

Hearing Transcript

Project:	Morgan and Morecambe Offshore Wind Farms Transmission Assets
Hearing:	Preliminary Meeting (PM) - Part 2
Date:	29 April 2025

Please note: This document is intended to assist Interested Parties.

It is not a verbatim text of what was said at the above hearing. The content was produced using artificial intelligence voice to text software. It may, therefore, include errors and should be assumed to be unedited.

The video recording published on the Planning Inspectorate project page is the primary record of the hearing.

M&M_29APR_PRELIM_PT2

Created on: 2025-04-29 10:57:59

Project Length: 01:19:34

File Name: M&M_29APR_PRELIM_PT2

File Length: 01:19:34

FULL TRANSCRIPT (with timecode)

00:00:05:28 - 00:00:24:00

Okay. Excuse me. Thank you everybody. It's time to resume the preliminary meeting. And we're now moving on to agenda item five, which is procedural decisions taken by the X a, which are the leading on and.

00:00:26:09 - 00:00:33:16

Further to the discussions that took place prior to the adjournment with, uh, Mr. Broom.

00:00:35:22 - 00:00:40:06

Is there room with you? Are you with us? Are you back with us? Just to make sure that you're.

00:00:41:22 - 00:00:43:00

You can put your hand up.

00:00:49:02 - 00:00:53:12

I'm not sure she is. So are you. Can you hear me?

00:00:55:28 - 00:01:08:29

No. Okay. In that case, I will. Maybe that she's not returned back from the break. So I'm going to move on to the what I was going to discuss, and we'll come back to that item at the end of the procedural decisions. Um,

00:01:10:21 - 00:01:29:28

so what I wanted to do is to go through the procedural decisions that have already been taken by the Exa, and these are in the rule six letter. So I'll take these in hopefully sort of relatively short form. The first one is statements of Common Ground.

00:01:31:29 - 00:02:11:27

Part one of sets out examining authorities requests for statements of common ground between the applicants and several interested parties. And I just reiterate, these are important documents for us by providing focus on the matters where there is disagreement between parties. Most importantly, they should set out the matters where there is disagreement, along with a summary justification justifying the position of the other party. I know some examinations now have a statement of common ground and a principle area of disagreement document. I think our intention is that the principal area of disagreement documents is included in the statement of Common ground, because it is the most important part of the statement of common ground.

00:02:12:07 - 00:02:22:07

As we as we see it. So we're not saying that principle of disagreement shouldn't be provided. They should be provided in the statement of common ground. Does everybody understand that? Is that.

00:02:23:05 - 00:02:56:22

So? It is done on behalf of the applicant. Um, we will seek to do that. But know that, for example, the Marine Management Organization and Natural England have very particular ways that they like to report on those things now and noting that they are both parties listed in the statements of Common Ground. Our intention is to make this as streamlined, a process as useful for everybody in terms of understanding where there are issues, where things are being resolved, where they're still under discussion, um, if that can be folded into statements of common ground.

00:02:57:00 - 00:03:06:23

We will, but it may not be possible where other parties have a particular way that they wish for those issues to be reported against, but the request is noted.

00:03:06:25 - 00:03:38:15

Okay, I understand it. And the Natural England, uh, submissions in that regard are actually probably quite helpful to a degree in setting out what what those what those issues are the same for the MMO as well. Uh, it's really to reiterate the point that states have common ground. Perhaps the most important bit for us is where is the disagreement and the justification for for that, and just an explanation as to why we're not asking for separate paths. I think because they're as they're known, we expect it all in the statement of common ground. Yeah, I understand what you what you say the deadline is for.

00:03:38:17 - 00:03:57:19

The first submissions of these initial ones is deadline one on the 20th of May, with subsequent opportunities for updated versions to be submitted through the course of the examination. Uh, where with final signed versions to be submitted by the 20th. If that's not correct, is it the 20th of May? Um.

00:04:00:03 - 00:04:14:12

It's deadline six for the 22nd of October for the final submissions of Statements of Common Ground. But obviously any which can be submitted before that, that would be that would be welcome. Um.

00:04:14:27 - 00:04:48:05

So before you move on down on behalf of the applicant, we will do our utmost to meet those deadlines. Um, you'll appreciate that. Um, statements of common ground involve two parties rather than just one. So we will be working as hard as we can to get those, uh, for deadline one. Um, and, um, get the final versions for deadline six or earlier, if we can. Okay. Um, we did have some comments on some of the parties that statements of common ground have been requested from. Um, is it is it the right time to make just a comment on those now?

00:04:48:15 - 00:05:18:15

Can we'll come on to that. If that's that, that's okay. Mainly because I don't lose my place and where I am because I forgot to mention something also. Uh, we. At each deadline where statements of

common ground are submitted. We request updated statements of commonality which are explained in the rule six letter. So we won't go into more detail on those. Uh, we've covered the Natural England risk issues. Log in the conversation that's just taken place.

00:05:19:14 - 00:05:19:29

Uh,

00:05:21:26 - 00:05:52:17

I note that the MMO and the Canal and River trust perhaps this person to mention this in relation to your last point, that they've stated that they've not yet been provided with a draft statement of common ground. So if I could urge the applicant to provide that information to the parties as quickly as possible where it's not already been done. So because obviously, like you say, it takes a combined effort. So, uh, obviously we're at the point now where that becomes that becomes important. And there's a request, I think, for a further statement of common ground.

00:05:52:21 - 00:06:11:06

I think it was Mr. Walker's request suggested a statement of common ground with Newton, with Clifton Parish Council, and that that's been extended now to cover the other parties you're representing today. I don't know. I'll leave it. I'll leave it for you. But what is the rationale for requesting one? First of all.

00:06:12:23 - 00:06:46:24

Sir, I think it would be useful to identify the points that are at issue as a parish council. Um, but I incidentally, it would probably be Newton with Clifton and Freckleton parish councils, but not I don't think it's appropriate for Newton Residents Association. They do have some legal status as parish councils. And therefore I think it's appropriate that they should be entitled to enter into a statement of common ground, and it would be useful to the examination to see what issue, what remains at issue between them and the applicants.

00:06:48:14 - 00:07:09:13

Okay, I understand this. I know sometimes it seems like common ground. They can involve a lot of resource. Sometimes I think we probably fall short of asking ones from parish council or even residents groups sometimes. But they are, they can, they can possibly be done and they can be they can be useful. But I do acknowledge, too, that they can be a resource. So why we don't necessarily always ask for them from parish councils because of the resource implications for them.

00:07:09:21 - 00:07:14:00

So acknowledge also that there are already 23 on the list, which is quite a long list.

00:07:14:02 - 00:07:14:20

But we have a quite.

00:07:14:22 - 00:07:18:20

Long. Nevertheless, that is not relevant to our.

00:07:20:24 - 00:07:21:28

Desire to have one.

00:07:23:18 - 00:08:09:25

Mr. Liston, on behalf of the applicants. Um, we note the request will consider it, um, and respond. I think this is probably the time to raise the points that we had about the list of statements of common ground. And it's particularly, um, and it links to the point around Canal and Rivers Trust. There are a number of statutory undertakers Acres listed in that request for statements of common grants. We've got Cadent, Gas Canal, Rivers Trust, National Gas Transmission, National Grid, electricity Network, Rail, SP Energy Networks and United Utilities, all of whom are the applicants are already in active discussions with on both protected provisions and any related agreements.

00:08:10:19 - 00:08:45:04

And whilst we are very aware of the focus at trying to get protected provisions, um, resolved during examination rather than, um, sort of, uh, dragging on post the end of examination and that you'll want to understand progress. Um, we would question whether statements of common ground, um, are the best way to do that in terms of that resource drain, given that we are in, as I say, active negotiations and discussions with all those parties on protective provisions and related agreements.

00:08:45:06 - 00:09:15:20

So our proposal would be, uh, those interests are already captured in the land rights tracker. And whether we provide an update on, uh, points of discussion, uh, outstanding points through that process, rather than requiring a separate statement of common ground, which I think potentially is a, as I say, a better use of resource, um, than trying to be agreeing statements of common ground alongside protective provisions and agreements.

