



Planning Inspectorate
Arolygiaeth Gynllunio

Hearing Transcript

Project:	Morgan and Morecambe Offshore Wind Farms Transmission Assets
Hearing:	Issue Specific Hearing 3 (ISH3) – Part 3
Date:	31 July 2025

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FULL TRANSCRIPT (with timecode)

00:00:05:24 - 00:00:15:11

Okay. Thank you everybody. It's time to recommence this issue specific hearing on the draft development consent order.

00:00:19:03 - 00:00:49:15

So we've got in the agenda as far as schedule one, which is the, uh, authorized project or the authorized development in part one, which lists the works, the details of the works for projects A and projects B, is there anything that the applicants just want to say in introduction of the way these this schedule works or is set out?

00:00:50:28 - 00:01:15:07

Laura Fuller on behalf of the applicant, I think I probably covered it earlier when I explained, um, the amendments we'd made to the definition of authorized development and how we'd also added some. Made some changes at deadline three to sort of provide for subparts, which are called chapters in a statutory instrument, to sort of try and set out as clearly as we could, which works belong to which project, and align that with the definitions.

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At least done on behalf of that. I'll just stress one thing. Um, and Mrs. Fuller made the point at the beginning. The authorised development needs to be read in accordance with the work's plans. So the work's plans and the authorised development description work together in terms of the work numbers that are identified on the work's plans and how they're then defined in the schedule. The only other point I'd note is in relation to the, um, the, um, offshore work. So work numbers are one, A or B to A or B because it's very difficult to indicate those on a plan.

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That's why you have the coordinates of that area set out in the development consent order in terms of where the where the order limits are defined for the purposes of the offshore works. To provide that precision, because you can't get to the same level of granular detail as you can for, uh, for land based plans.

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Okay. Yes. And that explains the precision of them in terms of 3.113517, for example. Um.

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Sorry, sir. List on on behalf of the applicant. Which bit were you referring to.

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Then in terms of the precision point, in terms of the table two, the, uh, longitude and latitude values, that explains why there are of such a number of decimal places. Yes.

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And at deadline three, there was one other change, wasn't there then that was the removal of there under the associated development, which is chapter three of.

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schedule one, the removal of the such of the works as may be necessary or expedient for the purposes of, or in connection with, the relevant part of the authorized project that's now gone, so that is acknowledged. Um,

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just in terms of associated development, because this project is different to a project where there's the generation assets and the transmission assets, where the generation assets, uh, would be,

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if you like, the main part of the development and the transmission assets probably would be largely classified as associated development. Could you just explain for this the split between

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the rationale used for determining which works are associated development, as opposed to the works listed in the individual work numbers, just that approach to associated development in this case.

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In this case. So it is done on behalf of the applicant. So um, in a, uh, development consent order application where, uh, the the, uh, the nationally significant infrastructure project is one that is, uh, defined within the Planning Act 2008. So you gave the example of the generation assets. So they are an offshore wind farm of over 100MW. Therefore they are a, um, a nationally significant infrastructure project.

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So the generation element, uh, is considered to be the nationally significant infrastructure project. And then the transmission assets would have been associated development, um, with this project, um, in order to bring the transmission assets within the remit of the Planning Act 2008, the applicant sought a direction from the Secretary of State under section 35 to bring those matters within the um, within the remit of the Planning Act. And actually, if you look at the, uh, definition of the authorized development set out, um, in I've got it on page 41 where it's, uh, it part one, authorized development.

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It says development, uh, for which, in accordance with the direction made by the Secretary of State on the 4th of October, 2022, under section 35, development consent is required. So effectively, what that section 35 direction does is it says those matters that were specified in the section 35 direction effectively become the, if we call it the principal development for the purposes of the order. And then anything else which is related to them then becomes associated development.

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So there may be an overlap. Um, and I think you'll if you were to compare the sort of schedules of associated development, um, from a, uh, from a, let's say, the Mona project where you have the

generation and the transmission, much would look very similar, save that the transmission element, um, would also be considered associated development, whereas here it's the primary development. So the associated development for the purposes of this project is focused on those things around the transmission assets, which were not part of the section 35 direction, but are needed effectively to deliver the project.

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Thank you. That's helpful. Just building that a little bit. And in some respects I'm not sure. Sometimes if it makes much difference as to what is associated development or not in terms of it, it's all controlled under the order or should all be controlled under the order. But in terms of features such as the, uh, jointing bays and the link boxes, they are down as associated development in this case, why they associated development and not one of the works numbers probably just builds upon what you've just already said, I expect.

