



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	Morgan and Morecambe Offshore Wind Farms Transmission Assets
Hearing:	Issue Specific Hearing 2 (ISH2) – Part 1
Date:	29 July 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.

File Length: 01:43:16

FULL TRANSCRIPT (with timecode)

00:00:07:22 - 00:00:10:08

Thank you everybody. Could you take your seats, please?

00:00:33:17 - 00:00:47:14

Good morning. It's now 10:00 and time for this hearing to begin. Can I just confirm that everybody can hear me clearly, please? And can I also confirm that the live streaming and recording of this event has commenced?

00:00:54:14 - 00:01:30:09

I'd like to welcome you all to this issue specific hearing. This is part of the examination of the application for a Development Consent order for the Morgan and Morgan. Offshore wind farm transmission assets project. The second issue specific hearing is on onshore and offshore. Environmental matters. My name is David Cliff. I've been appointed by the Secretary of State to be the lead member of the panel to examine the application. I will now ask my colleagues and fellow panel members to introduce themselves, each of whom has also been appointed by the Secretary of State and who will lead on different parts of the agenda over the next two days.

00:01:31:17 - 00:01:39:14

Good morning. My name is Maria Rocha. I'm a chartered scientist and a chartered environmentalist, and I'm also an examining inspector.

00:01:41:16 - 00:01:47:00

Good morning. My name is Richard Morgan. I'm a chartered civil engineer and examining inspector.

00:01:50:15 - 00:01:57:12

Good morning. My name is Jonathan Gorst. I'm an a lawyer and also an examining inspector. Thank you.

00:02:00:00 - 00:02:32:15

Thank you. Together, we constitute the examining authority of this application. Our role is to examine the application and to report to the Secretary of State for Energy Security and net zero, with our recommendation as to whether a development consent should be made for the proposed development. I'd also like to introduce members of the Planning Inspectorate case team who are supporting us today. We have Rebecca Luxton, who's the joint case manager for this project, and Alicia Wines here in the venue, along with Melissa Wilcock and Sian Evans, who are dealing with the virtual air elements online.

00:02:33:01 - 00:02:39:19

The case team will be able to answer any general questions you may have about today's event and the process in general.

00:02:41:12 - 00:02:56:07

Some housekeeping matters please. Can everyone turn devices and phones to silent? Um, the location of the toilets are through the door on my right hand side, and the toilets are on the left hand side down the corridor. And

00:02:57:21 - 00:03:28:03

there's no proposed fire drills for this week. The fire exits. There's one down the corridor by the toilets. There's one in the corridor where you came in. And I think there's another fire escape. I can't see it because of the pillar, but it's over in the left hand, the far left hand corner of the room. And the assembly point is the main car park, which is on that side of this building. And the football ground. It's a large car park. That is the assembly point.

00:03:31:02 - 00:03:55:03

Okay, moving on to the agenda and purpose and logistics for the hearing. This hearing will generally follow the agenda published on the project page of the National Infrastructure website last Tuesday. And if that could be displayed on the screens, that may be helpful. There may be some amendment to it, which I will discuss shortly once I've done this introduction and done Introductions.

00:03:58:09 - 00:04:30:00

And we intend to cover a number of issues across the next two days, as set out in the agenda. Um, also on Thursday, there will be an issue specific hearing on the draft development consent order. And on Friday morning, a compulsory acquisition hearing. The agendas for those are also on the website. And this agenda is only for guidance. And we may add other points of consideration as we progress. And we'll conclude the hearing as soon as all our questions have been asked and responded to and all relevant contributions have been made.

00:04:30:09 - 00:05:00:20

But if discussions can't be concluded, then it may be necessary for us to prioritize matters and defer other matters to written questions or further hearings. Likewise, if you cannot answer the questions being asked to view or require time to get the information requested, then can you please indicate that you need to respond in writing? And this hearing is being held to address matters and questions identified by us Buyers through our reading of submissions to date, representations made at previous hearings, and also our observations at our site inspections.

00:05:02:11 - 00:05:36:21

As well as this and other hearings, the examining authority will continue to consider written submissions, including those at subsequent deadlines, noting that there are also other matters not included in this agenda that are also still relevant to our examination. So just because something is not being considered at this hearing does not mean that it is not important to us. Things are on the agenda that we want to ask questions of over the next two days, but that doesn't rule out other matters still being considered in writing and being subject, as I say, to further written questions, submissions, and perhaps even another hearing slot if necessary.

00:05:37:22 - 00:06:11:07

We have a series of questions to ask parties on each topic of the agenda. We'll also ask contributions from interested parties where relevant. Please be patient as we need to ask our questions, as these are

important for us to gain a full understanding of issues and the positions of the parties. And this is a different format to the two previous open floor hearings that have taken place where there's been interested parties have spoken in order. The key at this hearing is for us to primarily for us to ask the questions, uh, in order to assist us with our examination.

00:06:11:09 - 00:06:17:07

And obviously, for us to fulfill our, uh, inquisitorial duty that we have in the examination.

00:06:19:18 - 00:06:51:05

Today's hearings being held, undertaken in a hybrid way, meaning that some of you are present with us at the hearing venue, and some of you will be present using Microsoft Teams. However, you have chosen to attend today will seek to give you a fair opportunity to participate, and a record of today's hearing will be made available on the project page of the Planning Inspectorate National Infrastructure Planning website as soon as possible after the hearing has finished. A link to the Planning Inspector. Its privacy notice was provided in the notification for this hearing.

00:06:51:07 - 00:07:07:03

We assume that everybody here today has is aware of that with this document, which establishes how the personal data of our customers is handled in accordance with the principles set out in data protection laws. Please speak to a member of the case team here today if you have any queries about this.

00:07:10:13 - 00:07:48:07

Now moving on to introductions to speed up proceedings. What I intend to do is not to go through everybody who wants to speak in the traditional way, but at the outset allow the applicant to introduce themselves or the applicants to introduce themselves and the local authorities to introduce themselves. And then on throughout the matters in the agenda where somebody wishes to speak, then we will establish that at the start of each party, because we've got questions for certain parties. So rather than go around the whole room, which will take some time, we can have a sort of a hybrid approach where we ask the applicants first and then the local authorities and then anybody else who wishes to speak.

00:07:48:09 - 00:08:14:15

And I'm a word that several people will want to do. We will deal with that on each, on each item, just to save, to save some time, because we have got a lot to get through over the next two days. So I hope everybody's happy with this approach. And if I could start with the applicants, please Miss Donna. And again, you probably don't introduce again your whole team at this point. But if there are sort of key speakers and obviously yourself to introduce them. Please do so.

00:08:14:21 - 00:08:50:05

Thank you sir. My name is Liz Dunn. I'm a partner at Burgess Salmon and I will be representing the applicant, uh, for at this hearing. Um, just for the record, I think it's probably worth noting that the applicants will be taking the same approach in terms of representations that was made, uh, at the preliminary meeting. Issue specific hearing one and compulsory acquisition hearing one. Where, uh, in in general, uh, the applicant's representatives will be speaking for both applicants as this is a joint application.

00:08:50:20 - 00:09:26:01

There may be some matters that are solely relating to the Morgan uh Offshore Wind project. Uh, element of the project or the Morecambe element of the project. And if that is the case, the person that is speaking will very clearly, uh, make it clear that those representations are in respect of either Morgan or Morgan and not jointly. So all of our, uh, all of our, um, all of those participating from the applicants will make it clear at the start they're speaking on behalf of the applicant, or if it's on behalf of one project, they will say it's on behalf of one project.

00:09:26:06 - 00:09:29:17

And that's just to simplify things for the examination.

00:09:30:19 - 00:09:47:11

Okay. Thank you. And as we get to each specific item in the agenda, we'll obviously allow you to introduce your relevant speakers at that time is probably the easiest way to do it. Okay. Thank you. Moving to the local authorities we could start with Fylde Borough Council, please.

00:09:47:14 - 00:10:05:12

Good morning sir. My name is Samuel Shaikh. I'm of council. I'm instructed on behalf of file. Borough council. I have to my left. Mr. John Cope, who's the major projects officer at the council. And to my right, Mr. Paul McKim, who's the director of Planning and Building Control. And then various others who I'll introduce at the right time.

00:10:05:22 - 00:10:07:07

Okay. Yep. Thank you.

00:10:10:10 - 00:10:13:16

And Blackpool Borough Council, please.

00:10:14:15 - 00:10:29:16

Sir. Yes, thank you very much, miss night DWF for Blackpool Borough Council. To my left is doing good. All the head of legal services at Blackpool Council are behind me as officers who will make themselves present at and when to assist the examining authority.

00:10:32:10 - 00:10:44:13

Okay. Thank you. I'll come on to Lancashire in a moment. But Preston City Council, is there a mr. cousins who might be here? Virtually anybody from Preston City Council?

00:10:51:08 - 00:10:53:20

No, not at the moment anyway.

00:10:56:22 - 00:11:07:18

And I don't understand. There's anybody here from South Ribble Borough Council. So if we could move on to Lancashire County Council, please.

00:11:11:11 - 00:11:20:13

Hello, I'm John Jones, principal ecologist at county council. Um, I'll be speaking just on onshore ecology item four.

00:11:22:06 - 00:11:24:21

And my colleague Louise Eccles.

00:11:25:08 - 00:11:29:06

Um, I'm principal landscape architect for Lancashire County Council.

00:11:31:10 - 00:11:40:12

And Jonathan is, uh, attending the, um, the hearing by, um, the online.

00:11:42:16 - 00:11:44:16

Okay. Thank you. His surname is.

00:11:46:04 - 00:11:46:19

Okay.

00:11:48:13 - 00:11:50:05

Excuse me. Could you, uh.

00:11:50:24 - 00:11:53:16

Hire the. We can't hear you.

00:11:54:11 - 00:12:20:05

Okay. If you could. Sorry. I should have said it's my fault. When you speak, please speak into the microphone clearly and press the button, please. Uh, that's my fault. I didn't say that when I started the introductions. Uh, and when you finished speaking. Turn the microphone off, please. Okay. Thank you. And if anybody can't hear it any time, please do as this gentleman has done. Just put your hand up and let us know. It's important that everybody can hear everything that he's said.

00:12:23:00 - 00:12:33:21

I think I was informed that a representative this is previously from Lancashire Council, which maybe wasn't able to attend this morning session to cover landscape. Are you? Presumably that's.

00:12:34:12 - 00:12:40:06

Yes. Is whether the landscape element could be delayed slightly. Sorry.