00:09:15:29 - 00:09:41:26

Um, so we're very happy to update the examining authority on progress on those deadlines and know that that will be important to you in terms of getting those issues resolved. But we don't think that statements of common ground are necessarily going to be the best way to do that. Uh, as I say, given the the matters that you've also sought for the statements of common ground to cover, a number of which are not relevant to those statutory parties.

00:09:42:09 - 00:09:43:15

Okay. And.

00:09:50:03 - 00:10:26:06

And just in relation to what you said. Obviously we'll consider that. I'll just ask you as well to list the ones, just to be absolutely clear where you what you just said applies to but statements of common ground. I think in my experience it was common ground can be very, very long. And it's only about four pages that we are really interested in. Uh, there appears to be lots of information, some of them, which is I'm not quite sure how helpful that is. It is the bits talking about where the where there is disagreement between the parties and an explanation for that disagreement between the parties and an alternative way forward, be it with protective provisions suggested drafting.

00:10:26:11 - 00:10:56:24

I think the issue we're putting on the land tracker, it will will that information be so detailed in the land tracker? I'm not sure it necessarily will be, but but for those statutory parties that you're about to list, There could be a sort of different form of statement of common ground with just that information in it. They don't need to be. It was only two areas of disagreement over, for example, two paragraphs of a particular provision then. That's that's the key bit. I don't know if that's helpful. Obviously we will.

00:10:56:26 - 00:11:00:24

We'll think about this a bit more before we make the final decision in the rule eight letter.

00:11:01:06 - 00:11:35:23

Um, at least on on behalf of the applicant, that's exactly what we're trying to achieve, is a streamlined document which focuses on the key issues between the parties, gives the examining authority and the examination, and a regular update on where those matters are. Um, and again, from an applicant's perspective, um, it's obviously in everybody's interest to get those protective provisions sorted as quickly as possible. So it's helpful to us to be able to be providing, um, to be providing those updates as well as for those parties involved in the, in the discussions.

00:11:35:27 - 00:12:07:07

It's just looking at the sort of outline of statements of common ground set out in the in the Royal Six letter. There is a lot there, and what we would be looking to do is finding a way, except that perhaps the land rights tracker, it gets lost. It's too short. But whether it's a separate tab or a separate report which effectively picks that up, gives you, gives everyone a good idea of where we at in our at in terms of those negotiations and discussions, the points that are still to be resolved and can be updating the examination regularly.

00:12:07:09 - 00:12:25:04

So that would be our request. And I actually think it would be it would be more useful, um, for the examination and for you and for everybody involved to be doing it that way, rather than having very long statements of common ground that probably deal with a whole load of matters that aren't, frankly, relevant to the issues in discussion.

00:12:25:15 - 00:12:28:00

And which were the parties that you,

00:12:29:19 - 00:12:33:25

the the parties that you were particularly referring to from our list.

00:12:34:13 - 00:13:06:18

Is less done. On behalf of the applicants, I'll list those out again. against that Cadent gas. Canal and rivers. Trust. National gas. Sorry. National gas transmission. National grid electricity transmission network. Rail SP energy networks and United Utilities. And I'm just going to check the draft DCO and see if there are any other parties that we have protected. Provisions with the Environment Agency.

00:13:06:22 - 00:13:17:25

There are draft protection provisions with the Environment Agency and with the lead local flood authority. So it would be a report on an update on statutory undertakers and those protective provisions.

00:13:19:09 - 00:13:33:15

Would that be something the other party actually signs up to though, because the status of the ground is important that it is at the end of the day, it's signed by both, by both parties, and it has a central common ground has to be contributed by both parties. And what you're just talking about, would that still would that still do that.

00:13:34:11 - 00:14:10:05

Is done on behalf of the applicants, it would be. We'd have to think through that and clearly. Engagement with those parties on agreeing what goes into that document would be. Will be necessary. I mean, typically on other projects, we have agreed parties have agreed with those statutory undertakers, agreed statements to go into the examination at various times. And I think it would take more of that, that form of a sort of position statement from the parties at a particular point, um, recognizing that, again, it takes two to work these things out and come to an agreement.

00:14:10:07 - 00:14:28:05

And sometimes you may only get a position from the applicant, uh, if it hasn't been possible to, to reach an agreed position with the relevant statutory parties. But that would be clear in that document that this is the applicant's position, um, rather than it being agreed position.

00:14:29:19 - 00:14:44:24

Okay. Thank you. We'll we'll come to a view on it in the rule eight letter and we will deal with it there. As any party, particularly any party that's that's got potential stands on common ground that have been referred to. Wish to make any comment?

00:14:52:08 - 00:15:11:01

No. I think you said that you would also be. It's an important step in the process for that party to agree to whatever I say. We will make it clear in the rule eight. But in terms of the final approach, then I think a conversation between the applicant and those parties would need to be carried out as well. Um, okay.

00:15:12:29 - 00:15:14:15

Thank you. Um.

00:15:20:05 - 00:15:23:03

Any further comments on statements of Common Ground?

00:15:26:24 - 00:15:58:01

So yes, I think, um, Samantha range from Eversheds Sutherland for BAE BA systems. And we would just like to make a brief comment around the statement of common ground between the applicant and BA. Um, particularly with regard to, uh, Dio. So they're representing the Ministry of Defence. They've made a relevant a very brief, relevant representation. So they are an interested party. Um, they have a safeguarding role at Warton Aerodrome, which obviously is a principal concern to be.

00:15:58:22 - 00:16:32:01

Um, at the moment they're essentially deferring to be on all aviation relation issues arising at the aerodrome. Um, we just want to flag that, as Mr. Forshaw has identified, there's going to be a need for some further assessment work in terms of the aviation matters that directly impact the aerodrome. Um, depending on the outcome of those, um, additional assessments that will inform base requirements, um mitigation solutions, etc.

00:16:32:06 - 00:17:06:15

and it may be that as part of those ongoing discussions and BA will need to involve Dio or Mod represented by Dow in that. And so it may be that some joint submissions, joint statements are necessary and potentially even a joint statement of common ground with with Dio. That was the approach that was taken on me generating assets applications for both Morecambe and Morgan, um, particularly because of the impacts on me, uh, primary surveillance radar at Warton.

00:17:06:17 - 00:17:18:12

So, as I say, depending on the outcome of those further assessments, it may be that we need to, um, bring Dio back into the discussions more actively. And we just wanted to put that on the examining authority's radar.

00:17:18:21 - 00:17:30:03

Okay. Thank you. I understand the point. I will say to that some of the points you've talked about, we'll be talking about in more detail at issue specific hearing one starting tomorrow, That was done to give you.

00:17:30:05 - 00:17:40:22

Opportunities on behalf of the applicant. Um, I it probably worth just putting down the note that we don't consider any further assessment is required, um, in that respect. But we will be discussing that.

00:17:40:26 - 00:17:41:12

Okay. Let's leave.

00:17:41:14 - 00:18:09:07

That to. Yeah, that's a matter for tomorrow. Um, or Thursday whenever we get to it. Um, uh, and note the note, the position of, of Dio, um, and just request that, um, from BA as the, as a sort of, uh, intermediary between, uh, the applicant and Dio that they do seek to work proactively to resolve those issues, um, and, and ensure that kind of aligned approach as far as possible.

00:18:09:16 - 00:18:12:07

Thank you. Okay. Thank you. Thank you for that point.

00:18:12:22 - 00:18:13:12

Thank you.

00:18:15:28 - 00:18:21:22

Okay. Is that everything or statements of common ground? I think it is. Thank you.

00:18:24:14 - 00:18:56:03

Okay. Moving Um, we've already talked about comments on relevant representations, so I don't need to talk more about that today, or only to say that any further responses to other representations that not have not already been provided should be submitted by deadline. One which is always in well is in this examination timetable. Uh, just to, you know, responding to Mr. Walker's point before as to sort of the backstop for when those responses to relevant representations need to be provided.

00:18:56:20 - 00:18:59:04

Um, any questions on that?

