

Hearing Transcript

Project:	Five Estuaries Offshore Wind Farm
Hearing:	Recording of Issue Specific Hearing 6 (ISH6) - Part 4
Date:	22 January 2025

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FULL TRANSCRIPT (with timecode)

00:00:05:14 - 00:00:31:02

Well, it is now 12:00 or noon, and the hearing is therefore resuming more for the benefit of anybody that has not got or during the, um, the German views of the football pitch. If you hear any loud bangs in the background, that would appear to be the police undertaking some sort of firearms training. Um, so don't be alarmed.

00:00:50:16 - 00:01:07:19

Right now like to turn to, um, a series of questions that will cover living conditions, but largely from a noise perspective. Um, perhaps if the applicant would like to introduce who's going to be leading on noise type matters.

00:01:09:18 - 00:01:13:22

Uh, Richard Carter for the applicant and talking on behalf of noise.

00:01:32:27 - 00:01:40:19

My first question is actually directed to Tendring Council. Do we actually have somebody present from Tendring?

00:01:46:16 - 00:01:48:29

So we should be remotely. Yeah.

00:01:50:21 - 00:01:55:24

Is that either a mr. or Mrs. Storey?

00:01:59:11 - 00:02:07:01

I'm Elena Storey. I'm now at Essex County Council, so I don't speak to them. But Jacob should be on line. Possibly.

00:02:11:21 - 00:02:14:13

Oh, yeah.

00:02:16:23 - 00:02:54:05

Yeah. Sorry. Yeah. You can both hear and see us and we can certainly hear and see you. So, um, my first question, as I say, is, is for the council or Tendring Council and relates to, um, the assessment of,

um, evening and night time construction noise at the Bentley Road junction, uh, that the applicant submitted. Um, and that is contained within rep four zero hyphen 04343.

00:02:54:15 - 00:03:00:17

Does the council have any comments, um, about the findings that were included in that assessment.

00:03:07:14 - 00:03:15:18

For Tendring District Council. Um, I don't have any any specific, um, comments on on those documents now.

00:03:17:03 - 00:03:47:18

Okay. And can I just check with the applicant and its understanding of the works? Um, I think if I recall correctly, it's five nights, a week's worth of work. Is he expectation that that will literally be a single campaign? Uh, as it's all white lining. Uh, and it's it's not a situation where perhaps, um, there's temporary works or stitching of altered carriageway where white lining has to change.

00:03:47:20 - 00:03:58:24

It will literally be one campaign for one week at some stage during the the the project's lifetime. Richard Carter for the applicant? Yes. That's correct.

00:04:27:04 - 00:05:12:13

Okay. And then then I'd like to turn to, uh, the cumulative noise, um, in respect of the want of a better way of describing the, the onshore substation zone, which of course, affects the substation proposed by five estuaries, that of North Falls and potentially ultimately, um, the substation for the East Anglia connection node. And I think it might be useful actually, if, if the applicant can bring up, um, the noise complaints protocol, um, or the uh, which is ref five hyphen 008, because I've got a series of questions that relate to that, and we may need to look at it in a little more detail in a in a while.

00:05:13:10 - 00:05:29:09

Um, but again, turning to the council, um, do you have any observations on, um, that outline noise complaints protocol that the applicant has submitted a document that has jointly been prepared by all three projects?

00:05:31:09 - 00:05:45:18

Um, Carol Wallace on behalf of Essex County Council. Uh, we are still, um, liaising with our colleagues in Tendring District Council regarding the protocol, so we will defer to submission deadline six. Thank you.

00:05:58:26 - 00:06:24:12

Notwithstanding what I've just heard, there are a few points that I'd like to run through, some of which specifically with the applicant and some both for the applicant and the councils. The council may need to, in effect, respond in writing out of the hearing, but at least if you hear my questions and that that may assist in whatever responses you ultimately make in respect to that document.

00:06:27:03 - 00:06:42:00

Um, turning first to the applicant, um, as far as five estuaries is concerned, Lily's farm, um, has been identified as one of three um assigned receptors.

