - 00:30:50:15

in connection that's linked to commencement. Um, the thing is that these plans evolve. So what goes in at the beginning? Um, inevitably, given the time periods involved, they then reviewed at different, different stages

00:30:52:14 - 00:31:01:03

when the two core issues are exactly what is the standard of decommissioning and what's the funding for it? Those are the kind of two core issues.

00:31:01:09 - 00:31:24:10

So That presumably the early submission of the decommissioning plan takes place, because at that point everybody knows what the asset is in terms of what's been constructed. And in effect, it's an outline, um, because it specifies what the project is. And then as time progresses and that plan must evolve,

00:31:25:28 - 00:31:32:04

presumably. And it starts with the closer you get to the actual point of decommissioning, because that becomes a known.

00:31:33:20 - 00:31:44:04

Julian Bosworth for the applicant. Yes. I mean, we we can put in a a short note that summarizes this. If it would, if it would help.

00:31:44:20 - 00:31:58:06

Yeah. I think perhaps the way to do it would be, as you've normally done in terms of summarizing your oral submissions, if you just do it in that oral submission rather than a freestanding note. I think that would help on this point. Mr. Bedford, what we.

00:31:58:08 - 00:32:11:10

Don't what there hasn't been in offshore wind. Is a time limit on schemes if that's where this is heading. And I don't think we, I think we would we would resist that being a sort of specified time limit.

00:32:13:26 - 00:32:22:09

No really it was a development of Mr. Bedford's point. Mr. Bedford, does that assist in in the line of thought that you were developing.

00:32:23:07 - 00:33:00:02

So it's helpful and it will certainly be helpful to see, um, the note explaining the um, Electricity Act regime in the applicants based hearing submissions. Um, obviously, depending on what that note says, uh, the relevance of it clearly to the county council is that if it is being, uh, relied on by the applicant in the environmental statement that certain effects are temporary and reversible.

00:33:00:20 - 00:33:24:10

That presumes that that's on the assumption that the turbines are removed. And then therefore, there is a question as to the degree of specificity that it's appropriate to place on that factor in terms of weighing it as an effect.

00:33:26:02 - 00:33:44:14

To what extent is that an effect, temporary and or reversible, if there is no actual time frame for that? And I say I think rather than developing that point further now, I think we'd prefer to wait and see what the applicant's

00:33:46:07 - 00:34:05:14

written submission is on this, to then see whether we think that that satisfactorily addresses the issue from an environmental impact assessment perspective, or whether something further is required to ensure that the worst case that's been assessed remains the worst case.

00:34:31:28 - 00:35:01:13

To assist the applicant. The reason for my asking of the question was more to get clarification, because we were seeing various documents with what is quite a large range of years, and it wasn't

clear as to what that was about. But certainly the examining authority has a better understanding from the answers that we've received this afternoon. But it will assist us, I think if. If the decommissioning process can be explained a little bit more. Post hearing in written form.

00:35:05:26 - 00:35:11:24

Okay. Well, unless there's anything else on this item, we can move on to

00:35:13:12 - 00:35:14:09

item three one.

00:35:16:00 - 00:35:50:03

Um, I am aware that I think Mr. Armstrong from the, um, Harwich Fishermen Harwich Fishermen's Association has now joined us this afternoon. Um, so I, I can, I think, advise everybody present. Our intention is that when we get to shipping and navigation, which is an item 2 or 3, two, we are intending that as part of that discussion, we will deal with fishing matters. Um, and that we will then not deal with fishing matters tomorrow as part of item three six.

00:35:50:05 - 00:35:51:12

If I've got the numbering right.

00:35:52:10 - 00:35:57:24

Uh, Pardon me. Just to clarify, sir. This is commercial fisheries, not a fish ecology that you wanted.

00:35:58:06 - 00:35:59:00

Commercial? Yeah.

00:36:01:25 - 00:36:08:01

Part of the reason for doing it this way is we're aware that Mr. Armstrong is available today, but isn't available tomorrow.

00:36:12:11 - 00:36:13:05

Mr. Harrison.

00:36:14:05 - 00:36:45:08

Great. Thank you, Mr. Gold. Um, so that takes us on to agenda item 3.1. Effects for terrestrial traffic and transportation. Um, as per the agenda, um, we intend to allow the applicant to give a brief introduction. Um, just setting out, um, sort of progress that has been made since, um, issue specific hearing three.

00:36:45:25 - 00:36:49:13

So, uh, turning to, I presume, Mr. Moran for the applicant.

00:36:51:13 - 00:37:26:18

Daniel. Excuse me. Danny Moran for the applicant. The applicant has undertaken further discussions with both National Highways and Essex County Council highways since issue specific through hearing three, and has made progress of addressing issues that have been raised during the

examination. The applicant also attended a meeting with Suffolk County Council Highways at the end of November to discuss the issues raised during the examination. So, firstly, talking about the discussions with the National Highways, the applicant and National Highways have met a number of times to progress various elements such as the traffic and transport assessment, protective provisions and abnormal indivisible loads.

00:37:27:03 - 00:37:59:12

This included the most recent meeting on the 7th of January to discuss the remaining comments related to the traffic and transport assessment parameters following the meeting, and provision of some additional information and clarifications by the applicant. The remaining issues are related to the use of and achieving 1.5 car occupancy rate. On this, the applicant has updated the Outline Workforce Travel Plan five zero 39 Submitted at deadline. Five. To further address this and is happy to discuss this with once National Highways has reviewed the proposals. Secondly, further analysis of accident clusters.