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List done on behalf of the applicants. I think that's an example of the point I made earlier around, um, if if the cables, um, had been, uh, associated development associated with the generating station, the link boxes and those other things would also have been, uh, associated development. So it's maintaining that position. It's also, um, because there isn't uh, there isn't necessarily sort of specificity about where those works are going to be carried out or undertaken.

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Uh, I don't believe they were listed. I'd have to check. I don't believe they were listed in the section 35 direction, but they are that level of granular detail that sits, um, with those projects. Um, there is, as you say, so sometimes it's a matter of semantics as to whether it's considered as part of the principal development or associated development. And, as long as all is captured within the order and effectively authorized by the order. Um, uh, it might matter in some circumstances.

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I don't think we feel it does in this one. Um. Uh, so we feel we've come up with a with a kind of appropriate, um, delineation between what we say would be the sort of matters covered by this section 35 direction and then what is considered as associated development here.

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And again on. Thank you again on, on jointing Bayes and link boxes. There's no because they're not included as a particular work number. There's no indication of the numbers. But the numbers presumably are caught by the maximum design parameters in the project description.

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Lists down on behalf of the applicants. Yes that's correct. So so there isn't specificity, specificity. If I try and get that word out within the order itself, and I think I, I've certainly never seen a development consent order like this, which would specify the number of link boxes on the face of the order. Um, that is one of the maximum design parameters that's within the project description chapter. Um, uh, so, so that's where it's set out in terms of what's been assessed.

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Okay. And just one further question on this in and I'm not saying it's directly directly comparable, but it's got similarities. The Sheringham Shoal and uh dungeon extensions DCO in the authorised development in that DCO which was similar in terms of being, I think two separate cable routes. I think I'm right in saying within one DCO uh, so, so some similarities. Um, in that case it actually stated which works applied to to which individual construction scenario.

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Is that something that's necessary in this case, Laura?

00:09:48:27 - 00:10:23:16

On behalf of the applicants, the the Sheringham Shoal and Dudgeon extension order, DCO is slightly different. It is it is the same in that it is a DCO that consents to. Um Natalie significantly. Well there they were nationally significant projects. So to um generation assets and their associated transmission. Um, what is different there is that they provided for um, additional, more unusual scenarios. So there was this integrated options under scenarios three and four.

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And those are scenarios that you don't normally see in other dsos. Um, that because of the way those projects were being brought forward by Equinor as the agent for both undertakers there, they considered that they wanted the ability to be able to deliver an integrated, um, electrical system. Them. Um, and that was the potential for that was on on two levels. So there was the potential for, um, an integrated system just between the um, onshore substations and national grid.

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So to bring in effect, the two projects together there. Uh, and then the scenario for From Memory was where the integration would happen from the offshore arrays. So there was the provision for a single substation, offshore platform substation that would serve both arrays. And then there was also the options for if they were coming forward separately, um, to have separate offshore platforms. But that was rather bespoke to, to that DCO because it had a number of scenarios and particularly unusual scenarios.

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And that is also why that DCO under authorised development has C works and those C works are specific to um integration.

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Integrations, is effectively a second project.

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Okay.

00:11:46:01 - 00:11:56:11

Thank you. And just to clarify, once you you if if it's developed as an integrated project, it affects brings them together as a single project, which is, as we've explained, um, an option here.

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Okay. Thank you. I might have an additional question on scenarios when we get to the requirements, but I'll hold that till there. Any comments from any party on schedule one? The authorized project.

00:12:17:29 - 00:12:33:24

Okay. Okay. Thank you. We'll move on if we have got any more questions as of anything of the DCO. Once we've digested everything that's been said today, obviously we've got the next written questions, etc. to ask questions on, but I think it's fine to leave that there for the moment. And.

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Actually also one that is ancillary works, but actually I've not got any questions on ancillary works because I think that seems to be fairly standard form of drafting, and I'm presuming no questions or comments on on that from any party. Okay. In that case, we can get to the requirements, uh, schedules two A and two B. I think I'm writing saying apart from obviously relating to different projects, the requirements are exactly the same in both schedules or sorry, not both.

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Both parts of the schedules. Is that right? Are there any just so we can go through one schedule without having to worry about missing things in another schedule, or in the other part of the schedule, rather?

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Laura Fuller, on behalf of the applicants. Yes, sir. That's that's correct. The only difference is that one refers to Project Day and one refers to project B.

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Yeah. So when I talk about requirement one, for example, we can assume that's requirement one for either schedule.

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Yeah. Laura Fuller and just to clarify, as I mentioned at the beginning, there are a few design parameters that are different in requirement, uh, four and of five and one of the other requirements for the offshore

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noted.

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Uh.