00:06:45:24 - 00:06:52:12

And, um, if I'm understanding the protocol correctly, Clearly. Um.

00:06:54:17 - 00:07:31:15

There is an effect, a noise limitation, distance. Well, sorry, you're assessing the locations, but there's also a distance that's been set at 750m as the threshold for investigation. Really the query with Lily's farm and five estuaries is that, um, from what I can tell, just looking at various plans in the area. Lily's farm actually lies more than 750m away, um, from any of the substations.

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And the existing Ardley substation looks to be within that 750 metre zone. So, um, is Lily's farm actually a suitable, um, receptor location, or is the 750 metre threshold a suitable threshold to set. There seems to be a bit of a conflict in terms of actually whether if a resident is made a complaint, it would actually get investigated because they actually sit more than 750m away from any of the substations.

00:09:11:21 - 00:09:53:23

Uh, Paula McKinney for the applicant. Um, we do agree. We think Lily's farmers will be on 750m. It should have been excluded from that. The distance was put in generally to stop the investigation of complaints that could not possibly be arising from these substations. Um, partly to deal with, partly just to manage the number of complaints that had to be investigated and partly to not only have to investigate complaints that realistically could be being caused by this substation. The area in that direction is so sparsely populated that Lily's farm was picked because it was essentially one of the three closest in that direction, and it should have been excluded from that parameter because you're completely correct.

00:09:53:25 - 00:10:01:25

Under the current drafting, despite being the nominated receptor, they couldn't complain. And that that's just an error that we will have to and correct.

00:10:13:09 - 00:10:21:17

Thank you for the clarification. At least my first reading was correct that I hadn't lost the plot. Um.

00:10:24:20 - 00:10:37:18

Turning on turning to my next question, which is both for the applicant and the council or council. Um, under paragraph 6.5.8.2.

00:10:41:14 - 00:10:44:20

Yes. I wonder whether it might be worth spending on.

00:10:54:05 - 00:11:30:00

As currently drafted. The protocol in effect introduces um, an embargo on any reinvestigation within a 12 month period. If, um, no exceedance of the rating level um has been established following the

initial investigation. My my query here really is that we've got three substations in pretty close proximity with one another. They may each be on a different maintenance regime or cycle because they're being operated by three different parties.

00:11:30:23 - 00:12:05:27

It is just possible that within any 12 month period, um, an issue might arise with one of the substations. Um, perhaps because we're getting towards the end of its maintenance period. And that might trigger something different on the ground that, um, could give rise to the beginning of a complaint. But as currently drafted, that would in effect be excluded if it came from, um, the same party or the residents of the same area.

00:12:06:24 - 00:12:13:01

Um, on the basis what we've already investigated, we we think there is no issue, but there is scope,

00:12:14:26 - 00:12:23:01

as I say, possibly for a new issue to arise. But turning to the applicant first, any any thoughts on that point?

00:13:02:00 - 00:13:03:19

Richard Carter for the applicant.

00:13:05:10 - 00:13:25:00

Um, the the nature of the the area and that there's three substations quite close together and, um, a number of um, receptors or dwellings situated around. Um, as per the list of, um, noise limits.

00:13:25:16 - 00:13:57:11

Um, individual dwellings will be closer to um, one substation over, over the other. So if um, in the example that you gave that a dwelling complained, um, either either um, justified or otherwise. Um, about the noise from a substation. Uh, chances are all likelihood will be it's the closest substation to it that's, um, developed a fault.

00:13:57:26 - 00:14:29:06

And, um, I'm making more noise than it than it should. So that would then obviously be investigated and and corrected. Um, you mentioned that the possibility then could be that, um, a subsequent substation, which obviously is a bit further away, could be coming up to its maintenance period in a few months time. And it also be, uh, making more noise than, um, than it ought to be.

00:14:29:28 - 00:15:03:16

Um, um, and that that initial receptor cannot, um, therefore complain under that clause. Um, but in reality there will be other receptors that are closer to that substation. Um, so if the if that second substation that was coming up to its maintenance, um, did actually develop a fault. Um, in all likelihood you will receive complaints from, um, the, the other receptors that are are closer. Um, that's what's likely to happen in practice.