00:38:00:00 - 00:38:30:01

The applicant understands that an all falls team has provided the same requested analysis, is providing the same requested analysis to National Highways, and therefore the applicant does not plan to duplicate this. Based on the analysis the applicant has undertaken to date, it has concluded that the increase in traffic associated with the project would not exacerbate accidents at these locations and background. Traffic growth. The applicant is reviewing the use of the growth factors provided by National Highways for the A120 junction capacity assessments, which will be provided to National Highways in the next couple of weeks.

00:38:30:24 - 00:39:06:24

The road safety audit for the A120 Bentley Road junction. Um. Sorry. Um. Improvement has been undertaken and accepted by National Highways, which identified two minor points to address. A designer's response has been prepared by Mark MacDonald on behalf of the applicant addressing these points, and this is to be submitted to National Highways shortly for final sign off. In terms of the comments raised by National Highways in relation to the bypass and delivery of normal, individual and indivisible loads. The applicant and National Highways are engaged in a joint working stream to agree the potential impact of the bypass, and whether any additional measures would be required.

00:39:07:16 - 00:39:38:09

A report has been prepared by the applicant on this topic following a meeting on the 20th of January. A further joint discussion is proposed on the risk, likely impacts and control measures. The applicant understands that the National Highway is content with the way in which the matter is being addressed, and both parties are actively working together to find a satisfactory solution. The progress and current status of these discussions is set out in the Statement of Common Ground. With National Highways revision A50 63 submitted into the examination at deadline five and next.

00:39:38:11 - 00:40:12:01

Essex County Council. The applicant met with Essex County Council on the 9th of December with the Public Rights of Way team to discuss updates to the Public Access Management Plan. Five. Zero. 37. The 10th and the 17th of December. To discuss the applicant's updates to the Outline Construction Traffic management plan. That's rep five zero 35 and outline workforce travel plan. Five. Zero. 39.

And on the 18th of December, to discuss comments by the local high authority related to the proposed temporary speed limit reductions at two construction access locations and a haul road crossing.

00:40:13:12 - 00:40:45:01

As a result of these meetings, the applicant has updated the DCO at 5008, the Outline Public Access Management Plan at five zero 37, the Outline Construction Traffic Management Plan for five zero 35, and the Outline Workforce Travel Plan at rep 503. That's wrong. Sorry. Uh 39. Thank you. Which was submitted into the examination at deadline. Fine. The DCO 5008 was amended to align the temporary speed limits being sought by Essex County Council.

00:40:45:13 - 00:41:18:05

The outlined public access management plan. Rep five zero 37 has been updated with additional text related to public liaison. Safety for users and updates to the naming of the public rights of way to include parish names. The Outline Construction Traffic Management Plan wrap five zero 35 has been updated with additional detail related to roles and responsibilities, HGV numbers and timings, coordination with North Falls, abnormal indivisible loads and notifications, control measures, monitoring and enforcement, and some changes to temporary speed limits.

00:41:19:00 - 00:41:49:00

The Outline Workforce Travel Plan Wrap 539 has been updated with additional detail related to workforce vehicle numbers and timings. Coordination with North Falls control measures. Monitoring and enforcement. A statement of common ground with Essex County Council. Revision A rapid five zero 54 was submitted into the examination at deadline five, which includes the Traffic and Transport Assessment Outline outlined management plans and the delivery of abnormal and divisible loads and ports. And finally, moving on. Suffolk County Council.

00:41:49:29 - 00:42:23:23

The applicant met with Suffolk County Council on the 25th of November to discuss the comments it had raised during the examination, related to the Traffic and Transport Study Area. The potential for use of ports and roads within Suffolk, cumulative impacts, the delivery of abnormal individual loads and the works at Orford Ness. Following the meeting, the applicant updated the Outline Construction Traffic Management Plan five zero 35 with an additional reference stating the applicant will undertake early engagement with the relevant highway authorities on the timescales and potential routing for the planned movements to minimise disruption.

00:42:24:10 - 00:42:53:26

The applicant has also prepared a technical note on the use of ports for construction. Brett five zero 72. To provide further information and justification for not preparing a port traffic management plan, which was submitted into the examination at deadline five. A statement of Common Ground with Suffolk County Council revision, a rep five zero 52 was submitted into the examination at deadline five, which. Includes the delivery of abnormal indivisible loads, port Traffic Management Plan and the works at Orford Ness. Thank you.

00:43:12:23 - 00:43:49:03

Thank you, Mr. Moran. That's covered a lot of a lot of stuff. There is a lot, a lot to write down there. Um, so, um, I'm now going to run through some, uh, questions that the examining authority have, um,



asking them towards the applicant and other interested parties, uh, in relation to the issues that we had identified. Um, starting at item A, um, just ever so quickly before I do, I understand that we have Mr.

00:43:49:05 - 00:43:55:04

Bloom from National Highways now joining us online. Is is that correct?

00:43:55:23 - 00:43:56:08

Thank you.

00:43:56:10 - 00:43:57:21

Yes. Thank you sir. Apologies.

00:43:58:09 - 00:44:00:09

Um, but I'm here. Yeah, with National highways.

00:44:01:10 - 00:44:08:17

Great. Thank you, Mr. Bloom. I do have 1 or 2 questions for National Highways, so I'm sure I'll be back to you. Um, quite shortly.

00:44:10:22 - 00:44:53:02

Um, so starting with the routing of abnormal, indivisible loads. Uh, question for the, the applicant and national highways. Um, it was obviously touched on in your introduction, Mr. Moran. Um, but in terms of the impact of the special order loads on the concrete pavement of the Wickes bypass, uh, the Bradfield Road bridge on the A120. And obviously you alluded to the joint report that's being prepared, the meetings that you've had and the statements of common ground between parties indicates that national highways are content with the way things are progressing.