00:12:40:08 - 00:12:41:05

If you could just.

00:12:41:13 - 00:12:54:16

I'd ask if the, uh, landscape element could be delayed slightly for medical reasons. And if that can still just to maybe after ecology or something. Okay.

00:12:55:04 - 00:12:55:19

Okay.

00:12:56:08 - 00:12:57:00

I will.

00:12:58:09 - 00:13:13:24

Well, let's deal with that now as we're talking about it, because that's what I understood from a message that had been recently sent to me. And I understand the reasons for that. And what I was going to propose is that.

00:13:16:04 - 00:13:54:18

We deal with we put landscape down to after we've got aviation second on the agenda, obviously, and that's followed by onshore ecology. And we would like to keep onshore ecology straight after aviation because there is going to be some crossover, I suspect, in the discussions. So it seems sensible to have those to cross cross over or after each other. So I was going to propose that we start with aviation, then have onshore ecology, and then have landscape and visual matters and green belt, etc.

00:13:56:18 - 00:14:13:17

because that will be after I'm pretty certain that's going to be after after 12:00. I'm pretty sure it's going to be after after lunch time. By the time we get to that, uh, the applicant is done. You're probably not aware of Lancashire's issue in this respect. So is that something that's. Yeah.

00:14:15:04 - 00:14:23:06

Lays done on behalf of the applicant. This is the first time this has been raised with us. Can I just take two minutes to discuss and then we can let you know.

00:14:32:23 - 00:14:42:01

Uh, let us down on behalf of the applicant. Um, that was a short two minutes. Um, yes. It's absolutely fine to move it to, um, after onshore ecology.

00:14:42:03 - 00:15:12:12

Okay. Thank you. And thank you for your, uh, understanding of that. So that is fine. I wasn't even thinking about putting it after offshore ecology, but I was also aware that was probably quite a few people here today who are probably or might be particularly interested in the landscaping issue. So I wanted to make sure that comes up reasonably early today. So is everybody okay with that to change in the agenda order. So we go aviation, onshore ecology landscape etc.. Okay. Thank you. Uh.

00:15:18:20 - 00:15:55:12

That's all I want to cover for introductions, obviously with the caveat that please introduce yourself the first time when you when you wish to speak. And I'm sure several of you will want to speak on several occasions. Uh, I'm sure that can be facilitated. Uh, just some other points. There'll be a mid-morning break. It's approximately Lay 1130, and we'll break for around about 15 minutes in the morning and afternoon. We do not intend that the hearing sits beyond approximately 5 p.m. today or tomorrow, and the hearing will continue tomorrow morning as necessary, and I think it will be necessary at 9:30 a.m..

00:15:55:14 - 00:16:21:09

All hearings will start at 9:30 a.m. this week. Uh, from from tomorrow morning. And for those joining virtually, please use the same link as you use today to access tomorrow's proceedings. In terms of action points, uh, we proposed what we did on the previous action points that the applicant keeps a record of the action points, uh, for these hearings.

00:16:23:24 - 00:16:38:10

And then we go through. It's probably easiest for this hearing as it's over two days. If we do the action points at the end of day one and the action points at the end of day two, obviously we'll keep a running check as well. If that's acceptable is done to you.

00:16:38:12 - 00:16:41:02

And your team is done on behalf of the applicants. Yes. That's fine.

00:16:41:15 - 00:16:44:01

Okay. Thank you. Um.

00:16:46:03 - 00:17:05:12

And submissions made pursuant to an action point should be submitted by deadline for which is Friday, the 8th of August, unless otherwise agreed, because a party may need more time. And if everyone who speaks today, please provide a written summary of the all representations by deadline for which again Friday the 8th of August.

00:17:07:00 - 00:17:52:13

So in terms of the agenda we've already discussing discussed the move of landscape and visual effects, etc. the applicant has also submitted a proposed change to the application notification, which is on the National infrastructure website. What I was proposing to do with that, bear in mind, we've got a lot of time and obviously we are still examining the application as it is at the moment, subject to the change notification. If we give the applicant an opportunity, which would be no more than ten minutes with a few, including a few questions that I would want to or we would want to ask just to sort of outline, uh, the broad extent of that change request.

00:17:52:18 - 00:18:14:23

And then if it needs to come up in subsequent discussions on, for example, transport matters or whatever it might be, then they can come up at that point as well. But again, we need to be aware the application has not been changed. This is just a notification of a proposed change request. So I don't want it to take up too much time in this hearing. So I propose that we would do that after

00:18:16:18 - 00:18:31:01

after item one, which is general matters. I don't think it makes a difference, but that's if that's fine for everybody. Um, has anybody else got any questions on the agenda or about the how the hearing will be conducted? Ducted.

00:18:37:15 - 00:18:38:07

Okay.

00:18:41:05 - 00:18:41:22

Thank you.

00:18:47:09 - 00:18:51:04

So if we now move on to agenda item three,

00:18:52:21 - 00:18:58:16

which then morphs into a number of item numbers. Uh, so item number one is sir.

00:18:58:18 - 00:19:03:10

Apologies, Liz. Don, on behalf of the, uh, applicants. Um.

00:19:06:20 - 00:19:12:09

Um, sorry. Can we just turn that off, please? Thank you. Okay. Thank you.

00:19:13:19 - 00:19:31:24

Thank you. Sir. Um, sorry. Just just to clarify from our side. So in terms of the change request, do we want to. We've got, um, Mrs. Fuller and Mr. Williamson here. Um, who can do that? Outline on the on the change notification effectively if you want to do that.

00:19:32:01 - 00:19:37:12

Now, I was going to suggest do it after item one. I don't really mind to be honest, because the item one is quite short form item.

00:19:38:06 - 00:19:54:10

Okay, okay. That's fine. Um, there was also just um, another point that we wanted to, uh, just make at the start of the examination, um, which we can do at the end of that, um, agenda agenda item as well, before we get on to aviation, if that's okay.

00:19:54:12 - 00:19:55:02

What's that.

00:19:55:04 - 00:20:26:11

Concerning? Um, it's in relation to, um, there's been, um, some press and comment around a ground investigations campaign that the applicants are, uh, are about to launch and to kind of, um, to, uh, perhaps, uh, explain the position, explain what's going on, explain how it or doesn't relate to this examination. Uh, and then, um, the, the applicants just thought it might be helpful to make a statement at the start just to explain what that's about.

00:20:26:13 - 00:20:28:15

There has been some press interest about it.

00:20:28:17 - 00:20:33:11

Okay. If it's very brief, it is very rare. Bearing in mind we've got a lot to get through in the next two days.

00:20:33:13 - 00:20:34:03

Very, very.

00:20:34:05 - 00:20:34:20

Brief.

00:20:34:22 - 00:20:35:12

Okay. Thank you.

00:20:35:22 - 00:21:07:22

Okay. So we'll just do item one, which is general matters. And then at the end of that we'll do the notification request. So item one A is just updates on statements of common ground. And can you just go through again just briefly the current situation. Because some common ground some have been some are progressing, some are not progressing. Some have been submitted but don't seem to have an awful lot in them other than saying subject to further discussions, etc.. So, and we're getting to the point where statements of common ground really need to be worked on and really need to be.

00:21:07:24 - 00:21:36:15

Obviously they won't necessarily be finalised until the end of the examination, or there's no reason why they can't be in some circumstances. But we're approximately halfway through the examination. So I think it's really I'm aware I'm aware that there are time pressures when the answers to written questions submissions. So I'm aware of those of those pressures from local authorities and other parties in that regard. But if thought and some concentration could be given to those over the next few weeks, that would be helpful. But if you could update where we are on those now, please.

00:21:37:16 - 00:22:16:01

Yeah. Good morning. Ian McKay for the applicants. So I think it's important to say that a lot of work has been done from the initial submissions at deadline. One on statements of common grounds, there's been various technical meetings that have taken place and the exchanges of Statement of Common Ground templates with the relevant stakeholders. We submitted a statement of commonality at deadline three. That's rep 3043, which can summarize the status with the various stakeholders in terms of where statements of common ground were required, their current status, and then also with the likes of statutory undertakers that we were progressing those through protect provisions.

00:22:16:14 - 00:22:49:19

So that document gives you the kind of overall status, but I'll go through relevant stakeholders and give you a kind of status update on where we are at the minute. Um, so in terms of substantive progress, uh, this has been made with the following organisations. So. Lancashire County Council in respect of hydrology and flood, uh, where all matters are agreed. Um, pending one update to the code of construction practice. And that will be made at deadline four. Um, similarly, all matters have been agreed with regard to historic environment.

00:22:49:21 - 00:23:02:20

Again, bar one matter, which is an ongoing matter relating to the archaeology surveys and the ongoing nature of the onshore WSI, which has progressed, um, you know, into the post consent phase as well.

00:23:04:08 - 00:23:18:22

Uh, with regard to the Environment Agency. Uh, we are largely agreed on ecology matters. Uh, we are agreed on waste matters, and we are agreed on pollution and prevention matters and Water Framework Directive matters.

00:23:20:15 - 00:23:55:10

Uh, with National Highways, we've had good engagement and we've made progress in terms of agreement on that statement of common ground. And further engagement will take place as we move into deadline four and then on to to deadline five. Similarly, with the MMO, substantive progress has been made and we've had excellent engagement with them. There'll be a further update provided at deadline four on that statement of common Ground. Um Trinity House. All matters are agreed. However, Trinity House have stated they will maintain a watching brief over the DCO to see if any of the conditions will change.

00:23:57:03 - 00:24:09:05

Maritime and Coastguard Agency. All matters are agreed. Historic England all agreed bar two matters and Historic England intend to update their position on those matters. The deadline for.

00:24:11:19 - 00:24:49:03

Moving on to the local councils. So, as you alluded to, Mr. Cliff, we're aware of resource constraints within the councils, and we're very sympathetic towards that, particularly in terms of arranging meetings around their diaries. Um. That being said, we have made made good progress. So filed by the council, we submitted a statement of common ground at deadline one, and there's ongoing technical meetings with the relevant specialists, um, from that council. And we're targeting an updated statement of common ground at deadline for, uh, South Ribble have engaged with us, um, and have agreed to further discussions.

00:24:49:14 - 00:24:54:08

And the target is to submit an additional, uh, sorry, an initial statement of common ground at deadline for,

00:24:55:23 - 00:25:14:12

uh, Preston City Council. Uh, we met with Preston, um, on the 30th of June, and we're proactively engaging with them, um, with a target of a submission of a statement of common ground at D4. But again, we're aware of the, um, the resource constraints at that council.