00:19:00:08 - 00:19:25:26

Uh, Liz, done. On behalf of the applicants, it's just a flag. Um, I know the NFU aren't here today, but the applicants did emit a response to the news. Relevant rep. Um, we have sent that directly to the NFU, and I think had asked whether the examining authority would accept it, um, before deadline one, but we were told to submit it at deadline one. So that has gone to the NFU. Um, and it will be submitted at deadline one.

00:19:25:28 - 00:19:26:13

Yeah.

00:19:26:17 - 00:19:58:12

Yeah. Thank you. I think just for clarification. Any submissions submitted now on. And obviously that was the first one of these will be accepted for the relevant deadline. So the next deadline which in this case is is deadline one. We won't be publishing any information uh, before. And I think I'm right in saying I've not also because it's quite late submission before we travel to the to the meeting. So I'm not I don't know. We've actually seen we've actually seen that. So as far as tomorrow is concerned we've not seen it.

00:19:58:14 - 00:20:04:11

So I'm sure ways can be got around to sort of talk about orally matters. But we've not seen it.

00:20:05:08 - 00:20:24:18

On, on behalf of the applicant. Um, it, it isn't going to be material to discussions. It doesn't the, the representation doesn't raise any points that haven't been made by other parties. It was just ensuring that it was clear that we have we have we know we missed that one and we have prepared it. And and it will be submitted at the appropriate point.

00:20:24:20 - 00:20:26:00

Yeah. Thank you.

00:20:28:05 - 00:21:01:18

Okay. Item three is local impact reports, which we've already talked about. I think all the information is in writing in our guidance and our rules six letter already. So I don't intend to go over that again, only to to reiterate that the deadline for the submission of the local impact reports is deadline one on the 20th of May, 2025. And obviously, these local impact reports are, you know, they're important

documents in the in the examination. Needless needless to say. Uh, there is you probably already seen it advice and guidance on the content of those as well.

00:21:01:28 - 00:21:02:13

Okay.

00:21:02:23 - 00:21:09:04

Any comments on local impact reports? Those are just for the local authorities. Just for the avoidance of doubt.

00:21:11:00 - 00:21:13:19

Okay. Land rights tracker. Um,

00:21:15:10 - 00:21:38:25

there has been a land rights tracker submitted in our rule six Letter was even the rule nine. The rule six letter. I think we suggested some sort of updates and refining of it. Could the just applicant provide an update on the progress of the Land Rights Tracker, bearing in mind what we said in our rule six letter?

00:21:42:10 - 00:21:47:27

List done on behalf of the applicant? Apologies. I'm just checking my response to the I.

00:21:47:29 - 00:22:06:25

I think what we were saying in our land Rights tracker section of the rule six was, was that it aligns with the, by and large, with the current sort of land rights tracker that examining authorities now request. I think it was almost there. There were just a few extra bits that would be helpful for us, and I think for the Secretary of State as well.

00:22:07:13 - 00:22:15:16

Lasdun, on behalf of the applicants, I'm sure we've picked those up, and I'm sure we will include those in the land rights tracker to make sure it's as useful as possible.

00:22:15:28 - 00:22:16:13

Okay.

00:22:18:19 - 00:22:35:03

Okay. Thank you. Anything else from anybody on land rights trackers? It is useful document of all affected parties. You know, please contribute. Where where where you can. To to that as well. In discussions with the with the applicant. Uh

00:22:37:01 - 00:23:09:11

closing statements. Deadline seven on the 21 proposed by the 29th of October obviously has been a representation on this that we will we will consider from I think it was from Natural England. Um, is the is the current deadline for the submission of closing statements? Any party can submit a closing statement, and this is intended to be a concise record of the party's position at the close of the

examination, specifically where areas of disagreement remain and reasons for that. And they should summarize the party's position at the end of the examination, but must not introduce new evidence.

00:23:11:00 - 00:23:11:17

Okay.

00:23:16:13 - 00:23:21:26

Item six is submission of draft decodes, and

00:23:23:13 - 00:23:55:11

the timetable includes points in the examination where these are invited to be submitted. Obviously, if the applicant makes changes to its draft DCO and can get those in at an earlier deadline, then that's, I think probably to be encouraged. And please also provide a track change version to be submitted alongside each clean version of the draft DCO, along with, importantly, an accompanying schedule of changes. Very important document and an updated explanatory memorandum where that is needed.

00:23:55:13 - 00:24:05:26

Sometimes the explanatory memorandum seems to fall behind and then gets updated right at the end of the examination. But if that can be updated where necessary at each iteration of the DCO, that will be very helpful.

00:24:06:21 - 00:24:10:26

At least done on behalf of the applicants. All noted. And we will do that.

00:24:10:28 - 00:24:11:14

Okay.

00:24:12:12 - 00:24:12:27

But.

00:24:25:11 - 00:24:25:26

Uh.

00:24:29:17 - 00:24:40:14

And the next deadline for the updated draft DCO is deadline two. Is that agreed or does the applicant? Was the applicant thinking of submitting one at deadline? What? It was the only question.

00:24:41:12 - 00:24:52:09

Just list down on behalf of the applicant. I'm not sure I know the answer to that question. If it's not deadline two, it will be deadline one. Um, I can probably confirm.

00:24:52:17 - 00:24:53:23

Um, we can we can deal with.

00:24:53:25 - 00:24:54:10

It.

00:24:54:12 - 00:25:04:18

In the next specific hearing, because there's a DCO section, which is meant to be more of a general section on the DCO rather than detail specific points. But that's one of the points that can be picked up.

00:25:04:20 - 00:25:08:17

Thank you. Okay. Um.

00:25:11:15 - 00:25:43:01

And item seven is also a request for the applicant to submit applicants to submit an updated application guide at each deadline. This is very useful document because this will inform everybody as interested parties, everybody in terms of what is the most up to date document before the examination, because obviously we understand there's a lot of documents, there's a lot for people to get on top of and understand. But that examination guide, our application guide, will make it clear which is the most up to date version of every document.

00:25:43:03 - 00:25:55:14

So when people provide written representations and want to refer to a particular document, please use the examination and the reference for that particular updated document.

00:26:00:12 - 00:26:06:18

And again, if a track change version of that can be submitted to us. Thank you. Okay. Um.

00:26:08:22 - 00:26:40:14

Site inspections as I think has already been said, it's been an inspection carried out by my colleagues on the 18th, 19th and 20th of March, and most of this inspection is available on the website for viewing. For the avoidance of doubt. I was unable to attend this inspection for personal reasons, but I'll be undertaking my own company site inspection in the next few weeks. I don't need to give a date for it because it's my own and a company site inspection, but it will broadly follow the routes taken by my colleagues.

00:26:40:26 - 00:27:13:05

Uh, with any exception to that, I will I will make clear in a in a note. In addition to this, the proposed examination timetable includes dates reserved, which is week commencing 23rd of June for an accompanied site inspection. This is where interested parties, the applicant, the councils etc. are able to come along if they wish. Our starting position for this is that a company site inspection should be used where it's necessary to make an inspection in the company of an interested party, for example where access to private land is required.

00:27:13:08 - 00:27:45:08

We might want to go on to add a request to go on to farmland, or sometimes interested parties. Invite us to visit the house to look at a scheme from their house. Um, and those have to be accompanied. Um, and it may also be appropriate to make arrangements for access only to be provided to specific

sites where we will do it almost as an accompany site inspection. We just have the landowner's permission to go on to the site. Uh, there's a deadline one.

00:27:45:14 - 00:28:09:06

We've invited any suggested locations for our future inspections to be submitted, which is Tuesday, the 20th of May. Uh, together with any requests to attend an accompanying site inspection. And this should include details of the locations proposed. The reasons why it has been suggested, and an indication of whether access to private land would be required, and, if so, details for access.

00:28:14:29 - 00:28:49:16

And it can also be useful to visit specific private properties. As I've said in businesses where concerns have been raised about potential effects, and then the applicants are subsequently requested to provide a draft itinerary for the company site inspection by deadline two, which is proposed to be Tuesday the 3rd of June. Obviously taking to apply to take account of the representations on that particular deadline. And this should include relevant locations referred to in the relevant representations as appropriate. Received any other locations at which the applicants have predicted likely significant environmental effects and the location suggested by interested parties.