00:44:53:21 - 00:45:20:03

Um, but when could the examining authority expect to see agreement between parties um and finalised joint report and perhaps just in terms of progress updates. Is it looking like there is going to be a satisfactory solution to this matter? And perhaps if I start with Mr. Moran and then ask Mr. Bloom just to, uh, come back on any points.

00:45:48:16 - 00:45:52:09

Daniel Meyer, on behalf of applicant Alice Maynard, will talk.

00:45:56:05 - 00:46:03:03

To the applicant. And just to clarify, the question was when do we think we'd be able to have a satisfactory solution?

00:46:03:21 - 00:46:05:06

Yes. Basically.

00:46:09:17 - 00:46:42:22

We, uh, working on this, um, we we've got an active line of work stream progressing with a consultant where we're, you know, evaluating options and identifying mitigation options. It obviously involves

engagement with national highways to, Um for comment and review. So we can't give a final date that we're not going to have a final, final solution by the time of the end of exams.

00:46:42:28 - 00:47:05:03

The purpose of the Workstream is to identify the variety of options that are available to us, and make sure that those options and how we will reach the final solution are acceptable to National highways. Um, we can aim to have that done. Say, it's quite vague because it involves engagement with highways. So

00:47:06:27 - 00:47:08:07

as soon as possible.

00:47:12:00 - 00:47:38:27

And I'm just, just sort of coming back on that before before I turn to Mr. Bloom. Um, from the work that's going on with, with your consultants and meetings with National Highways, um, is it looking like the, the there are options emerging within the time frame of this examination Ammunition that can give us some comfort that the that part of the A120 can be used with some degree of mitigation.

00:47:39:03 - 00:48:10:12

Correct? Um, my understanding of how this was received by National Highways is that we presented a variety of solutions. We discussed how we would get to, uh, demonstrate that these solutions are viable solutions and what we would need to submit to highways to give them confidence in it. And, um, I'm fairly I'm very confident that we can come to a resolution on this with National Highways. I think there's good understanding between the parties about the issues now and range of solutions.

00:48:16:25 - 00:48:22:18

And that sounds like a good time to turn to Mr. Bloom. Uh, just to hopefully confirm that.

00:48:23:10 - 00:49:01:19

Yeah. Jeremy Bloom for National Highways. So yes, I agree with, uh, Alice Maynard. Uh, we've had some very good engagement from the applicant on this issue. Um, I've been able to involve, um, our, um, engineering specialists and operational specialists in those discussions. Um, and in particular, I was pleased that they did appear to take, uh, a high degree of comfort from, uh, the things that, um, the applicant was saying about how they proposed to operate, um, the ales on that, that section of route.

00:49:02:06 - 00:49:34:07

Um, we are still concerned that there is a risk to the, um, to the road to the the concrete road and to there is there is heightened risk because of the condition of the road and the heavy vehicles. Um, but I, I would agree that, um, the applicant is looking at a range of, um, mitigations, potential mitigations, and I'm confident that there will be, um, there'll be sufficient solutions identified that that will give National highways comfort.

00:49:34:14 - 00:50:08:00

And I am hopeful that that that can happen within the examination, um, timeline. Um, we will endeavour to turn it around as quickly as we can. Obviously, we need to, um, have sufficient time for,

um, specialists to, to review, but, um, I'm confident that, um, we might not identify the exact solution that we will follow, but, um, that we adopt that I think, um, I'd agree that, um, with the applicant that, um, I think we'll be able to get to a point where there'll be sufficient comfort that there's a solution is available.

00:50:11:20 - 00:50:48:05

Great. Thank you, Mr. Bloom. And just, uh, before moving on from from this point, just turning back to the applicant. Um, I appreciate what you said about not being able to perhaps precisely Pin down a timing of when we might be able to see an emerging joint report or the examining authority getting confidence, um, that there are options. But we're obviously conscious, as you no doubt are, that currently there aren't that many more planned deadlines within the examination period.

00:50:48:07 - 00:51:13:11

So I don't know whether I obviously deadline six is not too far away. The 11th of February, which you may say is too soon. Um, but, uh, you know, might we be in a position to, um, see something that gives us confidence that this, this will will work, that there are options by deadline. Seven of the 3rd of March, perhaps.

00:51:17:21 - 00:51:28:29

Uh, Parliament for the applicant. Um, sir, we will provide an update to deadline six, and we will also, insofar as anything changes, provide updates to the statement of Common Ground. So it's coming from both parties at Deadline's six and seven.

00:51:29:27 - 00:51:33:05

Okay. Yeah, that would be acceptable. Thank you.

00:51:39:01 - 00:52:12:23

Okay. Um, next question in relation to um, abnormal indivisible loads is, um, turning to Essex County Council. Um, the applicant, um, has, as they said, updated the outline construction traffic management plan. Uh rep. 5035. Uh, and has added within it. Um, a list of roads that could potentially be subject to road condition surveys.

00:52:13:08 - 00:52:16:21

Um, are you content with with that list?

00:52:18:13 - 00:52:21:05

Um, Mr. Hough, I don't know if you're online.

00:52:23:24 - 00:52:34:03

Joseph Huff of Essex County Council. Um, we're reviewing the list of my colleague Bradley. He's reviewing the list, and we will confirm the next deadline, whether we're content or not.

00:52:37:09 - 00:53:22:02

Okay, great. Thank. Thank you for that. I look forward to seeing that at the next deadline. Um, also a question. Next question is also for Essex County Council. Um, so you've you've set out concerns in your rep. 5092 um, regarding the structural status of the. So it's quite a specific question. The culvert

immediately prior to the proposed site access, um, shown on photograph 54 of annex two, um of the a technical notes that the applicant provided us um, which was rep Um, to zero 29.