00:15:05:21 - 00:15:31:08

Hearing what you just said. I'm wondering then whether in, um, paragraph six, five A2, there actually needs to be perhaps a tweak to the wording, which makes it clear its receptors or residents. Um, because I think the way the wording goes at the moment, it's, it's a location or area, um, potentially.

00:15:55:27 - 00:16:20:05

Well, I'm angry for the applicant, so we're going to have to take that away and discuss it with ING and North Bowles, because this document was agreed with them. The concern this was addressing wasn't wasn't primarily arising from us. It was arising from another party that was worried that what would effectively happen would be number one would complain, and we would investigate and say there was no issue. Number two would complain more because they were unhappy with another project, rather than there was an issue that needed to be resolved.

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So the way things are drafted at the moment, it's possible, for argument's sake, the first complaint in a 12 year in a 12 month period comes from from Norman's farm and is resolved as being satisfactory

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somewhere in that 12 month period. Then Waterhouse Farm raised an objection, and Waterhouse Farm and Norman's Farm are the two four remaining two receptors for five estuaries. The way, the way so it would appear at the moment, the way it's drafted. Norman's farm makes the first complaint not not resolved. Sometime during that 12 months, Waterhouse farms occupy then make a complaint and it would seem that that would not be investigated because of the reference.

00:17:15:04 - 00:17:17:00

I think it's to area.

00:17:19:04 - 00:17:39:13

Paula McGill. If we can possibly resolve that through drafting. That was not the intention. The intention was, for example, if you had 2 or 3 houses in all very close proximity or a little street, that would be, you know, you would measure in the street and that would apply equally to all those houses, not that those defined receptacle locations or somehow get merged into an area. So we could take that wording away and try and clarify that.

00:17:39:18 - 00:18:01:17

Yes. On my reading it was not clear and I've obviously interpreted it one way. Others might interpret it different, but if there's any doubt, then particularly when you're in a noise complaint handling situation, that could start to become quite tricky. Do the councils have any thoughts about, um, the need for that paragraph in particular to be revised.

00:18:03:12 - 00:18:38:09

For Tendring District Council? Um, yeah, we, we feel quite strongly that, um, that paragraph, that section needs to be looked at. I mean, um, it's not only because of the concerns you've outlined, but, you know, if you put yourself into the nearby residents shoes, you know, there are so many unknowns here, um, in terms of this cumulative, um, impact assessment in terms of noise. So, you know, the residents in that area and indeed wider afield.

00:18:38:11 - 00:19:31:19

They are really concerned and confused, um, around, I guess around the sequential approach taken here in, in respect of the timing of, of this DCO application, uh, together with, you know, the, the North poles to follow and the East Anglia connection to follow, which is, which is a fair bit behind in terms of, um, in terms of that process compared to, uh, to the former to I've just mentioned, um, as set out in our submissions, you know, people are gravely concerned, um, because, you know, for, for residents, um, and for the council, it is rather obvious that it's very highly, um, it's very highly likely, um, that that this project that we're discussing now will, um, will only be implemented if the Anglia Green connection node, um, gets the green light, so to speak.

00:19:33:02 - 00:20:05:06

Um, because otherwise you know there will be no connection. Note for for five estuaries and I guess North Falls to connect to as I understand again as I'm understanding it anyway. So so you know that that just picks up on your on the examining panels very point just now. You know, residents will, um, will precisely want to know how such, such an eventuality as just set out by you will be dealt with.

00:20:06:01 - 00:20:31:21

Um, and more more particularly how the cumulative impact in terms of noise, you know, can be accurately assessed at this stage. If there are so, so many unknowns, you know, one has to put yourself in the position of, of of those nearby residents. Um, you know, and if you do that, then you can completely understand why people are so, so perplexed and confused. Thank you.

00:20:39:23 - 00:21:09:08

Thank you. Did Essex want to comment or rest with tendering? Um, I think really from this question there is a need to go back and have a look at that wording. Um, to make sure that, um, as I phrase it, there isn't an embargo that unreasonably, um, stops an investigation, which might come from two different directions. Um, in the same 12 month period.