00:28:49:18 - 00:29:20:18

Submitted by deadline one. And if there can be some in doing so, some liaison with perhaps with the case team about perhaps what needs to be accompanied and what doesn't need to be accompanied, because I think if we were to do accompanied for the whole scheme, it would take too long and I don't think it would be particularly beneficial for us because people can't make representations at site visits. They can point out things that we should be looking at. But people can also do that in writing. So as I say, generally the company site inspection should be where we need to see the site from private land.

00:29:20:20 - 00:29:37:12

I'd also add into that locations where it might be very difficult to park, because I understand there are three locations where it's quite difficult to park, and in which case those could be included in the company site inspection because it's probably easier to organise that with a minibus, for example, if one is used. Um,

00:29:39:05 - 00:30:17:09

and also, can you give consideration to the starting location of any company site inspection along with parking arrangements and means of travel, etc.? Again, if a separate discussion can take place with the case team just to assist with that, that's probably beneficial. Once the list of possible locations come in, and we'll also make further on site inspections as the examination goes on where these are necessary. Uh, and there's been a couple of representations asking for us to look at particular locations. Mr. Cairns has made a suggestion that the Xa visits Three Nuts Lane, near Preston Road and Blackpool Road, which we can add a starting point for the list.

00:30:17:11 - 00:30:26:10

And I think, Mr. Walker, you've made a suggestion as well regarding an alternative site. Do you want to explain that now, please?

00:30:27:07 - 00:30:53:04

Yes, sir. Angus Walker for Newton with Clifton et al. Um, we would like and I will make this representation that deadline one. But I thought it would be worth flagging it up now, given that it is now acknowledged that the alternative route to the north is a principal issue. We would like you to inspect that route. Um, even though at some distance from the applied for route. And we would hope that would be acceptable.

00:30:56:10 - 00:31:04:03

To respond to that or it's up to you. Mr.. Do you want to respond that obviously, we have to take that into consideration, acknowledging that it's not part of the proposed development.

00:31:05:23 - 00:31:36:10

We'll have to move. If I could just say tomorrow in the morning, there's going to be a session on alternative site selection and alternatives and looking at the applicants approach. But I think we intend to also give opportunities for parties to make any representations they want on other alternative locations. Although I would say no need to repeat what's already been put in relevant representations. We've read those, we understand those, and we completely understand the representations being made on alternative sites. So elaboration of that where, where is required.

00:31:36:28 - 00:31:47:11

Uh, and we'll have to come to a view as to whether or not we need to go and to visit any alternative, uh, any alternative location that's been proposed by, by parties.

00:31:48:27 - 00:31:49:24

Would you like to comment.

00:31:50:10 - 00:32:23:08

On, on behalf of the applicants? Um, I, um, would suggest that, um, if it is considered necessary by the examining authority to look at alternative locations that would be a matter for an unaccompanied site inspection rather than a site inspection. Given that the site inspection ideally should be about the project that's being proposed, um, not alternatives. Otherwise, you could spend a very long time, um, travelling around Blackpool and the surrounding area.

00:32:23:21 - 00:32:27:13

Okay, that is noted. Thank you. Um,

00:32:29:03 - 00:32:33:06

okay. Any more comments about site visits? Site inspections?

00:32:36:01 - 00:32:36:20

Okay.

00:32:38:29 - 00:33:13:01

Item nine is additional submissions. And part nine of annex F sets out the documents that we have previously decided to accept as additional submissions. And these include those submitted following our section 51 advice, which was alongside the decision to accept the application for examination last year. The full list goes back to what I say before about the Application document list. The full suite of

the application documents is updated is set out in the applicant's latest application guide, which is PD Dash 002, which we request is updated during the examination.

00:33:13:03 - 00:33:14:14

We've already talked about that.

00:33:17:08 - 00:33:53:23

I'd just also like to add that where I know there's been some correspondence about the submissions that the applicant submitted, uh, pursuant to our, uh, acceptance letter, etc., where the applicants seek to submit. I think we're not inviting these, but where they seek to submit into the examination any further information that may, to whatever degree, result in any change to the submitted application details, including what may appear to be even small changes, then, that this is properly signposted and explained, including a justification and any implications it may have, including for the environmental impact assessment.

00:33:54:09 - 00:34:25:02

Uh reference should also be made, where appropriate, to relevant advice and guidance that may be applicable on changed applications. The notes that I think the applicant submitted after our request at the rule nine stage was a very helpful note, but I think that should have been provided before when the documents were originally submitted. I probably don't need to say anything more on that. Uh, and part nine also includes a list of additional submissions from other parties. That's up our rules.

00:34:25:04 - 00:34:25:27

Six letter.

00:34:28:07 - 00:34:37:03

And the next bit I've already said, which is about documents being published at the next deadline rather than between. Okay. Any comments on that?

00:34:39:08 - 00:34:39:25

Okay.

00:34:43:02 - 00:35:13:10

Also, as part of part ten of annex F, we requested certain elements of further information which included an inequalities impact assessment. Any updates to the ES, including the flood risk assessment. Following the recent publication by the Environment Agency of New Flood and Coastal Erosion Data and a report on the interrelationships with other infrastructure projects. So elements might have been addressed to a certain degree, particularly the flooding, in response to relevant reps.

00:35:13:12 - 00:35:19:10

But could the applicants just respond to to those three requests for further information?

00:35:19:18 - 00:35:25:20

Les Dan, on behalf of the applicants, they will all be provided as as requested for deadline.

00:35:26:02 - 00:35:27:07

Okay. Thank you.

00:35:34:26 - 00:35:36:02

Okay, Mr. Walker.

00:35:37:16 - 00:36:11:21

Sir. Thank you. Angus Walker for Newton with Clifton et al. Um, I'd just like to comment that I welcome. We welcome the request for item three, in particular the interrelationship with other infrastructure projects. And may I ask that it also include, existing infrastructure, not just forthcoming infrastructure, for example, the Walney Offshore Wind Farm where their cables are. If it indicates where the onshore cables for other offshore wind farms are currently located, I think that would be helpful.

00:36:16:10 - 00:36:19:03

And is there a particular reason for that?

00:36:21:01 - 00:36:35:14

Angus Houston. Clifton. Well, yes, it may help, um, the examining authority see what has what routes have already been acceptable in the past. And when deciding this application,

00:36:37:02 - 00:36:46:16

it would be surely better to put infrastructure in close to existing infrastructure than okay, plough new furrows.

00:36:46:27 - 00:36:48:03

Okay. Thank you.

00:36:50:01 - 00:37:06:24

At least on on behalf of the applicant. Um. I'm not sure that that is relevant to the report on the interrelationships with other projects. Um, but we will consider it and determine whether we think it should be included. I would suggest it isn't.

00:37:07:06 - 00:37:08:17

Okay. I,

00:37:10:03 - 00:37:34:16

I think it would be. Yeah. Please go. When you think about that, I think in whatever way it's provided, the information doesn't need to be provided if not provided or already. So it's not included in that particular, uh, report on the installations of other infrastructure projects, obviously, where there's impacts or effects or consequences in relation to existing. That's something which we need to be made fully or fully aware of. Okay.

00:37:41:09 - 00:37:52:02

And item 11 is the applicant's response to our rule eight letter. We've touched on some of this Already? Uh.

00:37:54:26 - 00:37:56:04

Yes. This relates to.

00:37:59:05 - 00:38:29:24

Rule nine. Let's not rule. So sorry. Um, this relates to matters raised by Natural England and the marine management organization, the construction scenarios and the A and aviation. And I think there are some elements in the applicants response where I think it was said that there'd be further information provided. I know we're discussing this again. I think all three of these issues we're going to be discussing in this specific hearing, one, in terms of information and assessments and anything else that might be required or reasons for that, or reasons for it not being provided, etc..