00:53:22:19 - 00:53:53:18

Um, and you've recommended discussions with the county council structures team. Um, has your structures team given a view on whether the applicant suggested approach um, which was to discuss when finalizing details of Ale deliveries. Um, do you think that's acceptable? Have they given a view as to whether that's acceptable, or do they consider that, um, sort of discussions are required now on that.

00:53:56:01 - 00:54:20:01

Essex County Council. Um, I think the position is, is that, uh, discussions would probably be beneficial now in terms of just, you know, reducing the, the, the likelihood of anything unforeseen coming up in the future when trying to implement. But I don't think we would necessarily say that they are required now because that work could be undertaken at a later date.

00:54:32:21 - 00:54:57:23

Okay, thank you for that reply. Um, just just quickly turning back to the applicant. Um, obviously the counselor saying not required, but beneficial now. Um, who are you? Still of the same view that, um, it'll be something you'll discuss when finalising details? Or are you going to take up the, um, offer to, uh, have earlier discussions with the structures team?

00:55:13:09 - 00:55:31:24

Uh, Paula McGeady for the applicant. Um, our view is that having discussions now would would only be very general and on principles, because the first thing they're going to ask for is detail. We don't yet have things like axial loading weights, for example, that we just couldn't give them at this stage. We think those discussions would be more productive when we have that.

00:55:52:10 - 00:56:26:15

Okay. Thank you. Um, turning on to a slightly different matter, but still referring to the same annex two that was included in the technical note that you submitted a deadline to. Um, so your, uh, deadline for response to Essex County Council's concerns regarding Ale routes did not appear to address their queries about the proposed routing of special order loads.

00:56:26:17 - 00:57:06:04

I think it was specifically shunt reactors in that particular document using certain roads through Colchester, and we obviously appreciate that that annexe to the winds report was commissioned for the North Falls project. Um, but is this a route that the Five Estuaries Project might use? Um, and then a follow up question to that. Um, if yes, what is your reaction to Essex County Council's view in rep five zero 92 that it needs to be restricted to off peak and at night movements?

00:57:22:13 - 00:57:49:03

Uh, Paula McGinty for the applicant. Uh, just to be clear, sir, the wind's not really is true. Transformers. Not the shunt reactors. In terms of the shunt reactor routes, there has been an addition made to the outline construction traffic management plan rate 5035 to specifically require the routes

and the timings to be assessed and discussed with the local relevant highway authorities prior to any notifications being issued for those.

00:58:11:05 - 00:58:13:04

Thank you for that, for that response.

00:58:18:20 - 00:58:53:17

And again, back to the applicant. Um, and just picking up on Essex County Council's deadline for submission again. Uh rep 5092. Um, you've probably noted that, um, further to your deadline for response to their earlier concerns. Um, they are still saying it's sensible to undertake a swept path analysis for the new roundabout on the B 1035, immediately south of the A1 20 Horsley Cross.

00:58:54:08 - 00:59:03:09

Um, I presume, presumably for, um, cable drug delivery vehicles. Um, do you think such an analysis is necessary?

00:59:07:10 - 00:59:11:27

Uh, for the applicant? The applicant will do the analysis and submit a deadline, sir.

00:59:13:20 - 00:59:17:22

Okay. Thank you.

00:59:38:20 - 00:59:44:03

Um, okay. So, um, turning now to, uh, Suffolk County Council.

00:59:45:22 - 01:00:33:02

Um, in relation to your concerns regarding, uh, short notice periods set out in legislation for notifying relevant public bodies of Ale movements. Um, as the applicant alluded to, they have updated the outline construction management plan. Uh rep. 5035. five. The question is, do additional paragraphs such as 2.1.3 and 7.2.2, provide you with sufficient comfort to help manage the pressures that you've alluded to in your submissions? Um, and er, Suffolk Constabulary are under in relation to the cumulative demands for various Ale movements.

01:00:34:00 - 01:00:39:05

If not, what what else would you be seeking? Mr. Bedford?

01:00:40:23 - 01:01:10:24

Thank you sir. Michael Bedford, Suffolk County Council. The changes that have been made to the Outline Construction Management plan are in principle welcomed by Suffolk County Council. We, um, clearly had a disagreement with the applicant about the nature of the existing regulatory regime. And we explained in our deadline for submissions the shortcomings of.

01:01:10:26 - 01:01:42:21

That the applicant changes to the Outline Construction planning management plan to bring forward some reassurance on, as it were, building on the regulatory regime so as to provide more margins for

prior notification. I think what we would simply intend to do in our post hearing submissions is just ensure that if there are detailed drafting points, we certainly welcome the idea of prior notification.

01:01:43:04 - 01:02:09:13

But obviously there does need to be a degree of clarity as to how much prior notification as a minimum, for example, to be specified. But those are points of detail. I think we're we're happy that we're moving in a more positive direction than previously. in relation to that Ale issue.

01:02:10:24 - 01:02:49:07

Great. Thank you. And just a quick, um, come back on, uh, the Suffolk County Council's position on, on ale movements. Um, obviously the overarching level the applicant has said that, you know, there are existing control mechanisms and therefore, um, no requirements or it's unnecessary to duplicate those or um, or anything else through the, the DCO. And obviously, at the outset of the examination, the county council's position was a, you know, more on the lines of not wanting ale movements through through the county.

01:02:49:19 - 01:03:03:08

Um, do I sort of take it that we've now sort of more, more moved on to issues of detail rather than that sort of fundamental principle Principal objection that the county had.

01:03:03:24 - 01:03:04:09

Well.