00:21:42:05 - 00:21:48:14

Before I move on to my next question about the protocol. Did did the applicant want to say anything in response to what the council has just said.

00:21:49:21 - 00:22:38:11

For the applicant? Um, I don't entirely agree with the council. I do not agree that there are too many unknowns to do a cumulative assessment at this time. We have done one, and we have worked with the two other promoters to do that. We are also proposing a hard noise limit of 35dB at the identified receptors. For us, regardless, that would address the cumulative noise from all three in a worst case. So we are looking at a firm limit here. The very purpose of this joint document that is on the screen just now was to try and give reassurance and explanation to the councils and the community of how noisy, how noise complaints could be investigated, where there are three potential sources Given that, you know, it would be very difficult for the Council to undertake that with three different operators, we fully recognise that.

00:22:38:13 - 00:22:40:17

That's why this document has been produced.

00:23:21:18 - 00:23:24:12

Moving on to my next question.

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And this. This really revolves around paragraph 6.5 J

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um, where the

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prior to the end of this investigation, there have been several steps. We then get to um paragraph or subparagraph J where there's a period of up to 60 days for the appointed consultant to issue a report of findings. So this is a situation where there is a problem being found on the ground, and it requires further investigation and perhaps remediation. Um, really the query is, is 60 days.

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Um, an acceptable period or too long? So this is this is both for the council and the applicant. And I'm really couching in the on the basis that

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it is possible that the initial complaint is made. One project investigates, it finds no, we're not the source. The investigation then moves on to second project. It investigates, decides it's not the cause. Then the investigation moves on to the third project, which is the cause and needs to do further investigation and perhaps put together remediation measures.

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That's potentially not just taking 60 days that that could have taken several months because of the various steps that need to be gone through. So. the complainant will be experiencing whatever level of noise for perhaps by this stage, several months. And then we have a two month period in effect for the report to be issued to the local authority, setting out what, in effect, the offending project is going to do to address.

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Just the point. So my query here is, is 60 days reasonable for that final step? Or should that be shortened so that there is potentially a quicker resolution to the matter, given that, that it will already have, um, been present for some considerable period of time?

00:26:26:00 - 00:26:52:27

Uh, Paul McCartney for the applicant that 60 days is to to develop the mitigation measures and how they would, you know, be delivered. It would take time to work with the equipment suppliers and work with the the engineers and the designers, and then put that all through noise and assessment to make sure that it would deliver the mitigation that had been required. We do think that that period would actually be needed to do all that work to ensure the mitigation that we're then putting into the council on that report would be effective.

00:27:19:09 - 00:27:27:16

Before I turn to the councils for any thoughts they might have, quick question. I think specifically for Mr. Carter.

00:27:33:06 - 00:27:51:11

The investigation has revealed a problem, um, which might mean, um, acquiring new bits of kit as a replacement because perhaps a part has failed. Or it might mean, um, some sort of screening.

00:27:53:15 - 00:28:30:08

Under that site. Do you consider there might be some sort of temporary measure that could be introduced to address whatever the noise was, so that if it was going to take six, 60 days to actually report to the council as to what was going to happen next. This is even before we get to actually correcting the problem. Um, would it, in that sort of site, be possible to identify some sort of temporary measure that might remediate the problem while the final fix was actually developed and then installed.

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Because we now sound like we could be several months away from a fix.

00:28:43:03 - 00:28:49:22

Well, I have an apology. Sorry, that is not a question for Mr. Carter. He's about noise measurement and assessment. We think that's more a question for me now.

00:28:58:12 - 00:29:22:12

So, uh, Alice Maynard, for the applicant, we'd like to raise the, you know, uh, highlight six point section 6.4 in this. So prior to sort of initially when there's a, uh, a complaint, we'll do, you know, a walk around, try and understand the, you know, obvious causes of, uh, the complaint we.