00:38:30:12 - 00:38:51:18

Uh, we've requested that further information is provided by deadline one Tuesday the 20th of May. Is it? I don't think this was addressed in the applicants response to our rule nine letter or the rule eight letter, rather, is it the applicant's intention still to do that for that deadline, without getting into a discussion in which we might be having tomorrow and the next day, potentially.

00:38:52:12 - 00:39:05:19

Is done on behalf of the applicant. Um, it's our intention to get that into the examination as soon as we can. If it's the deadline, one, it will be for deadline one. If it isn't, we'll explain why it can't be deadline one, and it will be as soon as possible after that.

00:39:05:21 - 00:39:10:28

Okay. I think we'll need to have that discussion tomorrow or the day after, wherever we are in further detail.

00:39:13:12 - 00:39:25:17

Okay. Any other comments on that and other elements that I've raised? Under procedural decisions, I will go back to the the other point I wanted to raise, but anything else?

00:39:28:07 - 00:39:28:23

Yes.

00:39:29:27 - 00:39:59:17

Uh, John keepsake for borough council. So I just wanted to clarify with regards to the request for the additional information, and you've commented that some of those topics or all of those topics will be discussed in the issue specific hearing one tomorrow. So how do you envisage that that proceeding in terms of without the benefit of the information that the applicant is going to provide. There is a discussion. Is that your intention that there will be a further hearing after that information has been provided? So what what is the purpose of tomorrow? If without that information.

00:39:59:19 - 00:40:03:07

I understand the intention tomorrow in terms of the item on

00:40:05:04 - 00:40:44:22

the scope of the applicant's assessments. The intention is not to go into detail on sort of detailed effects. It's more to discuss what is the applicant provided. If parties believe that more information is provided, then for explanations of that to be made clear by relevant parties such as yourself as appropriate. So it's looking at sort of the generalities of those issues, rather than getting into a detailed discussion about the actual effects and consequences. Just so everyone has an understanding of what information is being provided, and is there any further information that needs to be provided? There'll be a little bit of sun.

00:40:44:24 - 00:41:16:22

There'll be a little bit of sort of maybe going to effect to a degree in order to discuss that. But the idea is that the next round of issue specific hearings in whenever it is, somebody remind me in June, in July, that'll be the case where we will be asking questions and, and, and listening to representations on the detail of the, of the, of the environmental effects, transport effects, etcetera, etcetera, because that follows the receipt of written representations and the local impact reports, and also that will follow responses to our first written questions.

00:41:16:24 - 00:41:27:01

So the idea will be by the time you get to the the next round of issue specific hearings, we will concentrate on those matters that remain, uh, in, uh,

00:41:28:17 - 00:41:58:06

in dispute between parties on relevant issues. If we decide some issues, we might say, well, thank you. We've got all the information we need. We don't need to discuss it further, but there'll be some issues where we will say, we think we need a specific hearing on this particular topic, and we'll have to come to a decision later on once we've got those other bits of information. So tomorrow's meeting is a not a preliminary meeting like this one, but it's about this sort of, you know, the scope of the development, the scope of the applicants assessments. They're primarily as an understanding of what is or what is before us.

00:41:59:24 - 00:42:15:21

Uh, Paul Kim, our counsel, um, thank you for that explanation. So, um, that will be useful for us in terms of responding to the letter, uh, so we can pick up those points and bring them forward through that process. Okay. Thanks.

00:42:16:08 - 00:42:44:24

There'll also be an opportunity tomorrow for the applicant to explain in further detail various elements of the proposal, and for us to ask questions and also get representations from people to to aid everyone's understanding of the of the of the proposal as well, including not least ourselves but obviously interested parties as well. So obviously staying to the to the agenda which we published. Okay. And we'll be covering the DCI and some other elements as well. But again, the generalities of those, as well as site selection and alternatives.

00:42:47:23 - 00:42:48:09

Okay.

00:43:37:18 - 00:43:46:02

Before I come on to the item we discussed before adjournment. I don't know with Mr. Broom. Are you now? Can you look at your hearing? Can you hear us?

00:43:47:07 - 00:43:48:07

Yes, indeed. Thank you.

00:43:48:12 - 00:44:01:14

You're here. I will, I'll come on to the matter we were discussing. We started about probably sort of 25 minutes ago, and I don't think you were. You were, uh, tuned in, so to speak, to the actual meeting. So we carried on with some other things before I'd come back to.

00:44:01:16 - 00:44:04:13

To my apologies. I had to take a call.

00:44:04:21 - 00:44:26:01

That's fine, that's fine. Uh, so I'll come back to you in a few moments. Just going back to the applicant. Applicants first, before I come back to the issue that you raised, I think at the start. Mr.. You raised an issue about the applicants and representation. Would you like to make that the point you're going to make now?

00:44:26:24 - 00:45:03:12

Thank you sir. Um, Liz Dunn, on behalf of the applicant, um, the examining authority and those um, party to this examination will appreciate that the Morgan and Morgan Joint Transmission application is the first of its kind. Whilst there have been other offshore wind farm development consent orders that have included more than one nationally significant infrastructure project, so there are examples for the Dogger Bank, Kiki Beck and Teesside A and B projects, and the Sheringham and Dudgeon extension projects recently.

00:45:04:08 - 00:45:39:15

Um, this is the first where there are two entirely separate companies promoting transmission assets infrastructure for two entirely separate offshore wind farms within a single DCO application. And the reason this has been done is to facilitate the alignment and coordination required by national policy following the outcome of the offshore transmission network review. So we have Morgan Offshore Wind Limited, which we know, which is the joint venture between BP Alternative energies and energy Baden-Württemberg and more.

00:45:39:24 - 00:46:18:10

Offshore wind farm limited it's not helpful that one's offshore wind limited and one is offshore wind Farm Limited. But they are different, which is a joint venture between zero E offshore Wind, which is a Cobra project company, and Flotation Energy Limited. So we're dealing with an unusual situation where we have two separate applicants, um, effectively, uh, joined together to, um, one, uh, present within one development consent order, but two nationally significant infrastructure projects that have been brought into the uh, Planning Act regimes through the section 35 direction granted by the Secretary of State.

00:46:18:28 - 00:46:56:16

So whilst each of the offshore wind fund projects have separate internal teams and separate legal advisers who've worked together on the application and submissions to date, um, rather than having separate representation from those parties at the examination, which we think probably wouldn't be very helpful and would take quite a lot of time in order to simplify matters. Um, to avoid that repetition and to present things as clearly as we can. Wherever possible, the applicants will be providing joint submissions and responses to the examining authority questions.

00:46:57:03 - 00:47:33:20

So, um, for example, a single response or submission will be made on behalf of both applicants, as I've been doing on behalf of both applicants today. So where that's the case, it will be very clear from the party making that submission. They will say whatever the name is for the applicant or for both applicants. So you know that you're hearing submissions that are relevant to both applicants. There might, however, be certain project matters. For example, uh, an obvious one is the individual project onshore substations, which are entirely separate from each other.

00:47:34:10 - 00:48:19:04

Um, where or on project specific drafting within the development consent order, which are relevant to one project only. And in those circumstances, you'll need to hear from both the Morgan and the Morgan team separately. Again, we don't think that's going to be very extensive, but where that is the case, whoever is speaking will say that they are speaking for an individual project and we will make that clear. Um, we may have to see how it goes as we go along, but this seems to us to be the most efficient way of, uh, streamlining the process in terms of those representations and making it clear for the purposes of the examining authority and others participating, who those representations are being made on behalf of.

00:48:20:00 - 00:48:52:01

Um. The only other point I wanted to flag is, is because of the, um, large number, because we've effectively got two teams working together, there are a very large number of people Uh, involved. And, um, uh, so there tomorrow in particular, um, there are likely to be occasions where we're having to move people in and out of the, uh, this desk here, which is possibly more than you might have seen on other projects. So I'd just put that and that might be across agenda items as well, rather than just being around agenda items.

00:48:52:03 - 00:49:22:03

But we will do our best to streamline that process as far as possible, and might suggest that we take certain topics together so that we can effectively have a group of people that is dealing with those before. So rather than sort of swapping people in and out. Um, and then the last thing just to flag is, again, we are keen to be as helpful as we can to the examination, um, and to provide responses as quickly as we can and as, as clearly and comprehensively.