01:03:04:18 - 01:03:53:21

Yes. I think the concern has always been that if there are to be ail movements, then the routes that are used need to be adequately assessed to ensure not only that they are fit for purpose, simply in structural engineering terms, but also fit for purpose in terms of the timing of movements, the inconvenience to other road users, and particularly as the concern in Suffolk, given the multiplicity of similar projects as it were not having multiple disruptions to the, as it were, day to day life of the county through such movements, um, we would have preferred to see, as it were, a more structured series of controls through, um, as it were more bespoke controls.

01:03:53:23 - 01:04:27:12

But, uh, the outline construction traffic management plan will be a controlled control document. We are trying to be pragmatic and hopefully being reasonable and responsive. And in the circumstances I say we're. We're prepared to go with the flow of using the outline construction traffic management plan as the vehicle to supplement the statutory controls, as they will will include in our post hearings submissions any finessing that we think is appropriate to the wording.

01:04:28:00 - 01:04:30:27

But I say we think it's a step forward.

01:04:35:13 - 01:04:37:01

Great. Thank you, Mr. Bradford.

01:04:39:18 - 01:05:10:26

That brings me to the end of the examining authority's questions on that, on that first sub point, A, regarding routing of abnormal indivisible loads. Um, just before I move on to item B, um, I will be quiet for a moment just to see if anybody's got any hands they want to put up in the room or virtually online. If I don't see or hear anything, I will move on from abnormal, indivisible loads.

01:05:13:29 - 01:05:14:14

Okay.

01:05:14:20 - 01:05:31:05

Not seeing any any hands up. So I will move on to sub item B, um, which is road traffic surveys and predicted traffic generation during construction uh, including cumulative impacts.

01:05:33:08 - 01:06:04:18

Um, so starting with uh National highways and Mr. Bloom, um, your point regarding, um, evidence being required explaining why a workforce occupancy rate of 1.5 people per car is a realistic assumption. Um, the, um outlined workforce travel plan has been revised with additional controls and monitoring. In rep.

01:06:04:20 - 01:06:05:06

Five.

01:06:06:25 - 01:06:46:20

Zero. 39. Um. And the National Highways and applicant. Statements of common Ground. Rep. Five. Zero. 63. Um. Indicates that that requires further discussion to satisfy concerns. Um. National highways. I just ask, um, to confirm. Are we talking internal discussions within National Highways there, or sort of further meetings with, with the applicant? Uh, and, and as an examining authority, when can we expect to sort of, uh, see a view from National Highways on this point?

01:06:48:12 - 01:07:24:20

Um, so, Jeremy Bloom, National highways. So I think, um, the, the intent behind that comment was that we require, um, further discussion with the applicants consultants, and we're still not 100% satisfied, um, with the, um, with the the answer that that sort of evolves the, uh, additional controls. So we I think we need a further discussion about that. Um, just looking at the deadlines date, probably certain.

01:07:24:25 - 01:07:34:14

Well, possibly deadlines, but probably more realistically, deadlines. Even if we get, you know, if we can get to a, uh, an agreed position.

01:07:37:26 - 01:07:54:07

Alright. Thank you, Mr. Bloom. Um, and I'm not sure if I just missed it in the, um, notes that I was scribbling down. Um, Mr. Moran, during your introduction, but, um, have you got a scheduled meeting with National Highways coming up soon.

01:07:56:07 - 01:08:21:14

Daniel Moran on behalf of the applicant. So we've been liaising with, um, National Highways and their consultants. Fairly recently on the sort of assessment parameters. Um, and as I said in my introduction, we are going to be doing the junction capacity assessments, which will consider the 1.5 car occupancy, which, which will stick to. But we may do some sensitivity testing in that. So we'll arrange a meeting with um National Highways um, in the next week or so.

01:08:27:04 - 01:09:04:13

Great. Thank you. And you mentioned junction capacity assessments. Which brings me nicely onto my my next question, um, which was the, um, National Highways, uh, requiring those at the other A120 junctions experiencing over 30 additional vehicle movements during the peak hour. And I think it's agreed that the further assessments will be done for three junctions the A120 Harwich Road, the A120 Bentley Road and the A120 B10 35.

01:09:05:18 - 01:09:31:06

And what's the sort of timescale going forward to that. When do you think that will be. Undertake the undertaken the assessments and provided to National Highways. And then when can we as an examining authority expect to see those assessments and hopefully agreement from National highways with the results.

01:09:32:29 - 01:09:49:09

Danny Moran on behalf of the applicant. And so we'll be doing those assessments in the next week or so and liaising with National Highways once we've got those results to discuss. And depending on the sort of the result of those discussions, submitting to the examination as soon as we can. I think.

01:10:00:00 - 01:10:05:28

That Mr. Bloom does that. That sounds a reasonable way. Forward to to you and. Yes. Yeah.

01:10:06:05 - 01:10:12:16

Jeremy Bloom, National highways. Absolutely. Um, we, um, look forward to seeing the results.

01:10:15:29 - 01:10:17:18

All right. Okay. Thank you.

01:10:20:19 - 01:10:23:17

Um, next one is is back to you, Mr. Bloom.

01:10:25:13 - 01:11:09:05

Um, so this was the, uh, outstanding point regarding sensitivity testing of HGV trip assignments. Uh, and, uh, your request for additional junction capacity assessments for the A120 junctions east of the, uh, B10 35. In the joint statements Common ground, it is suggested that further controls on HGV movements on the A120 from the Port of Harwich during peak periods could satisfy National Highways concerns through the revised Outline Construction Traffic Management Plan.

01:11:11:04 - 01:11:23:16

Do National Highways have any comments at this stage on the additional measures set out in section four of rep. Five. Zero. 35.



01:11:25:13 - 01:11:31:23

And if not, presume you'll be responding to us in writing at deadline. Six. On the 11th of February.