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are happy to look into temporary measures, but you know, that can be identified during this walkaround. But, um, obviously this is a joint document, so we can take that at all. I can really commit to is taking that away to discuss that with, uh, the other part, the other parties.

00:30:28:06 - 00:30:40:00

Turn, turning in to the council. Have you got any observation? Uh, tendering, I should say. Um, in terms of what you've just heard. In terms of my initial putting in the question and the responses that I've had to it.

00:30:42:01 - 00:31:22:13

Well, yeah, I mean, there seems to be a quite a sharp focus on this 60 day deadline, but it appears to me that, um, there are kind of, um, sub sub deadlines missing because if you again, if you put yourself in the shoes of somebody living nearby and the fact that they will ultimately be subjected to like more than one substation, um, in the new substation in this in, in this area then. Yeah, I mean, this the likely scenario that you've set out there, you, you know, um, a local resident could, could be, could end up in a situation where they they've they've lodged a complaint.

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Um, and and it could be like several months, maybe even a year before they get clarity on, you know, you know, after step one or stage one. Um, so I think, I think we definitely need to, to take these issues away and speak to our colleagues at, um, you know, our environmental health colleagues at Tendring and, um, Essex County. And we will continue to work with the, um, with the, the the applicant here to, um, to, you know, to get to a better, a better position and more and better clarity for, for local people in terms of the complaints protocol.

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Thank you.

00:32:11:03 - 00:33:05:00

Thank you. I think I think from the examining authority's perspective, all we can say at this point is this examining authority because there will be another one looking at this issue at some time, no doubt in the future, but certainly this examining authority for five issues. I think we do have reservations about the length of time it will potentially take to resolve some of these issues. Um, and noise in a sensitive, rural or quiet rural location that can be intrusive, um, and potentially I certainly, as I will say, you think potentially you could end up with a complainant, um, who would or complainants who would increasingly become irate, um, over the length of time it was taking to resolve something.

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Um, and it just does seem that there would be an inordinate length of time to resolve the issue. In this particular environment, we're not dealing with an urban environment where there tends to be a lot of noise. Daytime and perhaps into the early evening period. Um, and certainly in a previous, um, working environment, I have had to deal with two projects and a noise problem that did take a long time to resolve.

00:33:37:22 - 00:33:54:01

Um, and we certainly throughout that period, on the local authority's perspective, we had lots of complaints and we we were unable to, um, assist the local community because it was out of the local authority's hands in terms of being able to find a solution.

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So I think the examining authority is asking the applicant to go back, uh, and to have further discussions with the two other projects to see whether or not there is a way of finding a, um, a speedy way of sorting out some sort of resolution.

00:34:20:28 - 00:34:34:16

Good evening, the applicant. We will do so, sir. But, um, our thinking at the moment is that we would want to receive the comments from Tendring and Essex at the same time, because putting this around the cycle of all the parties can take a little while, and it'd be helpful to do that all in one process.

00:34:34:27 - 00:34:49:18

But from what the councils are saying, they will conclude, um, their response to the document by deadline. Six. You've got a bit of a starter in terms of this examining authority's views on certain aspects of the the outline protocol.

00:34:52:19 - 00:35:22:27

And I've really got just one final point, and I think it might assist everybody, um, perhaps to assist, uh, the potential use of the protocol. Um, it would be of benefit if a location plan was added to it showing the various receptors. Um, it took me a little bit of time to work out where receptors were that relate to projects other than five estuaries.

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Um, and I've got the benefit of having looked at some of these documents for some time and various different plans, but some of the other locations for the two other projects weren't immediately, um, identifiable to me. Um, and so I'm used to looking at plans and documents, but members of the public might struggle without a plan being included. Is that something that, uh, the applicant thinks that it and the other two parties to this document would accept should be included?

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Um, we don't foresee an issue about we will take away.

00:36:25:09 - 00:36:36:21

But that was all I had. Is there anything from either of the councils that they wish to raise about noise at this point? I'm looking at Tendring first.

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No, nothing. Nothing new for me.

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And anything from Essex at this point.