00:25:16:06 - 00:25:26:24

Uh, with regard to Blackpool Borough Council. Uh, we made an initial National submission at deadline three, and we're obviously committed to ongoing, um, engagement with them over the coming weeks.

00:25:29:03 - 00:25:31:13

Just to give a summary of the other organisations.

00:25:32:08 - 00:25:35:18

Um, Blackpool is the one expected at deadline for.

00:25:38:00 - 00:25:43:18

Is that on course? Because that is the deadline. I think it is. There is a deadline is at four. Isn't there?

00:25:44:07 - 00:26:15:10

Uh, Phil Williamson on behalf of the applicants. Um, so in terms of the position of that statement of common ground, we've had conversations on a number of technical matters. Um, I can say that in there has been progress on, on those discussions. Um, some of them are flipping to agreed. Um, I believe that currently now sits with Blackpool Council in terms of agreeing to the final form of that statement of common ground. And we've also received an update that they are deferring on some matters, which I suspect will also make it into that statement of common ground.

00:26:15:17 - 00:26:20:18

Um, essentially, the statement of common ground is with Blackpool to confirm that they are happy for it to be submitted.

00:26:22:24 - 00:26:24:05

Okay. Thank you.

00:26:26:04 - 00:26:42:23

So as a Blackpool Council, I concur the with the applicant team that the statement of Common ground is under the current discussion. We welcome the applicants discussion in respect to resolving issues and look forward to more proactive discussions to resolve the outstanding matters.

00:26:43:05 - 00:26:44:24

Okay. Thank you.

00:26:49:01 - 00:26:49:16

Okay.

00:26:49:19 - 00:27:20:21

Okay. Moving on to other organisations. So Natural England, um, the panel will be aware that Natural England's approach is very much around the risks and issues. So we've been engaging with that throughout examination. Um, however, we are targeting a statement of common ground to be submitted at deadline six for Natural England National Farmers Union. A statement of common ground was submitted at deadline three, and the applicant will undertake further proactive engagement in the coming weeks to to move that on Bay systems.

00:27:21:05 - 00:27:47:23

A statement of common ground was accepted into examination on 22nd July, and we will continue again to to engage with them as no doubt will come on to in the aviation hearing, engagement with them in the coming weeks, and Newton and parish councils. Two initial meetings have been held. A

statement of common ground template is in circulation, and we are going to have a further meeting on the 11th of August to discuss any comments that come back from the parish councils.

00:27:53:19 - 00:28:00:17

And frankly, say yes, because they don't do that at the end. The issue is to remember that process.

00:28:01:01 - 00:28:08:00

And the Newton Parish Council one deadline, five for that then presumably. Is that realistic?

00:28:10:04 - 00:28:10:19

Um.

00:28:11:24 - 00:28:19:16

If I may, my name is Angus Walker and I'm a solicitor at Broadfield field law, and I am representing Newton with Clifton Parish Council.

00:28:22:00 - 00:28:52:02

My name is Angus Walker. I am a partner at Broadfield Law, representing Newton with Clifton Parish Council and Freckles and Parish Council. Um, that what Mr. McKay just said is certainly correct. Um we do. I haven't attended the meetings myself, but I understand that half of them are spent saying, do we really need a statement of common ground because we're not going to agree things, whereas in fact, we precisely want one because we want it stated what we disagree about.

00:28:52:04 - 00:29:04:22

So we would like to progress with it. We are willing to assist the applicant in having something ready to submit. Say probably not deadline four, but deadline five. That that would be achievable.

00:29:05:22 - 00:29:20:14

Okay. Thank you. And just on that point, that probably the most useful bit of statements of common ground is the principle areas of disagreement. Bit in it. Uh. So if I could just make that point, and if you was any more, you had to cover.

00:29:23:16 - 00:29:56:16

I think the the other matter. Just for completeness. Um, so the East Irish transmission project. Um, there's not currently enough information in the public domain. However, we're keeping that situation under review. But at present we are not intending to submit a statement of common ground. Um, Blackpool airport operations. Uh, we've agreed that no, uh, statement of common ground is required. And instead, our focus is on the cooperation agreement that we have with the operations department at the airport and indeed, the land negotiation that will also be taking place.

00:29:58:08 - 00:30:03:13

And as I mentioned earlier, the other, um, statutory undertakers is through protective provisions.

00:30:07:22 - 00:30:09:22

Thank you. That's helpful. Thank you.

00:30:11:11 - 00:30:19:01

Unless there's any point that anybody else wants to raise on that. We'll move to item.

00:30:21:12 - 00:30:55:04

B. I just wanted the applicant just to do again a brief update on because obviously there are documents that are being updated, the documents where there's some errata that's been corrected or made and that has included in the errata sheet that is examination library reference. I'm sure somebody will give you the examination by reference in, in a moment, because I can't get the library up on my computer unfortunately. But we will do so. But I wanted the applicant just to give an overview of what's happening with the errata sheet.

00:30:55:06 - 00:31:26:11

And also I think what's happening is the errata sheet is being updated in terms of the documents when the documents are being changed. But sometimes examinations gets to a point where the errata gets quite, quite lengthy and there's a danger that people end up missing bits because people don't tend, I don't think, to look at the Iraqi sheet very much. So there's documents. There's a document itself such as, I don't know, the outline management landscape management plan, for example. Um, and then there's a separate errata sheet. But actually getting them joined together.

00:31:27:08 - 00:31:52:09

Uh, sometimes happens too late I think in this case deadline six. Is it not helpful where there is significant errata for them to be updated frequently during the examination or even having a point at the next deadline where the documents are updated? Mr. Dunn, could you comment on the applicant's approach and what could be done to sort of facilitate that, to make sure that nothing's missed? I know some of it's quite very minor stuff, which probably doesn't make much difference, but there are some points that probably are a little bit more than minor.

00:31:53:04 - 00:32:26:10

Thank you sir. Liz Dunn, on behalf of the applicants, um, as you'll appreciate, um, this is something that comes up in pretty much every DCO development consent order, um, application. Um, because there are minor, um, corrections that need to be made. Typographic errors, those sorts of things. Plus, often during the examination. Additional material is submitted in response to to representations, and documents are updated on that basis, particularly in response to comments from the.

00:32:26:12 - 00:32:56:22

For example, the statutory nature conservation body. So people like Natural England, the MMO and others. So the approach the applicant has taken is to produce the uh, the errata document, which um, at the start of that document, it explains that, um, effectively, what is being provided at each deadline is an update on those matters that remain to be updated in the, uh, in the, in the documents.

00:32:57:06 - 00:33:33:11

So, uh, you mentioned the outline management plan. So those are being updated through the examination. Um, and there will be, uh, updates you'll hear as we come on to the various topics, there will be some updates, I think, to pretty much all of the outline management plans for deadline for. And as those documents are updated, any errata that were identified initially will be picked up in those

updates. So they will they will be removed from the errata document because effectively they're not still corrections or changes that need to be made.

00:33:34:13 - 00:34:06:08

Um, in general, uh, what the applicants have suggested, and this is something that was done, uh, on a previous project on the Moana offshore wind farm project, which helped to to sort of manage that process is to keep a record of where, um, obviously through the errata document of where those are and at the close of or prior to the close of examination, um, if there are fewer than ten, uh, errata that have been identified through the course of the examination, Nation.

00:34:06:21 - 00:34:52:02

The particular document so that might be a chapter of the environmental statement won't be updated, but an errata sheet will be inserted into the front of that document, which will make clear when you're reading that chapter where those changes are. Where there are more than ten errata that have been identified, the applicants have committed to updating those documents at deadline six to, uh. So what will be submitted would be an update of the relevant, say, chapter of the environmental statement, which will then pick up all of those changes and that will be provided both as a clean version and as a track change version, so that you can see that those have been those have been picked up.

00:34:52:14 - 00:35:35:12

The reason the applicants are doing it at that stage, and managing this through an errata process, is that you'll appreciate that the documents are large, um, and there is significant material being produced at every deadline. So to be updating the documents at every deadline to pick up these sorts of minor changes the applicants feel is actually less helpful than maintaining a list of where those where those are. The only difference to the the updates at deadline six of all the documents is that the applicants have agreed recently with Natural England that there are certain documents that they would like to see.

00:35:35:14 - 00:36:16:06

Updated for deadline five in order to be able to confirm their position at the end of the examination. So the applicants met with Natural England last Friday and, uh, I can go through what that list is. Or I can just say there's a list of documents which have been agreed with Natural England that will be updated at deadline five. In terms of in terms of that material being included. And that's so that at deadline six Natural England, as we've said, can update its risk and issues log because some of the outstanding points that Natural England have regarding the application are in relation to the material that's in those documents.

00:36:16:22 - 00:36:42:02

The final point to make is that those documents will be updated, and then the list of certified documents within the draft development consent order will also be updated so that when those documents are certified, that list at the end of examination effectively is the updated document, so that that contains the, uh, the errata or the additions that that we've agreed to make.

00:36:50:13 - 00:36:51:03

The.

00:36:51:16 - 00:37:01:05

The, uh, the Natural England point in the several updates, which again, we haven't got time to do maybe provide that as an action point so we can see what's.

00:37:01:07 - 00:37:14:22

Was done on behalf of the applicant? Yes. Or we can. We can actually give an update if it's useful. Um, there is a there's a very helpful update from that meeting that we'd like to do at the start of the section on offshore ecology, and I think we can wrap it up.

00:37:14:24 - 00:37:22:08

There if it can be wrapped up at that section in the agenda. Yes. But if it's just a list of things that we don't need to necessarily discuss that can be done as an action hearing.

00:37:22:10 - 00:37:23:10

Action point. Yes, sir.

00:37:23:16 - 00:37:30:06

Okay. Thank you for that clarification. Any points on the approach to the applicant's errata that anybody wants to raise?

00:37:32:22 - 00:37:35:01

No. Okay. Okay.

00:37:35:18 - 00:37:36:10

Thank you.

00:37:39:08 - 00:37:49:16

If we can now move to the additional item, which is the applicant's summary of the

00:37:51:13 - 00:38:10:05

proposed or the notification of the proposed change request. And again, high level. Please don't need the detail. If there doesn't need to be detail that can be done within the individual topic. Agenda items. And we'll probably have a couple of questions also as well, which I'd like to be included in the ten minutes to.

00:38:10:07 - 00:38:12:00

So thank you.