01:11:33:29 - 01:11:42:21

Jeremy Bloom, National highways. Yes. That's correct. So yes, we're still reviewing, but we'll, uh, we will, uh, confirm in writing for deadline six.

01:11:57:13 - 01:11:59:16

All right. Thank you, Mr. Bloom.

01:12:01:16 - 01:12:16:04

Um, and turning to, um, Essex County Council and perhaps the applicant as well as it relates to your joint statements of common ground. Uh, rep. Five. Zero. 54.

01:12:17:29 - 01:12:48:23

Um, so Essex County Council have some outstanding queries on the assessment methodology, and it notes discussions are ongoing. Uh, I guess a simple question of, uh, are any of the outstanding issues looking significant? Uh, or are you confident of satisfactory resolution by the close of this examination? Uh, perhaps, uh, turning to Mr. Hoff and, uh, Essex County Council for their view.

01:12:48:25 - 01:13:00:23

First of all, on behalf of Essex County Council. Um, no, I wouldn't say any of them are looking significant, insignificant or unresolvable by the end of the examination.

01:13:05:24 - 01:13:12:14

Sorry. Mr.. Could I just ask that you repeat that reply? The the there's a bit of a weakness on the signal.

01:13:13:03 - 01:13:23:17

Okay. Sorry. Yes. Joseph, on behalf of Essex County Council. Uh, no. Uh, we don't envisage any of the, uh, issues are unresolvable by the end of examination.

01:13:27:12 - 01:13:41:11

Uh, we made just for clarity. We made good progress following the meeting that was done. Mr. Moran mentioned on the at the end of December and updated, uh, management plans reflected those discussions. It's been very helpful.

01:13:45:03 - 01:13:55:29

Great. Thank you. Mr.. Mr.. Have we got that clearly the second time around? Um, anything the applicant wanted to say on on that.

01:13:58:11 - 01:14:29:24

I'm seeing shaking of heads. Uh, I think that's uh, clarified that. So that brings me to the end of my questions. Uh, on sub item B, um, the, uh, the assessment, um, of sort of road traffic surveys, etc., and

predicted traffic generation. Uh, before I move on to the next sub item. Is there anybody else who wanted to comment on that specific point?

01:14:31:26 - 01:14:35:22

I'm not seeing any actual or virtual hands, so

01:14:37:09 - 01:14:37:27

I will

01:14:39:12 - 01:15:21:28

Move on to I guess sub item C is a similar item. Impacts on strategic and local road networks. So only one sort of ancillary question on this for me. And again it's it's to uh, Essex County Council. Um, there's an item in the joint statement, common ground entitled uh, Construction Access Designs uh, which indicates that the applicant, uh, is waiting for you to confirm if there are any further comments on the road safety audit designer responses.

01:15:22:22 - 01:15:35:06

Um, Mr. Huff, could you indicate if this is something you expect to have any additional comments on? Uh, and if so, when do you aim to get back to the applicant with those comments?

01:15:39:10 - 01:16:09:00

On behalf of Essex County Council. Um, I'm not undertaking the review myself, and I couldn't be 100% sure whether there is likely to be any, um, additional comments regarding the axes, from what I've seen so far. I don't believe there will be any significant comments. Uh, but, um, we'd have to wait for that review to be completed. Um, the the aim is to get some is to confirm by deadline six. I'd have to confirm that with my colleague who's undertaking the review.

01:16:18:15 - 01:16:37:25

Okay. Thank you for responding on behalf of your colleague there. Just just turning to the applicant. Um, would that be acceptable and work for you to, uh, get any further views from Essex County Council by deadline? Six on on the, construction access designs.

01:16:50:02 - 01:16:56:04

Paula McGee. Yes, sir. The intention is to have a joint meeting before deadline six and try and flush out any issues.

01:16:57:13 - 01:16:59:13

Okay, great. Thank you for that.

01:17:07:27 - 01:17:24:02

Yeah. As I indicated, I sort of intended this to be a relatively short item just with that one question. Um, but just give the opportunity for anybody to raise anything that hasn't been in relation to impacts on the strategic and local road networks.

01:17:28:07 - 01:17:40:22

Again, seeing seeing no hands up. So I'll move on to uh sub item D, which is the A120 Bentley Road junction. Improvements.

01:17:42:21 - 01:18:09:22

Starting with a question for the applicant. Obviously the road safety audit for the A120 Bentley Road junction improvements we understand from documents was undertaken in November but not yet submitted into the examination for for the examining authority to see when. When. Would you intend for that or would you intend for that.

01:18:14:03 - 01:18:21:21

Paul McAdoo for the applicant. We wouldn't actually intend to submit the address, or we would attend to submit the joint position with National Highways and the outcome of the RSA.

01:18:24:00 - 01:18:36:19

Yeah. Just looking to Mr. Gould to say if he was going to nod, but that that seems acceptable to the examining authority. Yeah. Thank you. And when do you think? When would you expect that to be?

01:18:45:13 - 01:18:57:04

Danny Moran, on behalf of applicant. Yeah. We're just going to issue the road safety audit and designers response to National highways tomorrow, which needs them to sign off. So hopefully. Yeah, hopefully that should be fairly soon.

01:18:59:09 - 01:19:04:24

Great. Thank you. And by mentioning the designers response, I think you've just answered one of my later questions.

01:19:06:09 - 01:19:08:12

Um.

01:19:10:18 - 01:19:31:13

And just a follow up question to Essex County Council. Um, I think in rep in your representation, 5092 uh, you mentioned that you're awaiting sight of the road safety audit. Uh, can I just check if the applicant has shared that with you yet?

01:19:33:19 - 01:19:34:04

But.