00:36:50:18 - 00:37:33:21

For Essex County Council? Um, from the council point of view, what we don't want to happen is at the end is like individual projects just passing the ball to each other. So we wonder whether it could have a more collaborative approach between the three operators at some point that if a complainant is not happy with, with, with the progress of, of the investigation, that they could have a forum or a platform, that they can speak to the free operators and have a joint approach to, to handle the matter or like in discussing about remediation measures.

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Thank you.

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When it might be in your deadline six submission, you could perhaps outline what you think. Um, sort of forum might look like. And if you've got any examples where such a measure is already being used with other projects that might assist. Does the applicant have any observations to make at this point, or do you want to wait and see what? Essex submits a deadline.

00:38:29:13 - 00:39:10:06

Sets up. Good for the applicant. We will review what they submit, but the the idea of the forum was raised where the investigation has already begun, and the point of the investigation is undertaken

jointly to identify which substation is causing the issue. The remediation of that issue is then for that operator, not a joint forum. It would not be within our ability or control to ignore or yet do particular things to remediate their issue. So I'm slightly dubious as to what the utility of that would be, and quite what purpose it would serve, and why the operators who are not causing the problem would would frankly be in attendance because there is nothing they could practically do.

00:39:30:02 - 00:40:06:00

Perhaps if I'd asked Mr. Carter, calling upon your experience of no doubt either investigating complaints, um, and or responding to them in the in the past, in the scenario that we've got here with three substations pretty close together. Um, and the potential for an initial complaint to come in and the first, um, substation operator to to do the walk over and then perhaps have to hand the problem onto the second one and perhaps the second one having to hand on to the third.

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Um, how quickly do you think? Just on on the basis of doing the walkover type initial assessments, a resolution might be achieved in terms of determining which of the three sources was actually most likely to be the one causing the problem.

00:40:28:15 - 00:41:17:08

Uh, Richard Carter, for the applicant, um, uh, it should be fairly evident. Um, if if one of the three substations has developed a fault as to which one that is, and it in all probably, um, likelihood it will be the receptors closest to to that one that will have, um, caused the, the um, the complaint initially. Um, one thing to note is the first, um, process in investigating, um, a suspected limit exceedance will be to measure the total noise from all substations at the complainants property or at a suitable location that can enable that to be calculated in accordance with British Standard.

00:41:17:10 - 00:41:58:07

4142 um, that will quite quickly tell you if, um, the total limit is being exceeded or not. Um, obviously, if it's not exceeded, then the do you know that the noise limits, um, shouldn't be exceeded individually? Um, and no further investigation would be would be needed. It's only if that is exceeded that then the slightly more detailed investigation is required. And and then the, the um, the, the responsibility for investigation may move from, from one operator to, to the next.

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It. Essex ones. Yep.

00:42:24:29 - 00:42:27:23

And then a story. Essex County Council and I may.

00:42:28:03 - 00:42:29:04

Possibly speak up a little.

00:42:30:02 - 00:43:03:18

Story. Essex County council. I may have misunderstood, but, um, so if there is a complaint on the procedure, it looks like each, um, applicant, each windfarm would go and do a walkabout initially. But from what you have just said, is it not that you would you would measure all three at the receptor site

where the where the noise is? I think it just seems to me, would it not be more prudent to do that initial one? But you would measure all three at the receptor site, and then the onus is back on sorting that out between the three of you, rather than three of you.

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I think we're trying to get the time frame down.

00:43:21:15 - 00:43:54:04

Richard Carter for the applicant, and I think this is a slight misunderstanding there. Um, it's not possible to, um, go to any location and and measure different sources separately. You can only measure the total noise that's there. So if a complaint is received, what the protocol will determine is, is who is the initial investigator of that complaint. So they will then have a look around their site only.

00:43:54:08 - 00:44:32:29

Or um, it would be prudent to perhaps look around the others if nothing was evident with their, with their own, To try and identify if there is, say, a transformer or another item of plant that's producing more noise than than it would be expected. Um, and then that then the measurements would, would, would start from there, which may um, be at the complainants location or some nearer to the, to the equipment so that you're measuring more of the equipment noise than, um, the total noise of all equipment.