00:38:13:11 - 00:38:28:09

Laura Fowler Senior Associate, Burgess Salmon speaking on behalf of both applicants. Um, we did provide um on Friday a change request, indicative overview plan. Did you want us to bring that up on screen and run quickly through?

00:38:28:11 - 00:38:29:18

Yes, as long as it's brief.

00:38:29:21 - 00:38:30:11

Yes.

00:38:30:13 - 00:39:00:07

The changes are. Um, Mr. Williamson can do that in just a moment. I probably just emphasize that the primary driver for the change request, um, has come out of the realignment of accesses, uh, to align with the final constructed layout of lithium Saint Anne's Way, the B5 410, um, which has been brought about following engagement with Lancashire County Council, um, as part of the overarching review of construction accesses. Um, That's part of change one.

00:39:00:16 - 00:39:44:19

Um, and then we also saw this as an opportunity to align the order limits with the ongoing discussions with Blackpool Airport. Um, in relation to the airport land. Um, and just to emphasize the change request, as you've said, sorry, the notification that's been submitted is simply that at this stage, it's a notification. The applicant's intention is to submit the change request, um, application at deadline four, and that will include detailed documents and supporting information. Um, just to highlight, before we go on to the descriptions, the the, I think a key point to highlight is that the proposed changes provide for an overall reduction of the order limits and an overall reduction in the amount of land that will be subject to permanent acquisition.

00:39:44:21 - 00:39:50:22

But I'll hand over to Mr. Williamson just to walk us through the changes as shown on screen.

00:39:52:23 - 00:40:25:12

Uh, Phil Williamson on behalf of the applicants. Um, so, uh, the indicative overview, um, has been broken down into the four changes that are listed within the notification letter. So we start at change one, which is broken down into three parts one A, B and C. Um. So change request one A involves the essentially the moving of that construction access, which was initially identified at where it says change one B. Um, so the initial design of the project, that access was in existence.

00:40:25:16 - 00:41:05:01

However, we were aware of the construction that was happening on the B5 410 and knew that this would potentially need to be reallocated, sorry, realigned based on the alignment of the road. Um, so this has come to fruition as part of the review that Mrs. Fuller mentioned in relation to accesses with Lancashire County. And the access point is now further north to align with the access that has been moved as part of that realignment of the B5. 410 um, so change request one is to establish that access essentially 200m north of where it identifies one B um as a as a as a.

00:41:05:03 - 00:41:39:02

So sorry. So sorry. I should have said one a sorry, uh, one a is quite sorry. I'll start again because one A is identified south and one A is identified north. So we are removing one A, um and relocating it into the corridor limits. Um, identified where it says change one A and one B change request one B is the removal of the existing access operational access. Similarly, this has also been removed and moved up further north to align with an existing access that has been identified as part of the realignment of the B5 for ten.

00:41:40:04 - 00:41:59:20

And then as part of this, we've also identified an additional access, a new access to the east of the B5 410, and that is to provide access to the east east of the B5 410 um, associated with a feedback received from landowners in terms of avoiding essentially taking a whole road through the Christmas tree farm, which is further east.

00:42:03:11 - 00:42:35:06

Do you want to go through any questions on this particular change, or you want me to run through the total? Okay. Um, so then change two. Um, is um, has come about from our discussions with Blackpool Airport and identifying an operational access alignment through works works numbers ten A and ten B, 12 A, 12 B and 14 A, 14 B, essentially taking the operational access from Leach Lane, which is identified from the bell mouth, which you can see there, um, to where the transition joint bay will be, which is pretty much in the western extent of the image you have on screen.

00:42:36:03 - 00:42:57:17

This access is tied to the next change, which is change three, which is essentially removal of that operational access to the north. So we are relocating the operational access to be taken from the south rather than from the north. So it's taken from Leach Lane rather than Squires Gate Lane. And so Change request three is essentially the removal of that operational access.

00:42:59:09 - 00:43:01:08

And that's just operation not construction.

00:43:01:10 - 00:43:02:17

That is just operation.

00:43:07:18 - 00:43:44:24

And finally change request four is in relation to, um, a reduction in the order limits for the working area within Blackpool Airport. Again, through our conversations with Blackpool Airport as part of the cooperation agreement. We've agreed that the area essentially across the runway and north of the runways is an exclusion zone. Um, for the purposes of, of of construction activities. Um, and so we have aligned the order limits to, to well, we will align the order limits to illustrate that the, um, semicircle is essentially cut to be, um, sort of along the southern edge of the runway.

00:43:46:02 - 00:44:16:16

Um, so that reduction in the order limits does have, um, does mean also that it identifies where the corridor essentially will be going and therefore change requests for C is related to a reduction in the order limits for where the corridor potentially could go. Um, basically, you wouldn't take a right angle once it has crossed the Queen's way to put the, uh, the cable corridor to the north of that extent. Um, so it makes sense to realign it so that that is only in the South.

00:44:17:03 - 00:44:20:13

And so that will be illustrated at the application at deadline four.

00:44:22:10 - 00:44:57:20

There is one other which isn't within the Blackpool airport, which is associated with Blackpool Recreation Ground, um, which has changed requests for B. Um, and essentially we'll be cutting off the sort of, um, the sweep, um, to the south, south of the existing, um, identified order limits. Um, again, this is to do with the conversations that we are having with Blackpool Airport in terms of potentially how we might operate within the construction within the airport. And also feedback that we've had from the football club in relation to their 11 a side pitch.

00:44:58:05 - 00:45:10:20

So because of the conversations we've been having with Blackpool Airport, we are able to commit to removing some of the order limits there so that we do not impact on the 11 a side pitch. Um, and again, that will be illustrated at the submission at deadline for more clearly.

00:45:13:11 - 00:45:35:13

Very quick point on that. That would be helpful if it actually could show the football pitches on the, if possible, just to show how the football pitches would be affected in the flight. It's not quite before or after situation, is it? But the previously proposed, now proposed or notification request proposed, you know what I mean. Just to show how that the implications of that for the football pitches.

00:45:36:17 - 00:46:06:24

Phil Robinson on behalf of the applicants. Yes. That is we can certainly do that. I just wanted to bring one other point, point of attention to the panel in relation to the change request around for A and for C, um, there is an access which is currently on the access to works plans. Um which would which is identified to take construction traffic west of Queensway, which is in the northern extent of that semicircle. We've had engagement with Blackpool Airport in relation to the order limit changes.

00:46:07:14 - 00:46:42:21

Um, and um, essentially that access would not be available if we were to remove that land from the order limits. So we had a conversation with Blackpool Airport on Friday, um, for the proposed order limit change, and had a discussion with, in terms of relocating the access into the south southern extent, which we would now, um, which would then take you west into west of Queensway into the airport land. So essentially keeping that access but moving it south, that's currently not illustrated on these plans or identified in the notification letter, because it's been very fresh feedback received from Blackpool Airport.

00:46:43:15 - 00:47:09:02

Um, this has been raised with Lancashire County Council because obviously they are not notified of that either. But we have started some of that early engagement essentially pre consultation on the proposed order limit changes. Um, so we have made Lancashire county aware, Blackpool Airport are aware. Um and obviously that will also be will provide a narrative and drawings to, to illustrate that change of the access point as well.

00:47:11:06 - 00:47:16:01

Does that one involve any additional land? No, it does not. Any additional powers?

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

Yeah.

00:47:18:08 - 00:47:31:13

Laura Fuller, on behalf of the applicant. No, it's entirely within the order limit. Well, it will be entirely within the redrawn order limits. Uh, and it won't involve any additional CCA powers. Compulsory acquisition powers.

00:47:38:08 - 00:47:38:23

Sorry.

00:47:39:23 - 00:47:46:10

Can we? I will allow opportunity for comments in a few moments, please. If you could just be patient, but I will. I will get to that. Yeah.

00:47:46:12 - 00:47:48:17

Thank you. Um.

00:47:49:01 - 00:48:03:03

Just a quick question on for me. You were talking about the Recreation Ground. Uh, can you either at some stage just confirm the plot numbers that are going to be affected by this change? I don't need to know now.

00:48:03:10 - 00:48:13:10

Laura, on behalf of the applicant, we did include plot numbers in the notification of change letter. And of course, we will include that further detail and explanation and expand that as part of the application.

00:48:14:04 - 00:48:25:00

So there will be a question under the land use section. And I would like to have the plot numbers. Don't need them now, but if you can just perhaps at the break, just confirm what those plot numbers are and give it to the case officer.

00:48:26:07 - 00:48:33:05

Yes, we can do that. They are they are in the notification of change letter under each change. So we can we can run through that.

00:48:33:07 - 00:48:33:22

Okay.

00:48:35:20 - 00:49:04:17

The fifth change proposed change which isn't included in the notification request if because the examining authority will have to respond to this in terms of providing our advice. It's called a procedural decision, I think, but it's providing our advice in this case. Um, and I think we would intend to do that early next week. Um, the fifth one, though, isn't in the notification. Uh,

00:49:06:11 - 00:49:15:03

it would be helpful if it could be included in the notification this week. Otherwise, the fifth one will be lagging behind the other ones in terms of process.

00:49:32:09 - 00:49:44:05

Phil Williamson, on behalf of the applicants. Uh, yes. We can update the notification letter to include that information and that, uh, early narrative. Um, I think it comes about as some of that engagement. So yes, we can provide that.

00:49:44:07 - 00:49:57:16

Because when we do respond, we can then include that in it. But it'd be quite difficult to respond to something that's been not sort of formally notified. Uh, and also details of that can be put on the website for people to see as well.

00:49:59:08 - 00:50:01:18

Is that your introduction? Can I ask my questions?

00:50:01:20 - 00:50:19:14

So Phil Williamson, on behalf of the applicants, just just to make it clear, we would deem that part of change for a it is all a sorry change for I should say, it is all associated with the changes to the order limits that change for rather than identifying a new change. But we can make that clear in the update to the letter I see.

00:50:19:19 - 00:50:20:09

Okay.

00:50:21:13 - 00:50:57:00

We'll obviously provide advice in a letter next week and I will come back to parties if you have anything to say. But there's we have the Planning Inspectorate, government advice note on change requests, August 24th. I think it's been updated since then, which has tried to sort of consolidate all the sort of practice, good practice and, uh, what have you in terms of previous change requests. So with reference to that, and I know you have sought to follow that, but why are these matters not been identified and dealt with at the pre-application stage? This is my first question.