01:19:34:13 - 01:19:42:17

Sorry. Sorry. Mr. Huff, I can. I can say Mr. Moran was jumping in. But now Mr. Hough will come to you first.

01:19:44:06 - 01:20:01:27

Joseph, on behalf of Essex County Council. Um, no, we haven't had sight of it. But I believe the applicant's position was that they wanted to resolve everything with National highways, and then they were planning to share it with ourselves, um, which we don't necessarily don't have an issue with. Um, obviously, we would want to see it. Um.

01:20:07:25 - 01:20:23:15

Okay. I think I think you broke up a little bit at the end there, but I think we, we we got enough of that answer to understand. And I think I could see Mr. Moran was nodding from the applicant that that was going to be the correct process. So, um, that that's fine.

01:20:26:06 - 01:20:56:01

Um, and, you touched on the designer's response. Um, and you preempted my question of when would that be provided to National Highways for review? Um, but would you just be able to explain, um, perhaps in broad terms or layman's terms for the examining authority? Um, what what were the issues that the road safety audit identified, which require your consultants to produce the designers response?

01:20:58:20 - 01:21:30:03

Alice Maynard for the applicant. The two issues. Uh, the first one was a that for the ails, the transformer ails. The there would be oversight over there would be going over over sale um, of the a potential, uh, non-motorized user route. Um, and so obviously the non-motorized user route would have to be shut, which it would be, because it's the middle of the night to be a transformer. You know, special movement order delivery.

01:21:30:09 - 01:21:47:15

So that was clarified. And the second point was a request for tactile paving, where there are over a non-motorized user crossing where they would be crossing the road to a blind user would know that it was tactile paving.

01:21:52:13 - 01:21:55:14

Right. Thank you for explaining that for us.

01:22:00:26 - 01:22:20:05

Okay. Um, and is it likely that the, um, the designers response and though either of those issues, um, might result in any changes to, albeit very, very minor changes to application plans or documents.

01:22:22:01 - 01:22:35:03

For the applicant? The first one is a clarification and I expect our clarification to be accepted. And the second one is also accepted. So I personally cannot see any reason why it would not be closed out.

01:22:41:18 - 01:22:47:03

And just to clarify, the changes will not change our application. There will be no detailed points changing.

01:22:49:03 - 01:22:51:13

Great. Thank you for that additional clarification.

01:22:57:08 - 01:23:12:14

Okay. Uh, I think that brings me to the end of my questions on the de on the, um, on the junction. Uh, any other parties want to raise anything that hasn't already been picked up?

01:23:16:29 - 01:23:19:12

No. Again, not not seeing any any hands.

01:23:21:20 - 01:23:38:06

So that brings us on to, uh, sub item E, um, which I think is actually the final sub item under 3.1. So this is around the sort of control and mitigation measures, uh, during construction,

01:23:39:24 - 01:24:13:22

uh, and perhaps turning first to Suffolk County Council on this. Um, and regarding the need or otherwise for, uh, port traffic management plan. Um, obviously the EXi understands and has been confirmed in the introduction from the applicant, uh, that you met with them in mid-November and the applicant has submitted the technical note, uh, use of ports for construction Rep 5072.

01:24:14:11 - 01:24:39:11

Um, you know, sort of setting out primarily a case study, the, uh, Sophia offshore wind farm, where such a control document has been problematic in practice. Um, in light of the the further discussions that you've had and this information, um, does the council still consider a poor traffic management plan is necessary?

01:24:41:12 - 01:25:16:25

Thank you sir. Michael Bedford, Suffolk County Council. The short answer is yes. We are reviewing the document that was submitted at deadline five and will provide comments, uh, in our, um, comments at deadline six uh, on that document. Uh, it's not been our experience in relation to other projects where there have been poor construction traffic management plans that we've experienced problems. Uh, and we can continue to see a need for such a document.

01:25:17:19 - 01:25:59:17

Um, obviously, you will have seen in the statement a common ground. This remains as an outstanding area of non agreement. Um, we will say um see whether uh, we can provide you with any further assistance. Uh, on why we consider this to be a necessary measure in our, um, deadline, six, uh, submissions. Uh, but I suspect this might end up being one of those, uh, things that ends up in your pile of exa to resolve and form your own view on, in the light of the respective stances of the, uh, the parties.

01:26:01:21 - 01:26:02:12

Thank you. Thank you.

01:26:02:23 - 01:26:16:16

Yes. In, uh, submitting your deadline. Six uh, uh, detailed response. You can identify the projects where you think this has worked. Um, because it's clear that the applicant is of a contrary view.

01:26:16:29 - 01:26:56:29

Yes. Well, we've already identified the East Anglia one, North East Anglia two projects, and we've provided you with the information from their control documents, which set out the requirements of the port management plan. But we can, um, provide what further detail we can on ongoing

implementation matters in relation to that. So can I just briefly, because it relates also to this agenda item in terms of controls, just briefly mentioned, there is another minor outstanding issue in terms of just the terms of requirement 18, which is the construction method statement.

01:26:57:09 - 01:27:20:11

And the Orford Ness works where you'll see the remains a difference of view between us and the applicant. Uh, on uh involving Suffolk County Council either in discharging that element or being consulted on the discharge of that element. And again, it's captured in the statement of common ground. But I just thought I just flagged that that remains an outstanding area of disagreement.

01:27:23:18 - 01:27:54:24

Thank you, Mr. Bedford. Uh, I did have a, uh, had picked up on that issue, uh, regarding requirements 18 outstanding. Um, and I was, I think, going just quickly back to the, uh, the port traffic management plan point. Um, I think I was going to say something similar to, um, Mr. Gould, but, um, you know, in terms of your response in writing, um, it would be helpful. I think you alluded to it.