00:49:22:05 - 00:49:54:11

But there may be occasions where we do need to confer across the projects just to make sure that we are, um, that we're providing a response that is consistent across both projects. Um, we don't want to have to take points away, and we want to be able to answer and assist. But again, there may be some points where we just need to be able to do that to clarify the position across both. As I say, I suspect

we may have to see how it goes and see if it works. Um, but this seems to us to be the best way of of presenting this.

00:49:54:18 - 00:50:12:07

Um, so generally, I will be speaking on joint matters for both applicants and on matters for the Morgan project. And Mr. McNamee from um, CMS will be speaking from the legal side for Morcom, and then we will be bringing in the relevant project teams and experts as needed.

00:50:13:28 - 00:50:14:13

Okay.

00:50:15:00 - 00:50:47:17

Thank you very much. Mr.. Um, you have anticipated a line of questioning that we were going to bring because we had a little bit of a concern that you might be acting for both parties as indeed, uh, the offshore wind applications. I think Burgess salmon were acting on both of those, and we did have a little bit of a concern as to conflict of interest. So we're very reassured to hear what you're saying and that there will be separate representation and as, as appropriate, you'll be dipping in and out. So I think overall that that's very reassuring overall.

00:50:48:07 - 00:50:55:11

And yes, that does seem a way forward. But I will now cross out a few of our questions that we did have. Thank you.

00:50:55:29 - 00:51:04:12

Could I just add that, um, because it's one application and I can well imagine

00:51:06:05 - 00:51:17:07

that there could be parts of the application where like the substations where, I don't know, design of the substations, for example, where there might be two separate people wanting. But the EIA has been written by

00:51:18:25 - 00:52:00:21

presumably one set of consultants, maybe more than one set of consultants. But the EIA is the EIA. It's not an I for one project in the air for the project, so I need to think about it a little bit, but it will become a point where it might get a little bit uncomfortable if there's two separate representations on too many matters. So we'll have to see. I think we're hoping to see how it goes, and we'll need a little bit more to think about it, but it could get very complicated. In answer to some questions, there's one answer from one and one answer from the other. So there's going to be a line where it probably would get too uncoordinated as to, well, what is what is in the application, because it is an application and it's meant to be a coordinated application for reasons that are, well, a well versed, etc..

00:52:00:26 - 00:52:31:05

So I'm Liz Dunn, on behalf of the applicants, I can reassure you it is a coordinated application. The application has been prepared jointly by both applicants and agreed by both applicants to be submitted. There are a single set of consultants working on the project who have prepared the

environmental statement. What you have, though, is separate legal representation and separate project teams who have been working on that. So the consultants are the same across both.

00:52:31:07 - 00:53:01:14

We don't have a one. Morgan don't have a different landscape consultant to Morecambe. There's a single, there is a single consultant. And generally because of the approach that has been taken around coordination, the issues are the same across across the project. There are just I think probably the substations is the only one where they are independent from each other. They have been brought forward and they are designed for the respective offshore wind farms. So.

00:53:01:26 - 00:53:42:10

So Morecambe, sorry, I've got that the wrong way round. Morgan can't comment on Morgan. Morgan, sorry, I've got it the wrong way round. Morgan can't comment on Morecambe's substation because that's Morecambe substation. I think the only point we will get to is the substation, because the rest of it, Indeed, the development of the substations has been coordinated. It's just they are independent from each other. But I think let's see how we go, if that's okay. Um, we have thought quite a lot about this and are really conscious of the need to be presenting a clear position, particularly at the hearings.

00:53:42:12 - 00:54:02:25

It's much easier in the written responses because we alternate about providing those, and you'll know that all the responses have been provided have been on behalf of both applicants. It's just this element of of representation at the hearings where, um, you need to hear a sort of a single and coordinated voice, which is what we're going to do as far as we possibly can.

00:54:03:16 - 00:54:36:04

Okay. Thank you. And it's encouraging to get your response earlier on to that. At hearings, there will be responses made, and we appreciate there will be some items which always happens in the nominations by matters are taken away which need more detailed responses or more consideration in some points. But yeah, if by and large we obviously we'd always expect answers at the hearing because that's the point of having, having having a hearing. And in a way what might go on behind the scenes to a degree, we expect sort of a coordinated sort of position on, on those sort of principle matters.

00:54:36:06 - 00:54:38:16

Bearing in mind what you've said in Mr. Gore's point as well.

00:54:38:18 - 00:54:47:27

So and it will be Mr. McNamee who will be appearing, um, in relation to the the joint application. Yes.

00:54:47:29 - 00:54:48:20

Confirmed.

00:54:48:22 - 00:54:49:12

Yeah. Thank you. Mr..

00:54:50:27 - 00:54:52:14

Sir for mate. Um.

00:54:53:28 - 00:54:59:02

Please. Sorry. Each time you speak, give your name. I know we know who you are now just for the recording etc.. Uh.

00:55:00:13 - 00:55:31:29

For council. Um, there are some matters that I think of, of the concerns relation to, uh, the sort of the approach, uh, particularly in relation to sort of resilience planning and decommissioning and what we call what if questions in, uh, in terms of, uh, separate, separate approaches in that both in terms of construction monitoring and management, particularly around decommission matters. So it's not just landscape issues. I think in that in that context.

00:55:32:01 - 00:55:33:22

So I just I just want to make that clear.

00:55:34:00 - 00:55:47:11

Absolutely. I understand that. And I think they'll probably be an opportunity to expand on what you've said in tomorrow's hearing, because I think we want to cover points like that tomorrow about coordination, collaboration, etc., things like that.

00:55:48:04 - 00:55:50:05

Okay. Okay.

00:55:53:16 - 00:55:55:05

Anything further on that?

00:55:59:11 - 00:56:00:06

Mr. Walker?

00:56:01:05 - 00:56:32:21

Angus Walker for Newton with Clifton, etc.. I just thought I'd add that all that, for example, looking at the construction sequencing issue, the reason that it might be sequential with a big gap in between is because of the nature of the applicant. But that should not be an excuse. That should not mean that they get they that it's examined in any other than as if it was a single application and weighed up accordingly.

00:56:32:23 - 00:56:40:12

Okay, that is noted. And I think also we've got a couple of points we want to raise tomorrow about that tomorrow about construction scenarios, gaps, etc..

00:56:40:14 - 00:57:11:26

So sorry, I'd just like to respond to that list on on behalf of the applicant. That certainly wasn't what I was suggesting. I was talking about how we were going to appear as an applicant for the purposes of this hearing, for the preliminary meeting. Um, and, uh, those matters in relation to how the projects

will work together, how the projects have been assessed and those matters will be fully dealt with tomorrow. Um, and, uh, it certainly isn't the intention that there should be any sort of short shrift around that, Mr.

00:57:11:28 - 00:57:12:13

Walker.

00:57:14:23 - 00:57:16:05

Okay. Thank you.

00:57:22:18 - 00:57:23:15

Right.

00:57:25:06 - 00:57:30:27

Let's go back to the discussion that was taking place before the adjournment.

00:57:34:21 - 00:57:37:12

With Mr. Broom. Are you still with us?

00:57:40:02 - 00:57:42:03

I am indeed, Mr. Cliff. Thank you. Good.

00:57:42:09 - 00:57:42:24

Thank you.

00:57:42:26 - 00:57:43:11

So.

00:57:43:13 - 00:58:17:27

Going back to the representations that you made before the, uh, break this morning. I think firstly, I think just to clarify, in terms of section 102 of the act, which you probably already read yourself, but that does appear to make clear, which might be slightly contrary to what Mr. Dunn might have said, is that we're not sure actually, that as has been indicated, that you would be able to become an interested party, because my understanding is that there is an opportunity for affected persons such as landowners, etc.,

00:58:18:13 - 00:58:30:00

which obviously you wouldn't fall within. But just a question for yourself. Is there anything in. Are you aware of section 102 of the Planning Act 2008 without putting you on the spot, because there's no expectation

00:58:31:19 - 00:58:34:28

for you to have that awareness? But have you have you looked into that?