00:50:58:11 - 00:51:51:21

Phil Williamson, on behalf of the applicants, um, in terms of the timing of the submission of the application and the construction of the B5 410, there was no clarity about the alignment of the access, uh, sorry, of the B5 410 and therefore, whilst we included what we what was based on the previous alignment, it was not possible to identify exactly what would be on the ground at the time. Um, therefore, as part of our engagement with Lancashire, in terms of identifying construction accesses and review of those construct access construction accesses, when we realized we needed to relocate and access, that triggered essentially the need for a change request, because we were removing potential um, um access identified from the order limits, removing some of the powers associated with temporary and permanent um, associated with those accesses as well.

00:51:52:06 - 00:52:01:21

Um, so it is a timing matter. We were aware of, of the realignment of the road, but we needed for the road to be constructed to, to essentially know what we would need to do.

00:52:08:03 - 00:52:28:22

Phil Williamson, on behalf of the applicant, sorry. Um, and, um, in terms of our ongoing engagement with Blackpool Airport, we saw this as an opportunity, uh, through submission of the change request to align the order limits with those discussions with Blackpool Airport, to give them that assurance that we are doing everything in our powers to align with what we've discussed with them.

00:52:29:04 - 00:53:01:07

Okay, I understand the next one is more of a point in terms of when the actual formal change request comes in. I note that in your notification it says there wouldn't be any implications for the environmental statement, but that would need a justification and it would be very helpful. In fact, I would ask that that would include a topic by topic, um, description of effects and implications for any mitigation proposed. So how you get to the conclusions that you've made or you will be making on each particular topic.

00:53:01:11 - 00:53:48:24

Uh, don't need a response to that now. And also, are there are there any updates to highway junction assessments needed in terms of the, uh, highways implications? Maybe leave that to the transport discussion tomorrow, so don't need a response to that now. Um, there's a non-statutory consultation proposed and you provided details of that. Why is that intended to be carried out after the formal change request when the advice note says that I think normally in previous practice, although not in all practice, I think Mona might be slightly different that you did this non-statutory consultation before the change request.

00:53:49:01 - 00:53:56:20

Why can't the change request actually wait until after the non-statutory consultation has been has taken place? Just to briefly come back on that now.

00:53:57:10 - 00:54:31:07

Well, Laura, on behalf of the applicants, um, yes, we have reviewed obviously the change request advice, but also considered, uh, what would make a reasonable and proportionate consultation. Uh, the reason for submitting the change request application first is because people will have the benefit of the detailed supporting information and the updated works, plans, drawings and the lands plans. And hopefully that will better aid their understanding and aid their ability to submit their representations.

00:54:31:20 - 00:55:04:23

And as we've already mentioned, there has been a level of informal consultation to date with the key stakeholders because that's how we've arrived at the the change request. And we're kind of we're basically proposing this informal statutory consultation as, as an additional consultation so that others may also comment on it. Um, and that does align with recent change requests, applications that have been made on numerous other projects, including most recently on the Mona application.

00:55:05:01 - 00:55:08:07

And I'm aware of the process for that that.

00:55:08:09 - 00:55:08:24

Was.

00:55:09:01 - 00:55:45:15

Took place for that. And in terms of that non-statutory consultation, and obviously there'll be a consultation report provided, and only after that's been provided with the examining authority, make a decision on whether or not to accept the change request. But in terms of the actual consultation that's being carried out, I would have not done already recommend a conversation with the relevant local authorities, which I presume are Blackpool and Fylde in this case. In terms of what do they consider those consultation, that consultation to be appropriate in much the same way you would do when you put the when you first start looking at the application and you do your, your soc, your, your, your, uh, I forgot what SOC stands for.

00:55:45:17 - 00:56:20:10

But anyway, the statement of community consultation, you'd go to the local authorities and get their views on it. So I think I think you should do that if not already. And consider also whether or not there are any locations where I know there's a request for or there will be site notices, but where do the site notices go and does actually need to be notification of individual properties that might or might might be affected by any of the proposed changes. Leach Lane, for example I don't know, I'll leave you to talk to the council about that, but just to make sure that everybody who needs to be included in that non-statutory consultation is included.

00:56:21:00 - 00:56:21:15

Um,

00:56:23:01 - 00:56:31:05

and then in terms of the timetable that's been provided in your change request document the.

00:56:34:03 - 00:57:08:02

Date for the examining authority's decision on the change request is the 14th of October and then on deadline six, which is the final deadline is submission of all the relevant updated documents. But that doesn't allow a chance for representations to be made as part of the examination on the change, which again, I would have thought would normally be the case. Unless you're arguing that the non-statutory consultation will cover that, there's a consultation report submitted and that will provide us with all the submissions, but that still doesn't give the examining authority the chance or more importantly, interested parties the chance.

00:57:08:04 - 00:57:14:17

We may not be on that list, but might actually be affected by something and haven't actually spoken so far, or given a representation so far.

00:57:16:11 - 00:57:26:07

Is there not an issue that there is no mechanism within the examination for people to make formal representations as part of the examination, in addition to the non-statutory.

00:57:27:11 - 00:58:04:24

Laura Feller on behalf of both applicants, so the non-statutory consultation will be based on all the, as I've said, the detailed documents that we would submit and we wouldn't be submitting a you know, they would be submitted just to reflect that change request that will be clearly set out in all of those documents to enable people to make their representations on the change request material through the non-statutory consultation. Um, we've asked it as a non-statutory consultation because we thought it would be more proportionate for us to manage those consultation responses and just submit an updated consultation, uh, to yourselves.

00:58:05:01 - 00:58:34:04

And also that just noting that as we've set out in the change request letter, the change request doesn't trigger the compulsory acquisition regulations, which we appreciate, do require additional steps in terms of, uh, relevant representation and written representations submissions. There's also an opportunity um, as part of in the timetable for the change request to be examined further at the October hearings.

00:58:34:24 - 00:59:06:22

Although at that hearing the change request will just be a change request, it won't be. There will be no decision on it, so nobody will know if it's part of the examination or not. And there is a potential for confusion as to what is the application that's being examined and what might be the potential application. Is there not a way of actually changing your timetable to allow the details given of time for us to make a decision on the change request, allow a decision to be made on that, and then allow a deadline for parties to. Because again, the advice note does say I think that it's a it's a fairness point.

00:59:06:24 - 00:59:17:14

It's a fairness point that people have a chance to comment on, on these things as part of the examination. There's an opportunity for that within the actual examination and indeed potentially for comments on comments as would normally would normally happen.

00:59:22:02 - 00:59:24:05

Laura. Photo on behalf of both applicants.

00:59:27:03 - 01:00:08:10

As I've already said, we've set the program out to reflect what has happened on various other applications and on the basis that all the all the documents will be submitted into examination for the change request at deadline four and so will become part of the um, application documents, albeit there will be some documents clearly that would run in parallel. So there will be the change request track change DCO, the change request works plans and the purpose of the non structured consultation allows those comments to be provided and that for us to then submit that information to examination.

01:00:08:12 - 01:00:15:12

But it doesn't prevent anyone making a submission as part of their representations on the deadlines.

01:00:15:14 - 01:00:51:15

I mean, there might be some parties who don't want to engage with the proposed changes until they're accepted. Uh, because why would they want to do until we've said we're accepting them. I think if you are taking that approach and we will obviously set out this in our response, we'll give some further thought to it as well. This is just a discussion as a result of what's been sort of talked about in the submission that we we have, but I think it does place extra emphasis on the conversations you have with the councils to make sure that your non-statutory consultation is as comprehensive as it can possibly be. So there's not a there's not a risk that there's a I don't know, there might be a property or a business that hasn't it's not even interested party that suddenly goes, well, hang on, I don't like that or that.

01:00:51:17 - 01:01:21:06

What if for whatever reason, for whatever reason, and there's a danger that they wouldn't be necessarily involved? They might not read the site notice, I mean, you know, where's the site notice located site notices get taken down. So I think that non-statutory consultation needs to be needs to be fairer, just in terms of fairness, to make sure everyone can make comments on it as part of the examination or have their comments put forward as part of the examination. The last question before I ask any for any of the comments is, are there likely to be any other change requests?

01:01:23:21 - 01:01:27:05

Laura Fuller on behalf of both applicants. No, this is the only change request.

01:01:27:07 - 01:01:27:22

Okay.

01:01:27:24 - 01:01:29:02

We will be putting forward.

01:01:29:24 - 01:01:30:14

Okay.

01:01:31:03 - 01:01:42:04

Thank you. Uh, there was a lady who wanted to speak. If you could. Have. You got a microphone? Is there a roving microphone that can be. Or have you. There's one on the way.

01:01:44:08 - 01:01:47:16

You can just give your name. Uh. Please. First.

01:01:48:22 - 01:02:27:05

Is it on? Yeah. Okay. I'm Ross Forsey from Squires Gate Residents Association, and I would like to say, firstly, that document you put up, you've explained that it's not up to date. And I think if you're going to come to a meeting of this nature, so many of you presumably all on salaries, it should be, quite frankly. I'd also like to say from what I'm hearing, it feels as though the applicant is not following due process and informal consultations with stakeholders.

01:02:27:10 - 01:02:51:20

Shouldn't carry weight unless they have been recorded somewhere and they are accessible to the public. Um, I think there seems to be a good deal of time being spent here with the applicant justifying why they are not following the proper processes, and I really think that that's not acceptable. Thank you.

01:02:52:19 - 01:03:07:22

Okay. Thank you. No. No thank. Thank you. But no thank you for the applause. It just I can't hear and think about what's going on. So it's a formal event. So if you could please refrain. Uh, any further comments? Mr. Walker?

01:03:08:21 - 01:03:40:23

Thank you. Sir. Yes. Angus Walker for the parish councils. Um, two points. First of all, from this presentation, it seems that the change request itself is already changing. And this is at the request of Blackpool Airport, who I thought the change request was to accommodate. So it seems a bit strange that they did not seem to have fully agreed it before it was made. And the fact of the matter is that the application is in a bit of a state of flux, and there isn't now enough time to examine properly the changes that are necessary to be made to it.

01:03:42:19 - 01:04:12:20

And that's why everything is being done at the last minute, at the last deadline. My second point is what does this mean for item seven A on the agenda, because that's talking about the effect on Blackpool Road playing fields. And you, sir, said that we should be examining the application as it currently is. But that does seem a bit of a waste of time under that agenda item. If the effect has been reduced by the change request, so should we still carry on talking about that item or leave it till later?