01:27:55:00 - 01:28:09:24

Um, you know, any any views on how you think some of the specific problems that have been identified by the applicant, um, in their document? Rep. 572 might be satisfactorily addressed.

01:28:14:22 - 01:28:25:00

Is there anything that the applicant would want to say on either of the points that Mr. Bedford has raised at this stage?

01:28:36:28 - 01:29:07:24

Uh, Paula McGarry for the applicant at two very brief points, sir. Firstly, we would I think we have in writing and we would again request that the examining authority ask the ports for their view on this, given that they have their own considerations here. And secondly, in terms of the references cited, we do not believe that those two wind farms are in construction, and therefore this has not played out and the problems that have not yet arisen. We do not think they are completely fair competitors, the one that we have put forward where that experience has actually been had. Thank you.

01:29:12:24 - 01:29:23:05

Thank you, miss McGeady. I'll just quickly give Mr. Bedford a chance to come back on any of those points, if he wishes to. At this, at this time.

01:29:23:20 - 01:29:29:02

No thank you, sir. We'll make sure that we address what we can through our post hearing submissions.

01:29:37:21 - 01:30:14:27

All right. Thank you. Um, and whilst we're talking about ports and traffic, uh, a slightly different, uh, question to Essex County Council. Um, obviously you can see from their previous comments and also the, uh, statements of Common ground, uh, that, um, uh, your interest is more in a thought of a, a traffic management plan for ports, um, covering the period of operation and maintenance of the five estuaries offshore wind farm rather than the construction phase.

01:30:14:29 - 01:30:51:09

So a slightly different point to Suffolk County Council. Um, obviously we've seen in the statements common ground, the applicant's response that such a plan would be premature given that an operation and maintenance port has not yet been selected and therefore, um, could or should not be secured through this DCO process. Um, again, I'm sure Essex County Council will respond in writing, but do you have any initial views that you'd like to, um, give to the examining authority on that position?

01:31:00:15 - 01:31:08:09

There's a fourth on behalf of Essex County Council. Um, I don't think I should pre-empt our response on this one, as Kate will respond in writing.

01:31:18:25 - 01:31:19:22

Okay. Thank you.

01:31:21:13 - 01:31:27:28

I'll just give the applicant an opportunity if they wish to say anything. Or have you said everything that you wish to at this point in writing?

01:31:29:02 - 01:31:51:21

Paul McGarry for the applicant, just on the operation and maintenance plan and the discussions with Essex County Council, we think there might be a little bit of confusion going on. The discussion with Essex was about if there is an on base at a port and then there would need to be a plan. Not that anything being consented through this order, that's our understanding, but we're very happy to pick the point up with them and try and come back with an agreed statement, if we possibly could later.

01:31:54:18 - 01:31:56:12

Thank you. I think that would be useful.

01:32:02:06 - 01:32:02:24

And.

01:32:05:08 - 01:32:36:03

One more question to. Essex County Council again. I'm sure you intend to respond in writing at deadline six, but you will have seen, and were no doubt expecting, that the applicant submitted at deadline five on the 10th of January. Revised versions of the outlined Public Access Management plan. Rep. Five. Zero. 37. The outline construction traffic management plan. Rep. Five. Zero. 35.

01:32:36:21 - 01:32:53:01

And the outline workforce travel plan. Rep. Five. Zero. 39. Um, do you have any concerns at this stage that any of the changes you were expecting do not feature in the updated documents?

01:32:56:25 - 01:33:30:27

For Essex County Council? Just for clarity, I won't be able to comment on the right of way plan. Um, I'm not sure whether my other colleagues are in attendance will. I will comment on the construction traffic management plan and the workforce travel plan. Um, generally, I'd say the vast majority of our comments have been addressed. We're seeking a little bit of clarification on, um, the monitoring

methodology for parking on the public highway. In the workforce travel plan. And with regards to the outline construction traffic management plan.

01:33:30:29 - 01:34:04:26

A little bit of clarity around, um, the wording of paragraph 4.23. Um, just around on the it refers to the relevant planning authority and then refers to prior agreement with Essex County Council. And I just wanted to sort of work on the consent process there. Um, and with regards to paragraph 4.47, um, just is around that issue that Ron, earlier around the, the uh, agreement around which roads are to be surveyed, but otherwise, um, you know, we're very happy with the amendments that were made.

01:34:04:28 - 01:34:08:15

And I think those those comments are fairly minor anyway.

01:34:12:15 - 01:34:36:22

Great. Thank you. Um, and presumably, I appreciate you said you can't speak for your colleague who's looking at the rights of way plan. Um, but presumably you'll be putting, um, those, um, couple of sort of detailed clarity points in your, um, next written submission. Um, although the applicant probably picked up on them now.

01:34:38:06 - 01:34:38:21

Yeah.

01:34:39:01 - 01:34:42:04

Just for the county council. They will be included in that.

01:34:44:27 - 01:34:50:14

Great. Thank you. Uh, was there anything that the applicant team wanted to say on that at this stage?

01:34:52:20 - 01:35:01:03

Yeah. Great. Thank you. Well, that brings me to the end of my questions on item 3.1.

01:35:02:19 - 01:35:33:13

Just give people an opportunity. If there were any issues around control and mitigation measures that we haven't discussed. Opportunity to put a hand up, which I am not seeing, and I think looking at the time probably gives a good opportunity for us to take an adjournment and allow the applicant to switch their team from onshore traffic and transport to shipping and navigation.

01:35:34:00 - 01:35:54:26

So it suggests perhaps a 15 minute adjournment work for everyone so that we resume at 320. So I'm seeing 1 or 2 nods and no shakes of heads. So, um, we will adjourn and restart at 320. Thank you.