00:58:36:24 - 00:59:09:18

Um, with respect, I'd like to reserve my position in relation to section 102 and the issue of of interested party. And because what has been set out is that it is only an interested party has the right to participate in the inquiry, um, and in the procedures going forward. And my concern reflects our rights, independent of that definition of interested party to participate in the environmental decision making that this inquiry is involved in.

00:59:10:05 - 00:59:50:18

Um, So there is a slight separate distinction to to my argument. I'm focused on our rights as an affected country and the public of an affected country. Um, and notwithstanding whether it is under the auspices of being an interested party or otherwise, we are entitled to participate in the ongoing inquiry, not just in a one off, transboundary point in time consultation. Um, because this this inquiry is, as has been made patently obvious this morning, is going to evolve in terms of its considerations and the materials that it's looking at.

00:59:51:03 - 01:00:22:18

Um, and if we're excluded from that, by virtue of not being an interested party, that is our issue. And it is not just an issue for us, but for the broader Irish public and indeed the public in any other country which considers that there is an affected public and that where the public considers themselves to be affected, because there is an important intersection here between the obligations under the convention and under the Espoo Convention, and they cannot be read in isolation, but have to be read together.

01:00:23:25 - 01:00:54:03

And so that is the nature of the concern. So sorry to effectively sidestep your question in relation to section 102. And the line broke up a little bit as to whether you did or didn't consider that we could or couldn't be an interested party. Um, uh, and but what I'm suggesting is that by reserving my position in relation to that matter, that the issue is that the procedures set out only allow for an interested party to participate.

01:00:54:07 - 01:00:56:23

And that's the fundamental issue. Okay.

01:00:56:25 - 01:01:27:21

Um, no, I know, I know, I know, it's your position. And again, what you what what you said earlier on, there is still an opportunity for you to take part in the examination, even even if you weren't an interested party, obviously you've already been made another person, and I think you said that. I know that that doesn't, uh, give the same notification of deadlines, etc. and it is at our discretion as to whether or not we accept further, uh, submissions from you or from any other, any other party or any party.

01:01:27:23 - 01:01:59:05

That's not even another party for that matter. Uh, what we would propose to do, which we'd have to confirm in our rule eight letter, was to give you the reassurance that we would accept further submissions, uh, from yourself, on behalf of the organizations you're representing throughout the examination. Um, and in that way, you'd be able to respond to all representations submitted by other people, the applicant's submissions, and any updated submissions.

01:01:59:13 - 01:02:52:21

So, in effect, your role in the examination in terms of providing us with the information that we need would be, would be really very similar to what it would be. If you were an interested party, albeit you wouldn't be an interested party, because I'm not sure there's a way of making you an interested party and you wouldn't be sent the same notifications. However, you will be able to follow the examination on on the website and you can actually get email updates of changes. So we deal with us in the rule eight letter, and we are looking to make a procedural decision in the role on this, on this matter, which would give you the hopefully give you the reassurance that you will be able to be involved throughout the examination to give you a fair opportunity to be involved in the examination where your examinations, where your submissions are accepted and responded to the applicants in the same way that they would be if you were an interested party.

01:02:53:26 - 01:03:04:13

Okay, I'll just one more point. And on on on that basis, uh, we we don't consider that this meeting should be should be adjourned.

01:03:08:24 - 01:03:51:19

Mr. Cliff, I fully I just want to make very clear. I empathize very significantly, not just with, um, uh, the examining authority, but also with the applicant and the other participants in this hearing. Uh, just given the frustration that this matter must be causing. And I really want to make it very clear that, um, I would like to go as far as I can in relation to accommodating and, you know, uh, acknowledging the accommodation that you're proposing, that effectively, if I understand you correctly, that we would be treated as if we were an interested party with, with no impingement on rights, albeit that that we would not be classified as an interested party, uh, you know, that term.

01:03:51:21 - 01:04:04:09

But, you know, notwithstanding, um, we would be treated as if we were the difficulty and it is a difficulty is that making that accommodation for

01:04:06:03 - 01:04:56:09

Antarctica. For. And Clive Glass, for Mr. Byrne and myself in a personal capacity, does not suffice to discharge the obligations to the rest of the Irish public. And anybody who has been given the impression that they have missed the deadline are, or otherwise dissuaded from engaging in this process by virtue of not understanding what you have just intimated to me here, and that that that generosity and of accommodation, uh, needs to be extended unreservedly, unreservedly to anyone who seeks to argue that they have an interest in this matter and should be able to participate in it.

01:04:56:12 - 01:05:33:11

The difficulty is notifying them of that with a view to commencing the hearing tomorrow and starting that six month timeline. And that's why I think you have no option but to adjourn respectfully, to adjourn with a view, to providing a notification of your proposal to provide this accommodation so that basically the train doesn't leave the building tomorrow and doesn't leave the station tomorrow, uh, without the opportunity for others who would wish to participate in being able to participate.

01:05:33:26 - 01:05:50:15

That's the difficulty. So I am very much trying to meet you more than halfway here. Um, but the the problem is, I cannot speak for somebody somewhere who may ultimately find themselves to have been disadvantaged and discriminated by virtue of this.

01:05:52:20 - 01:06:35:28

Uh, so I would say that the the procedure would remain vulnerable, to challenge and to being flawed and being found to be in breach of two significant international conventions, with all the associated ramifications and complications that will have for everyone involved, which would be very unfortunate. Um, so that that, um, I hope is clear, it's very much appreciated that that you are trying to provide an accommodation here and trying to give me assurances in relation to the fact that we wouldn't be discriminated against, but that is that is not sufficient for the broader obligation you have to the public.

01:06:38:29 - 01:06:47:08

Okay. Thank you. That is noted. Did the applicants want to say anything? I'm not requiring you to, but if you wanted to add anything.

01:06:48:18 - 01:07:26:12

Less done on behalf of the applicants, um, I would suggest that, um, there would be a way of ensuring that if there was any interest from any member of the public. The Irish public in this transmission assets project, um, then, uh, it would be possible to put that notification together, whether that's on the planning Inspectorate's website or indeed on the Irish government's website, if it feels necessary, given that actually it is, its role is to represent the members of the Irish public through this process, through the transboundary process.

01:07:27:01 - 01:08:13:17

Um, uh, then, um, if it was felt that that was something that needed to happen, it could be done. And equally, anybody, any member of the Irish public who wanted to be involved in this examination could also be given other party status and therefore able to participate. Um, I do think there's a I appreciate there are I I'm, I am struggling to follow the arguments in some of these made because it seems to be going from concerns about the way the planning Act process works to the trans boundary process, to what's actually happened on this application, with very little consideration, actually, to what this application is, which is, um, some cables that go from, uh, to offshore wind farms, which have been through an entirely separate DCO process.

01:08:13:27 - 01:08:56:01

Uh, so it's cables, uh, underground cables through the seabed, uh, and then onshore, as we know, at lithium, uh, and then two substations, um, uh, within falls area, I am struggling to see how the Irish public could have an interest in this. Appreciate. They might do, uh, and appreciate the interest of the party represented here, but, um, I just think there's a degree of proportionality needed to be considered, uh, alongside the various statutory requirements, um, and the extent to which those have been met, um, by the processes that have been undertaken so far.

01:08:56:17 - 01:08:57:06

Thank you.

01:08:58:29 - 01:08:59:18

Okay.

01:08:59:29 - 01:09:18:22

Thank you. I don't intend to take this discussion any further, any great detail at this at this time. Um, is there anything further you want to say, noting what we've heard, what you said. We've noted what you said. We understand what you said. Is there any further, further you'd like to say in response to what the applicants have just said?

01:09:19:06 - 01:09:51:01

Yes. Just in response to what the applicant has just said. Uh, the it's appreciated, uh, the support for the idea of further notification to the Irish public, but it's not limited to the Irish public. The Belgian public has been also identified. And as this matter proceeds, it may be a case that there there are further constituencies of public identified who need to be notified. The difficulty is if this starts tomorrow, um, the extent to which someone may argue that they have been disadvantaged. Advantaged.