01:04:13:11 - 01:04:42:09

I think we should carry on talking about that item, but if there's any sort of small point that needs to make in terms of what a change request might be. It might be helpful for that to be to be clarified from my from my point of view. But it is the it is the examination. It is the application before us. Yes, it is being examined. I don't want to take up too much time at these hearings discussing something that is not yet actually taken place, but in terms of obviously discuss negotiations with parties, etc. and this comes out to negotiations. So I don't think there's any harm having it referred to.

01:04:42:22 - 01:04:50:08

Thank you sir. My colleague Phil Morgan also has a couple of points to make. Yes. Thank you. Uh, Phil Morgan. Sorry.

01:04:50:21 - 01:05:23:06

Phil Morgan, Newton and Clifton Parish Council and chair of the task group. Um, I suppose three points. Really? Um, the first is that in a series of documents which are not always easy for people to read, this is a particularly impenetrable and unclear document. And certainly if you were to use this as a basis for consultation with the public, you would struggle to get people to understand what was proposed. I've struggled and I've read it three times. There needs to be better coverage of things like road names. I recall at the open forum hearing, Leach Lane was the one road that was identified as an area of partial closure.

01:05:23:08 - 01:06:01:21

It isn't obvious to me that any of the local residents on that road or adjoining it are aware of that, and I'm unclear about what the impact of these proposals will be on the residents on that road. So it's particularly important that when we talk about engagement of stakeholders, we talk about the residents who are going to be affected by that and that they and our experience of consultation by the applicants has been poor, frankly, which is why both Fylde and Lancashire councils refuse to give an adequacy consultation notice. So there needs to be a reasonably high bar set so that local people are given accurate and fair information, that they understand what's proposed and they have an opportunity to respond.

01:06:01:23 - 01:06:04:00

As part of this process as well.

01:06:04:02 - 01:06:04:18

Thank you.

01:06:04:20 - 01:06:19:08

Thank you. That's understood. If I could ask the applicant to take note of those points in preparing the actual change request, the formal change request. Um. Any further. I will come back to you on comments. Any further comments from the room?

01:06:19:10 - 01:06:56:13

Briefly chairmanship of Fylde Borough Council. And so just two comments. Equally the first in reference to the procedure, we share the same concerns in terms of process. We would obviously welcome the ability to comment on the adequacy of the statutory non-statutory consultation process proposed. And the second point, which is the substantive one, is that we will obviously review the change, um, notification request and the request in due course. But what we would like to say at this stage is that although there might be a change proposed change, the order limits, that might not change the impact to the playing field.

01:06:56:15 - 01:07:01:11

So we'll have to comment on substantively whether there will be in any change to impacts in due course.

01:07:02:20 - 01:07:10:20

Thank you. That's understood. We've got one comment online. And is this a is that Mr. Donnelly?

01:07:12:12 - 01:07:34:22

Miss Donnelly? Good morning, sir, just to first just introduce myself. My name is Keir Donnelly. I'm a lawyer at DWF. I'm here to speak on behalf of Blackpool Airport today. Um, at issue specific hearing, one, you heard from my colleague, Mr. Paul. Uh, Mr. Paul and I are tag teaming a bit today as he's got conflicting meeting at the moment. So you'll be hearing from me for now. Um, but later on, you might hear from Mr. Paul. So just to explain that.

01:07:37:04 - 01:08:07:15

Um, I just wanted to follow up on a comment made by Mr. Walker about the sort of the new element within change for, um, I think he suggested that that was a request from Blackpool Airport. Just to clarify, and I'm sure the applicants will have something to say about that as well. Um, but my understanding is that it was a, um, unforeseen impact of the changes within change request for. And the applicants approached the airport to, to seek to agree that additional element of the change.

01:08:07:17 - 01:08:22:09

So it didn't it wasn't driven by Blackpool Airport, but the airport were very happy with the proposal because I think it was, um, a sensible and and essential additional change within given the changes that are proposed within change. Request for.

01:08:22:16 - 01:08:34:08

Thank you. Okay. Thank you for that clarification. And we're going to move to aviation very shortly as well. So we'll probably hold that for for that that discussion. Any further comments.

01:08:36:23 - 01:08:58:08

So Catherine Blackpool Council. So Blackpool Council welcomed the change request from the applicants in respect of the Northern access and Squires Gate Lane Blackpool Council seek and we're happy to take this offline with the applicants. A reassurance that the Squires Gate Lane Access Land Plan 02028 will not be used for construction purposes.

01:09:00:02 - 01:09:08:07

Okay. Thank you. Any very brief final comments from the applicants before we close this item?

01:09:12:05 - 01:09:28:16

Out Phil Williamson on behalf of the applicants. I think it's fair. We've heard the comments raised and we'll reflect, um, both that in the update to the notification letter as much as possible, and also in the production of the materials for the formal application of the change request. Okay.

01:09:28:20 - 01:09:29:11

Thank you.

01:09:31:16 - 01:09:43:19

Okay. That brings us to the end of that item. So we can now move to the next item in the agenda which is on aviation.

01:09:44:09 - 01:09:50:24

So Liz Dunn, on behalf of you, can we just apologize? I think it just might just be helpful. May well come up.

01:09:51:01 - 01:09:53:07

Very quick because we're we're moving on with time.

01:09:55:14 - 01:10:32:04

Hi, Johnny Wilson, I'm strategic consents advisor on the Morgan Project. I'm speaking on behalf of both applicants. I really just wanted to mention that the applicants have recently been in touch with

Fylde Borough Council, South Ribble Borough Council and Preston City Council to provide prior notification for intrusive survey works and that they are being taken. They're taking place at a variety of locations across the joint transmission order limits, and we recognise that there is public interest in this.

01:10:33:08 - 01:11:09:01

These upcoming survey works are needed to secure further information regarding specific ground conditions to inform the post consent detailed design stage of the project, and that's standard practice in the development of these types of projects. The surveys are due to start in August, expected to last into October. All in all, affected landowners have been contacted and necessary access has either already been agreed or is in the process of being agreed.

01:11:10:11 - 01:11:41:23

We really just want to make the point that the data that will be collected from this survey is not needed for the assessments, and the interpretive results of that will not be available until after the close of the examination. The data collected from these works will inform the detailed design and the discharge of the DCO requirements in the event that the DCO was granted. If anyone would like any further information about this, there are members of the project teams here.

01:11:42:02 - 01:11:54:03

Paul Elson, one of our engineers, for example, or myself. We're available outside of the hearings to speak and more on this. I just wanted to present that shortly and clearly.

01:11:54:05 - 01:12:10:13

Thank you. I'm sure that's helpful. Clarification. I was going to say if anybody has any questions on that, I don't think we need to discuss it as part of the examination. But if you can have someone available, but you've already said you will do that. So if people want to ask the applicant in the breaks about that, I'm sure you'll be able to discuss. Okay.

01:12:15:02 - 01:12:19:01

Right now over to Mr. Gorst and we'll go on to aviation.

01:12:20:07 - 01:12:39:12

Thank you, Mr. Cliff. Uh, first of all, if I can just, um, establish who is going to be speaking in respect of this. Uh, as far as airports are concerned, we've just heard from Kier Donnelly. Um, I think there's a couple of other people who are who might be involved, but is will you be speaking on this, this Miss Donnelly.

01:12:41:09 - 01:12:43:08

Donnelly for Blackpool Airport. Yes. That's right sir.

01:12:45:10 - 01:12:48:15

Sorry. Will you will you be speaking in this section for Blackpool Airport?

01:12:48:19 - 01:12:49:09

Yes.

01:12:50:02 - 01:12:55:12

Uh, as opposed to somebody else from, from from the airport who might be in the room or online.

01:12:56:01 - 01:12:59:01

Only for Blackpool Airport. Yes. That's right. So I'll be speaking today.

01:12:59:09 - 01:13:06:06

That's fine. Um, I'll come back to you in a moment, then. Uh, and for by, Ye who's like to be speaking from from. Bye.

01:13:08:07 - 01:13:17:11

Good morning. It's Paul Forshaw from the IP planning representing BAE systems. Um, I have colleague Kevin who will introduce himself.

01:13:18:08 - 01:13:18:23

Morning.

01:13:19:00 - 01:13:20:00

Kieran Merriman and the.

01:13:20:02 - 01:13:22:07

Aerodrome manager at BA Systems Warton.

01:13:23:18 - 01:13:29:15

Um, we also have, uh, Samantha Grange, uh, joining us online from Eversheds.

01:13:31:24 - 01:13:57:11

Right. That's fine. Thank you. Thank you very much. Right. If I can return to you, Miss Donnelly, um, and ask you, um, at the outset. Um, we've heard a lot about this cooperation agreement between, uh, the airport and and the applicants. Uh, can you just sum up where you are as far as that's concerned? Because we were hoping it might have been concluded by, uh, by these hearings.

01:13:58:03 - 01:14:09:09

He had only for Blackpool Airport. So the applicants and the airport and Blackpool Council, in its capacity as shareholder of the airport, have agreed a joint statement, which I propose to read at this point, if you're happy with that.

01:14:11:00 - 01:14:12:13

Uh, it's not too long, I hope.

01:14:13:08 - 01:14:14:04

Hopefully not sir.

01:14:15:03 - 01:14:16:04

Okay. Far away.

01:14:16:12 - 01:14:49:15

Well. Thank you. Um, the applicants and Blackpool Airport have continued to engage in detailed discussions and negotiations regarding the works on Blackpool Airport's operational land, since issue specific hearing once is one. As noted by both the applicants and Blackpool Airport, the applicants and Blackpool Airport, and that is both Blackpool Airport Operations Limited Bowel and Blackpool Airport Properties Limited, baffle have been negotiating the terms of a cooperation agreement for many months to facilitate construction and operation of the transmission assets through Blackpool Airport, whilst ensuring the continued safe, efficient and uninterrupted operation of the airport.

01:14:50:06 - 01:15:20:06

Significant progress has been made on the draft co-operation agreement since ISAF one, and a final form of agreement has now been reached. The applicants and Blackpool Airport expect to be able to confirm signature of the cooperation agreement over the next week or so. Whilst the co-operation agreement addresses vowels, concerns including but not limited to necessary mitigations to maintain uninterrupted operations and bird strike as outlined in their relevant representation and written representation, and that is. RR 0245 and Rep 1-115.