00:44:51:24 - 00:45:07:29

For that, can we just be very clear? The point of the joint protocol is if there is a complaint, somebody goes out jointly on behalf of all three to do this first investigation to try and work out where the problem is coming from. It's not that each operator would have to go through that step. So we are trying to work together and save time there.

00:46:08:00 - 00:46:13:05

But does that response assist with the answers to the question that you put?

00:46:14:15 - 00:46:50:03

Um, Carol Wallace, Essex County Council. Um, I think from our point of view is we want to shorten the timeline. So say if there's an example that, um, two of the operators are having 40 parks, which are not the closest operator, then it takes a long time to come down the route, and then you have to wait for the second one before the third one to find out. They also have problems. So we are thinking, is there a mechanism that can notify the other two that there's a complaint and there might be issues.

00:46:50:06 - 00:46:54:02

So it can shorten the time. Overall if I want to say.

00:46:54:04 - 00:47:24:25

What miss McGeady just said on the absence of a complaint is received. Um, at some sort of central point for the three projects. The three projects then jointly instruct an Acoustician to go out and undertake an initial assessment as to whether there is a problem. That initial assessment, which is undertaken jointly by the three projects, tries to pin down in the first instance, which is the most likely source of the problem.

00:47:26:07 - 00:47:55:26

Um, and then more detailed work is undertaken by an acoustician appointed by the project that is thought in the first instance to be the one that's causing the problem. Then if after that initial step was not the initial step, it would be a second step. It's found that actually the project that was initially thought to be the source isn't, but perhaps one of the others is. Then the complaint gets passed on.

00:47:58:26 - 00:48:21:00

For the applicant. Mhm. We. We don't think that it's really logistically likely that it would need to be passed on after that first step, because the whole point of that investigation is to identify the source, and they can do that with considerable certainty when they're on all three sites. We don't think this chain of we thought it was us, but it's not. So you go and look, it's realistically likely to happen.

00:48:21:18 - 00:48:35:09

It might be that there's some wording in the protocol that needs to to to make that clearer, because certainly on first reading that that's my understanding of it, that it is a bit of a stepped process.

00:49:13:11 - 00:49:24:05

Well, maybe you can. We we think so that we will review that wording when we pick up the other points from the council, because there wasn't supposed to be a daisy chain of this being passed on at some length.

00:49:40:05 - 00:50:03:15

I think then what arises out of this discussion is that after the applicant, sorry, after the council's have submitted their deadline at six submissions and the applicant has had the opportunity to review those, then at deadline seven, uh, potentially, we see a revised protocol.

00:50:47:22 - 00:51:19:24

Uh, but that's everything that I have in terms of, um, agenda item three six and socio economic matters. Um, I think therefore this this would be a convenient time to take a lunch adjournment. Um, looking at suggestions for period, I mean, we normally take an hour. Um, it would perhaps be sensible to come back at 2:00, which would be slightly over an hour.

00:51:21:05 - 00:51:22:10

Applicant's views on that.

00:51:35:11 - 00:51:37:03

Um, I'm sorry, miss McGeady.

00:51:37:05 - 00:51:41:21

We're happy to go with the panel. We'd be happy to come back at 1:30 or 2:00, whichever suits you better.

00:51:42:19 - 00:52:03:07

Um, I've had an alternative suggestion put to me from my right hand side in terms of how long we think it might take to actually conclude, um, This this hearing. Um, colleague, uh, Mr. Herron thinks he doesn't necessarily have too many questions to ask on offshore ecology.

00:52:11:23 - 00:52:22:22

No, no, it's really the query that's now arising is whether we just carry on to a natural conclusion, which might be an hour and a bit, or whether we take a lunch.

00:52:25:11 - 00:52:33:27

I'm right. I'm I'm hearing from this side of the table we will take a lunch adjournment. Um.

00:52:35:29 - 00:52:50:12

Are people content that we come back at 1:45, or do you want to come back at 2:00 or 2 to 2? Yeah. Okay. The hearing is therefore adjourned until 1:45. Thank you.