01:09:51:07 - 01:10:33:02

And it is not us that have identified, um, the that uh, the, uh, that Ireland is an affected state. It is the UK authorities in their screening determination that have done so. Um, and there are very particular concerns in relation to the implications, particularly in relation to the cumulative implications associated with offshore renewable energy development and the entire east coast of Ireland, and particularly in relation to the implications on cetaceans, um, and their implication and their role in climate, uh, and atmospheric regulation.

01:10:33:11 - 01:10:59:05

Um, so there are very significant issues with respect and particularly given the uncertain nature of certain of the construction aspects and the nature of of how this, uh, development is going to proceed. So there are very, very real concerns here, but the procedural issues are very, very important because unfortunately they go to the legality of of any decision arising here. Um, so thank you.

01:10:59:25 - 01:11:38:07

Okay. Thank you. And I urge you to continue to make written representations on the basis of what you talked about in terms of effects, so the applicant can deal with those. We have considered this matter very carefully, and we do propose that the examination does continue as planned. Uh, we will make a, uh, procedural decision in the rule eight letter, which will come out next week addressing this matter. But we will be seeking to ensure that you are fairly able to be involved, and other parties, for that matter, are fairly able to be involved in the examination as much as it possibly can within the regulations that we have to work.

01:11:38:25 - 01:11:39:27

Uh, within.

01:11:41:01 - 01:11:51:02

Thank you, Mr. Cliff. I do appreciate what you're trying to do here and the difficulties that you're under. And needless to say, I'm reserving my position until I see the letter in full.

01:11:51:07 - 01:11:53:21

I understand. Thank you for your submissions.

01:11:59:10 - 01:12:19:16

Okay, we now go on to item six, which is any other matters. I think we've dealt with quite a few of these matters already, i.e. by systems. Uh, submissions about uh matters to be considered at issue specific hearing or hearings. Um.

01:12:22:03 - 01:12:37:18

I know that Blackpool Council have requested that Stargate access considerations are included in the scope of development, part of issue specific hearing one tomorrow as well, which can be, I think can be done in is the intention so that that can be raised uh, tomorrow.

01:12:42:18 - 01:13:11:15

There's also been a representation from The residents group facts who? We don't think we've got a representative here today where they've requested suspension of examination until health and safety risk assessment is provided for crossing of an LPG pipeline. I was going to ask facts to explain this to the preliminary meeting, but as they are not here, I think as Mr. Wilder made the submission, all we do have is give you what? Just give your name, please. Sorry. Again.

01:13:12:04 - 01:13:12:28

Just hang on a second.

01:13:13:14 - 01:13:24:27

We need a microphone for you. Yeah. Just wait for two seconds and we'll get a roving microphone for you. And then give your name when you get it and clarification on who you're representing.

01:13:25:02 - 01:13:38:12

I'm Angela slinger. I'm not on the committee of Facts, but I'm actually a facts member. We will have a representative this afternoon, Ralph Cairns, who will be here, but it will be this afternoon.

01:13:39:03 - 01:13:41:26

Okay. Okay. Thank you.

01:13:57:06 - 01:14:14:08

Okay. Those were all the other matters that I had a note of that people wanted to raise before we close the Plymouth meeting. Is there any other matter relating to procedure for this application, pardon me, that anybody wishes to raise?

01:14:20:03 - 01:14:24:16

Yes. Is that Mr. Sharkey? Yep. Just again, wait for your roving microphone, please.

01:14:28:09 - 01:14:44:15

Yeah. Thanks for remembering the name. Uh, I asked the question before. There's been a number of statements about when the examination actually opens. I heard at one point it was this afternoon, and

another point was tomorrow morning. Could you clarify whether it is this afternoon or tomorrow morning?

01:14:45:21 - 01:15:16:06

I think in terms of the regulations, it's following the preliminary meeting or the day after the preliminary meeting. There are several events of several things that are happening before the meeting in terms of rule six letters. Rule nine letters. It is standard practice, usually on infrastructure examinations, to have an open floor hearing or another hearing on the same day as the perimeter meeting. One of the main reasons for that is because people are in the room, and it would seem a wasted opportunity not to have such a meeting in the afternoon. So we do intend that that meeting goes ahead.

01:15:16:11 - 01:15:47:23

But we've had lots of people registering. We're looking forward to hearing what they've got to say. And also it allows people to make representations early in the early in the process. So we're happy to proceed on that basis. If people felt they didn't want to speak because it's before the day after the meeting, then we haven't gone to the open for hearing later on in the examination as well. But to be honest, we do encourage people to stay. You know who wants to contribute to that open floor hearing? Because it is an important part of the examination.

01:15:47:25 - 01:15:59:05

Be it be it eight hours or whatever it is before 12 midnight tonight or eight hours after. I'm not sure that makes too much difference. So we want to hear you. To be honest, is our our response?

01:15:59:07 - 01:16:04:26

Yeah. Thank you for that I understand it. It's just does it become part of the evidence that's examined? Thank you. Yeah.

01:16:08:16 - 01:16:09:11

Thank you. Okay.

01:16:11:24 - 01:16:12:09

Okay.

01:16:12:23 - 01:16:21:20

Anything else on that point? Anything else anybody wants to raise before we can close and have lunch before the open floor hearing?

01:16:24:12 - 01:16:55:13

And just. John, take Valpo counsel, a quick question that, um, I was intending to raise tomorrow, but it may have been appropriate to ask it, um, in association with item ten, which was a request for further information from the applicants. So back in the in the meeting in September 2024, a request for information about the principle of separating out the generation and transmission assets was made. And the applicant said that they would provide a response to that. Um, I appreciate that.

01:16:55:15 - 01:17:14:24

Um, just because I've not seen it doesn't mean that it's not there. There's a large amount of information. Is that something you'd be able to confirm whether or not you received from the applicant? And if possible, if we could be pointed towards that, that would be good. So I'm referring to the meeting, uh, the, um, at the 10th of September, 2024.

01:17:16:06 - 01:17:29:01

Okay. I'm not sure. I don't know if the applicant wants to briefly respond to that now, or it's probably a matter which we can probably take forward to tomorrow for a response, because we are going to be talking about the scope of assessments and such generalities.

01:17:29:07 - 01:17:36:23

So just for the applicants, I don't have any information about that, but I can certainly check with the team and we can respond tomorrow.

01:17:36:28 - 01:17:37:13

Okay.

01:17:39:06 - 01:17:39:28

Thank you.

01:17:41:17 - 01:17:42:16

Okay. I think that.

01:17:42:18 - 01:17:43:03

Is.

01:17:44:03 - 01:17:49:06

Everyone's hands. Etc. and requests to speak have been dealt with.

01:17:51:22 - 01:18:24:07

So thank you everybody, for contributing so usefully to this meeting this morning, both those in person and online today. And also those people who provided written submissions at procedural deadline. A we'll be carefully reflecting on what has been said today and our rule eight letter, which will be due out. It's probably going to be around about the middle of next week because of the bank holiday. Uh, we'll include confirmation of the examination timetable, and that will take account of all the points that have been raised.

01:18:25:01 - 01:18:58:02

Uh, both a written note and a recording of the proceedings today will be made available as soon as practicable on the relevant project page of the planning Inspectorate's National Infrastructure website, and for any administrative questions that you may have. I'm sure the case team attending today will be able to help you, but I would ask that you do not speak directly with myself or my colleagues on the panel in the interest of fairness and impartiality. Uh, and it might be tempting to do so, but but as a general rule, throughout the examination, only talk to us in a formal hearing or in writing.

01:18:58:04 - 01:19:25:24

If you see us in the street or, I don't know, having coffee. Don't don't approach us. We're very friendly, but don't approach us. Um, and I also, again, remind people, the open floor hearing taking place in this room at 230 this afternoon, along with the other hearings scheduled for later this week, that will commence at 930 in the morning. Okay. Thank you everybody. The preliminary meeting is now closed.