01:15:20:17 - 01:15:56:20

Vowel reserves the right to make fresh representations in relation to one. Any new application documents to any amendments to existing application documents, such as representations which such representations are to be made only in respect of new or amended clauses or sections of those documents. And three any new proposals where those matters may materially prejudice bowels, licensed operations and functions, including, but not limited to, all flight operations. The applicants Battle and Blackpool Council continue engagement on land agreements and therefore Battle and Blackpool Council reserve their respective positions in relation to the land rights.

01:15:56:22 - 01:16:00:09

Sort of a battle and Blackpool Council interests. Thank you sir.

01:16:02:00 - 01:16:14:09

Thank you. So so just to be clear on that, you said that you expect it to be concluded over the next week. And what what what, um, what needs to be done over the next week?

01:16:15:01 - 01:16:45:01

Kate Donnelly for Blackpool airport. Um, yeah. So the the document is essentially an agreed form. There is an agreement process to take place, and then there is some governance that needs to take place within the airport. So that's both at an airport board level and a council level, a shareholder. Um, the timescales for those are not yet confirmed, but um, I think it's safe to say that everyone is keen to conclude the agreement as soon as possible. So the agreement is substantially agreed.

01:16:45:03 - 01:16:50:00

The actual date on the document might take slightly longer.

01:16:53:11 - 01:17:02:23

And if it's, uh, if it is concluded, is that likely that, um Blackpool Airport will be able to withdraw their current position.

01:17:04:08 - 01:17:23:08

It only for Blackpool Port. Um, yes. Certainly. Bowel would anticipate withdrawing its objections, subject to the caveats that I noted before the joint statement. But but not necessarily battle, and certainly not Blackpool Council.

01:17:25:21 - 01:17:56:02

Yeah. I appreciate you not speaking. Um, for, for for the council. Um, just, uh, turning to, um, specifics, we obviously spent some time going over the airport during our, our, um, accompanied site inspection. Uh, and there was a real concern over runway 28. Um, has has that concern now been dealt with by, by the way, that, um, the applicant is going to use Trent's operation or whatever.

01:17:57:01 - 01:18:15:05

Only for Blackpool Airport. Um. Yes, sir, I appreciate I'm reluctant to share too many details of the commercial agreement, given its confidential nature, and I would want to speak to the applicants first. But, um, at this stage, yes, the airport is satisfied, subject to completion of the cooperation agreement.

01:18:23:20 - 01:18:31:12

Thank you for that. Um, I don't know if the applicants want to add something on that particular point. I mean, we've obviously heard the joint statement.

01:18:33:05 - 01:19:25:18

Uh, lays down on behalf of the applicants. Uh, thank you. And thank you to, um, Blackpool Airport for for, um, submitting for reading out that joint statement. Um, so it's the applicant's understanding that once the so the document is effectively an agreed form, uh, it just needs to be, um, uh, signed. So and there is a, there is the governance process Donnelly has has mentioned, and it's certainly the applicant's understanding that once that has happened, Blackpool Airport will be withdrawing its objections or concerns regarding the operational impacts on the airport, noting the points around reserving its position in respect of any subsequent or any changes effectively that are made coming forward and noting the position on land agreements, which is effectively a matter for very much for Blackpool Council.

01:19:27:12 - 01:19:49:14

Thank you for that. I mean, just to emphasize today, I think we're exactly halfway through the examination. Um, and, uh, if this isn't concluded pretty quickly, I think we're going to be asking questions as to what are the outstanding points. So, uh, you know, hopefully that won't be necessary, but, um, the clock is ticking, so to speak.

01:19:50:04 - 01:20:29:24

Yes, sir. Liz Dunne, on behalf of the applicants, I mean, we're very aware. a deadline for is next a week on Friday. Um, and and then there's a bit of a gap, I think, until the next deadline. We are we are doing what we can. Obviously it's it's now in the council and the airport's hands in terms of the process that they need to go through. Um, and as soon as that agreement is completed, I mean, we would request the ability perhaps to submit that notification out of out of deadline if it happens

between deadline four and deadline five, because I think it will influence, obviously, the examining authority's next set of questions, which I imagine you're turning your minds to already.

01:20:31:03 - 01:20:56:05

Thank you for that. Um, so question first to to Miss Donnelly. Um, assuming it is agreed. Um, over the next, uh, you know, in the near future. Uh, will there be any implications for the draft DCO and supporting documents in terms of measures that are required to ensure that the aviation interests at the airport are safeguarded.

01:20:57:21 - 01:21:12:19

Only for Blackpool Airport. Um, not that I'm aware of, sir. I think certain changes have already been made to the DGCA to allow the airport to to act as consultation on certain matters, so those matters are already secured.

01:21:16:02 - 01:21:16:18

Miss Dunne.

01:21:16:20 - 01:21:17:10

Just.

01:21:17:12 - 01:21:37:20

Lays down on behalf of the applicants. We don't believe that any further changes are needed to the draft development consent order. And where? So where references needed to be made to Blackpool Airport in terms of, uh, being a consultation in respect of relevant requirements and in respect of the outline management plans, that has been done already.

01:21:39:04 - 01:21:48:04

Thank for that. Um, I think anybody else in this Blackpool Council might want to say something about this.

01:21:49:12 - 01:22:08:16

Uh, Says Miss Blackman Council. I concur with Miss Donnelly's statement on behalf of the Council and in respect of the operational mitigations that have been put forward by the applicant. The agreement is going to start going through the council's government process, and the council will look forward to the applicant support and assisting us with that.

01:22:11:11 - 01:22:19:06

Well, thank you very much to all of you and for joining us, Miss Donnelly. Um, just one further question.

01:22:20:04 - 01:22:32:07

Just in terms of what was said about updating any, any documents until sort of we see the further information on the agreement, it's difficult to know what implications it might have for the DCO and everything else, and for the helpful to have a

01:22:33:22 - 01:23:06:07

when you get to the point of having made the agreement to have a submission, which just explains why there's not any, because the end of the day, as examining authority, we've got report to the Secretary of State against the relevant policies. And there's policies that protect protects aviation interest and other things. And we've got to be satisfied that those policies are met. So it'd be helpful to have a submission on assisting us with because whilst it might be a commercial agreement, it might be, you know, the DCO might, might change hands in the future, etc..

01:23:06:09 - 01:23:07:04

So to cover

01:23:09:03 - 01:23:46:20

the policies, how how are they being met? Because at the moment in the is this matter of things like bird strike was scoped out. I understand in the is and will probably come on to this more with BA, but in one sense it's been sort of almost almost scoped back in, hasn't it, in terms of being an issue that needs to be needs to be considered because obviously time has moved on since the scoping opinion. But I think I'd reiterate at that point that, you know, how does this agreement meet the policy tests? There might be a cooperation agreement, but does it need to be more than that in terms of meeting the tests, in terms of how we recommend to the Secretary of State on this particular issue.

01:23:47:06 - 01:24:19:02

Thank you sir. Liz Dunn, on behalf of the applicant, it sounds like it would be sensible for us to do a joint statement with the airport regarding that in terms of the airport, um, withdrawing its submissions and confirmation, I think there will be. Um, certainly the applicant and applicants and the airport have agreed once the document, once the agreement is, is signed and completed, a form of words whereby the airport will be withdrawing its position.

01:24:19:13 - 01:24:56:11

Um, we can then which will which certainly addresses some of those matters in terms of confirming the applicant of the airport's position. Um, we can look at how we tie all of that together in terms of, of various matters, I think in respect of, um, of bird strike and the wildlife hazard management plan, things have moved on very significantly through over the last effectively ten weeks with the airport in terms of the material that the applicants have submitted, the discussions that have taken place, and achieving a position with Blackpool Airport, where they are comfortable about the process that will be followed.

01:24:56:14 - 01:25:22:19

The way that the DCO is structured and the documents that have been provided. Um, so I think from the applicants and Blackpool Airport's perspective and Miss Donna Leal, or can I say if she disagrees? But I think those matters have now been satisfactorily resolved through that information that has been provided to the examination and is effectively secured through the Draft Development Consent order and the outline plans that have now been submitted.

01:25:23:09 - 01:25:46:11

And will the need to be. This again probably is relevant to subsequent discussion with be Water and does it need to be any or should there be any update addendum to the ES to cover all these matters?

Maybe that's something to sort of just think about while we have those discussions with BAE as well, because at the moment the the ES, Yes. It's scoped out, isn't it? So there's no.

01:25:48:18 - 01:26:02:08

There's no commentary. Yes. Commentary on on these matters in terms of, you know, how that normally would take place and how mitigations got to, etc., etc., just what does the need to be in terms of updating the ES, if anything, in regard of this matter?

01:26:03:05 - 01:26:37:10

So I think we'll take that one away. Um, I think our position at the moment is that that information through the material that's been provided to the examination, so the, um, the bird, I can't remember what it's called. The bird bump. No, not the hazard management plan. The baseline bird data report. So that that information is available. I think the question is kind of where it sits now, but, um, we'll look at that in terms of where where the appropriate place is for it and ensuring that it's it formed and how then it fits with the with the outline hazard management plan.

01:26:37:12 - 01:26:39:18

But we'll take that one away and confirm, okay.

01:26:40:07 - 01:26:42:05

When will that be in terms of.

01:26:44:07 - 01:26:50:09

An action point, so to speak. When should that be expected by what is reasonable?

01:26:58:24 - 01:27:11:06

At least done on behalf of the applicants. Um, we suggest deadline five for that. Um, because we're also hoping, obviously to make further progress with by. And then we could presumably wrap those those things up together.

01:27:12:01 - 01:27:18:05

Okay. That sounds reasonable and sensible, subject to the discussions in the next half hour or so. Okay. Thank you.

01:27:19:23 - 01:27:53:13

So thank you very much. Mr.. For for joining us today. So I'm going to move on now to be um, we heard earlier about the statement of Common Ground, um, that was submitted, um, at dead after around deadline three. Um, however, I don't think this statement of Common ground showed very much progress at all. Um, and I think the discussions with many points still to be agreed. Uh, and as I said a few moments ago, we're now halfway through the examination.

01:27:54:07 - 01:28:11:24

Um, so to see so many outstanding points is quite a concern. Um, so we are expecting that these discussions will, will, will be given the utmost priority. So having set the scene, Mister Forshaw, would you like to tell us where we are at the moment? Thank you.

01:28:12:11 - 01:28:26:02

Uh, Paul, Paul Forshaw, on behalf of BAE systems. Um, I think the, the very light touch that common ground. Um, frame it that way. Um, it's a, it's part of, um,

01:28:27:23 - 01:29:01:00

in order to share and discuss relevant various bits of information between the parties that, um, there needs to be non-disclosure agreements. Um, and those there are discussions ongoing at the moment between all the parties of the two applicants NBA systems on that non-disclosure agreement. Um, I think the latest position on that was that, um, a draft template has been shared by BAE systems. Um, I think comments were received back from, uh, Morgan end of last week. I think the systems are still waiting for comments on from, uh, from Morcom.

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

Um, so there are various we've had various discussions with the applicants. Um, but we can't share the detail of the information discussed from the very specifics until the NDA is in place. So that's what's put a bit of a bit of a pause. And it's not willingness on either party to have those discussions. It's just this, this process needs to go through first.

01:29:26:21 - 01:29:40:14

Uh, thank you for that. Doesn't really tell us much more than the statement of common ground. Didn't tell us, um, in the deadline. One submission. Um.

01:29:42:11 - 01:30:19:06

Uh, sorry. At deadline one, we asked the applicants to give us a update. Uh, and they did that in the deadline. One submission at rep one oh 37. Uh, and they stated the need for potential bird strike mitigation requirements was not not raised during pre-application consultation and was identified at submission in a systems relevant representation, which was RR 208. Uh, however, when I looked at the consultation report, which is at 188, uh, at page five, seven, five, that said something rather different.

01:30:19:24 - 01:30:53:13

Um, and that actually indicated that BA did, um, raise this as an earlier stage. Uh, and that was a considerable time ago. Um, so the equivalence from what I've read in the consultation report, did know of the concern over a year before the application was submitted. So do you want to have a rethink about what what the D1 submission came in when you said they you didn't know about bird strike before R 208?

01:30:59:14 - 01:31:48:01

Uh, so it is done on behalf of the applicants will certainly take that away and review the response on that basis. I think the important point to note is that this issue was raised and was discussed in detail at issue one. And since that time, the applicants have work proactively with with Blackpool Airport to get to an agreed position in respect of this, where Blackpool Airport are comfortable in respect of of the the way that the information that the applicants have provided and um and, and where the position has got to in respect of securing necessary mitigation, uh, which will be incorporated into Blackpool Airport's own current world wildlife um hazard management plan will be done.

01:31:48:04 - 01:32:21:11

The applicants are now, um, working. Um and committed to working with BAE systems to get to the same position with BAE systems. During this examination, we've noted that, uh, there is a non-disclosure agreement which is now being prioritised to be able to get the information needed that was provided by Blackpool Airport hasn't yet been provided by BAE systems to be able to inform the development of that plan in the same way uh, has been, has been, has, as has been done with Blackpool Airport, I think.

01:32:21:20 - 01:32:31:03

So with respect, it's important that we focus on where we are now and how we move on to resolve those matters, uh, in a proactive, uh, way.

01:32:31:11 - 01:33:01:15

Well, with respect to you, miss Don, you've actually put in in response to an action point, a statement which doesn't seem to be correct. And therefore that's what I'm asking for you to, to to as an action point to look at and decide whether or not you want to change that. Um, uh, that response at 137, uh, because if we have action points, we are expecting that we are going to have accurate information provided. Uh, and and that doesn't seem to be accurate.

01:33:01:24 - 01:33:32:08

I hear what you say, and I'm sure we're going to be coming in on to that about where you are at the moment. But as I say, when we have action points, we do expect to have correct information provided to us so that we don't have to double check it back over, uh, consultation documents, which suggest very differently. But anyway, I think I've made the point there. Uh, Mr. Forshaw, can I move back to the strategy of of of wildlife has hazard management plan. Uh, what's the latest position concerning agreement with that.

01:33:34:00 - 01:33:47:15

Paul Fischer on behalf of BAE systems. I think we still have some, some fairly significant concerns with the information that, um, the applicants submitted to um deadline three. Um,

01:33:49:10 - 01:34:34:01

I think to summarize, we still feel there's a big gap in between what the applicants have undertaken so far and what and where we need to go to understand what the potential implications may be on operations at the aerodrome. So what what the applicants have submitted is, is the bird, uh, the baseline bird technical data, which in effect sets out the current sort of bird environment to, to to frame it that way, um, the number of birds that are in the air, potentially in the air at the moment, their patterns, um, what Bay systems need to be able to understand how the risk may change from the current pattern? The current scenario is information on post development or during and post development.

01:34:34:03 - 01:34:54:12

How will that baseline change? So how will bird numbers in the area potentially change? How will concentrations change? How will bird movements around the area change? And that's the information that is essential to be able to understand how risk to operations there from bird strike will change. And that that's what's missing currently from from the submissions.

01:34:57:23 - 01:35:00:03

Mr. Dunn, do you want to respond to that, please?

01:35:01:20 - 01:35:39:19

Phil Williamson, on behalf of the applicants, um, I'd just like to take a step back and sort of frame progress in terms of how the applicants have approached this matter, because I think there's there is a I think it's possible we need to draw some similarities with the work undertaken with Blackpool Airport and the work we would like to undertake with BAE systems. The Cap 738 process in terms of safeguarding makes it quite clear that the ownership of the bird strike risk assessment belongs with the airport operator, and therefore the onus is on the airport operator to create that understanding between the applicants and the airport operator.

01:35:40:09 - 01:36:13:18

In order to do that. The applicants have outlined in our strategy for the outlined Wildlife Hazard Management Plan and the Outline Wildlife Hazard Management Plan as submitted into examination. How we can demonstrate that baseline through the submission of the Bird Baseline Technical Report, and the understanding which has gone into the Outline Ecological Management Plan, and to demonstrate how those areas will essentially be be used. That feeds into what is essentially an outline wildlife attractants risk assessment.

01:36:14:02 - 01:36:34:21

And the applicants have committed to producing that as part of the Outline Wildlife Hazard Management plan. And that is what has been submitted or is in progress of work with Blackpool Airport. And they are in agreement that that process is appropriate for them to manage their risk. We had a meeting with Blackpool Airport on the 21st of July. In terms of next steps and how they.

01:36:34:23 - 01:37:07:18

Would just to stop it for a moment. We're moving on to buy now. Uh, and if I look at the in one paragraph five 541, it talks about bird strike risk. Uh, and it says that it's important that infrastructure, buildings and other elements from energy installations as well as environmental mitigation are designed in such a way so as not to increase the bird strike risk to airport for developments within 13km.

01:37:08:04 - 01:37:22:20

So, Ian, one is quite specific about what the applicant should be doing about bird strike risk. And at the moment it doesn't appear that what is being done actually complies with paragraph five. 541.

01:37:24:00 - 01:37:54:16

Phil Williamson on behalf of the applicants. As I as I've outlined the understanding of bird strike risk assessment needs to come from the operator. We can work with the operator to create that understanding. The only way to do that is through provision of information from the airport or the aerodrome. In order for us to undertake the steps to essentially understand that risk formally. The point which I was trying to to make is that Blackpool Airport understand that that is a process which we go through with them.

01:37:54:23 - 01:38:02:22

At this stage, we are not able to go through that process with be the similarities or the difference is that one airport.

01:38:02:24 - 01:38:07:11

We're going to come on to the differences later. Mr. Forshaw, would you like to come back on that?

01:38:08:20 - 01:38:19:12

Paul Forshaw, on behalf of BAE systems and I think not not one to touch on on Blackpool's position, which is probably quite different to ours by the sounds of it. Um,

01:38:21:07 - 01:39:03:19

the issue here is, is that basis. At the moment, I do not understand what the risk from this development is to their operations at the aerodrome. Um, there is simply just not enough information in the submission to date on what the impacts could potentially be. Um, and this is a this is also a, um, a matter that's been, um, raised by the Defence Infrastructure Organisation as well. In their letter, the date for it, sorry, of the 20th of May. Um, they've requested for information on the specifics of how these mitigation, the ecological mitigation and biodiversity benefit sites are designed because the detail is needed to understand how birds will be attracted to these sites and how patterns will change.

01:39:03:21 - 01:39:26:02

And without this sort of information, we just can't assess how, uh, what the impacts on operations may be. Um, I think we've had discussions about this for quite a while now, and the applicants have provided some information in terms of an outline management plan, but the detail isn't there at all. We need to know what the detail of these sites are to be able to undertake that assessment.

01:39:26:16 - 01:39:49:13

But but just to go back to what I said earlier, we're now exactly halfway through the examination. You've made this point before. You've heard the response repeatedly from from the applicants. Um, what more information at this stage can you get? Bearing in mind we've got three more months from today, uh, to, to undertake this examination.

01:39:50:22 - 01:40:09:06

Both of which are on behalf of the systems. I think we need some more clarity on the design of the of these of these mitigation and biology benefit sites. Um, and some form of assessment on, on, on bird attractant for those sites. Without that we can't assess potential impacts on bird strike would be.

01:40:10:23 - 01:40:17:16

And the delays letter from May actually sets out quite quite quite well. And what information they need to undertake to help us with that assessment.

01:40:22:02 - 01:40:25:21

Do you want to come back on that again? But I suspect you might be saying what you've already said.

01:40:26:20 - 01:41:04:03

Phil Williamson, on behalf of the applicants, all of the information that's being requested by BA was submitted at deadline three, and the updated Outline Ecological Management Plan, and in the Outline Wildlife Hazard Management Plan. So in terms of the information we can provide, we have we've taken note and have provided it. I'd just like to make it clear that in the BA systems response to examining examiner's questions, they listed out the documents which are currently held by BAE systems, including a 13 kilometre Aerodrome Wildlife survey, Wildlife Habitat and Habitat Hazard Management Plan, a term safety plan which includes a bird strike risk assessment and a strike rate probability index.

01:41:04:14 - 01:41:37:12

If BAE systems wish to work with us, then we require all of those documents. We did put a request for information, which would include all of those documents to be a systems, if they want a bespoke understanding of their bird strike risk for us to work with them. All of that information needs to be provided to the applicants. As that's the impasse when it comes to the the NDA, which has been mentioned in terms of how it can be dealt with. Going forward through examination, we have demonstrated at Blackpool Airport that the process is appropriate, whether we undertake the process now or we undertake the process as part of post consent.

01:41:37:15 - 01:41:43:24

We believe that the process is appropriate and it has been signed off by Blackpool Airport as part of that cooperation agreement.

01:41:44:14 - 01:42:04:03

Well, we will, um, perhaps pick up on on that later. It's it's now 1140. So we're now going to take, uh, sorry, 1142 so we're now going to take a break and we'll come back at at 12:00. So, um, please be sure you're back in the room by 12:00. Thank you very much.