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And I think you mentioned it in your introduction, but for those not familiar with the consent orders, requirements are similar to planning conditions in the planning application normal planning application world. So moving to time to requirement one, which is time limits which uh says that project A of course project B must commence no later than the expiration of seven years beginning with the date this order comes into force.

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Uh, this there's been several echoes with seven years. I think you've made your case for seven years already in writing and probably at, uh, I think at this specific hearing one as well, this was something that was reduced by the Secretary of State to five years for the Mona dco. Um,

00:14:42:17 - 00:15:07:03

given the first question, given the urgent need for renewable energy and obviously the applicant's proposals to contribute to this part of the needs case, what is seven years? Not a little bit long, and wouldn't five years be more appropriate in that regard? I'm sure you'll be talking about what's happening in the generation as it's dsos, but of course they've not been granted yet, so we don't know what's going to happen to those. But if you'd like to respond to that point initially, please.

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Thank you sir. Liz Dunn, on behalf of the applicants. Um, yes. Note that, um, the recently granted Mona DCO has only given five years, but that is a single project. Um, and I think it's important to note that that is is one development being brought forward under a single DCO. Um, certainly precedent to date for multi uh, and CIP nationally significant infrastructure project Dsos is seven years. So the Sheringham and Dudgeon development Consent Order has seven years, as did the Dogger Bank, Teesside A and B um, and even projects like Hornsea Three and Hornsea Four had seven years.

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Um, I think the applicants have made their position very clear in respect of why seven years is considered to be appropriate. Um, and I think it will be important to see what the Secretary of State determines, um, for both the Morgan generation and the Morecambe generation. Uh dsos. Because, as we've said throughout, ultimately these are going to be delivered as, uh, as single projects. So I think it's very helpful to have this discussion, but I suspect we'll get quite a steer from the Secretary, assuming the Secretary of State grants those projects.

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Um, as to as to what the Secretary of State considers to be appropriate for those who will have to look at how those, because they will effectively have to be, have to be delivered, um, together. Um, in terms of the urgent need, again, And we recognise the points, but it's also really important that these projects are capable of delivery. And, you know, there is um, there are. We've made the case around the contracts for difference regime, you know, the need to be able to bid projects into that regime. And projects are not successful.

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Um, and have to bid in, in, in subsequent rounds and to limit the projects to five years to be able to do that. The applicants consider that would be both unreasonable and unnecessary in these circumstances. So I think we've heard we've heard the comments around it. Um, and, uh, the applicant's position is that seven years is both necessary and justified in these circumstances. It also has very strong precedent, as I say, from those multi. Uh dsos.

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And again, I don't want to sort of defer this too much, but I think until we get that decision from the Secretary of State on, on the generation projects, that will give us a clear steer, I think, as to as to whether the Secretary of State feels that time period should be.

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And both the generation projects that the draft echoes, the final draft echoes that went in. I think they're both. Seven are they're not. I've not checked the most recent Morcom. Uh, they go in.

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Seven of the applicants. Yes. Sort seven years. But again, it seems to be a habit with my projects at the moment. There wasn't a draft DCO shared on Morgan Generation during examination. I'm not sure what I'm doing.

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Must have been perfect.

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Is something I said. Um, so, um, again, we don't know what the examining authority's thinking was on that one, although obviously there was there was discussion of it as part of the examination.

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Okay. And I think this is a matter which Mr. Gorst will probably raise tomorrow in terms of compulsory acquisition. Um.

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But in terms of the without going into too much detail in terms of the construction program, what implications would there be for the construction program? Should the commencement period be reduced to five years? I presume if that was to happen, hypothetically, the construction program would have to. The gap between the projects would have to be reduced from the current four years. Is it between at the moment maximum parameter to to two years, I'm assuming.

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Yeah. Liz Dunn, on behalf of the applicant. Um, yes. If there were two years less then if there was a sequential gap between the projects, that would be reduced by two years. Um, I, I think it's it's, I mean, clearly that would bring the works together. Uh, there needs to be some consideration as to whether that would be beneficial or not beneficial. Um, I think, you know, the ability for there to be potentially a greater period between the projects would allow. rest, you know, would allow restoration to take place, would allow all those things to take place.

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So I don't think it's quite as simple as saying everything would be better if we squeeze that by two years. The kind of the, the knock on implications of that, um, are I think haven't been considered, but it would reduce it would bring the projects closer together in terms of that period of time.

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Okay. Thank you. That's understood. Any questions, Mr. Walker?

00:19:58:01 - 00:20:29:08

Sorry. Just. Liz. Done. On behalf of the applicant. What it wouldn't do is mean that the applicants that the actual duration the projects are on the, uh, on land would be changed. I think this is something we'll talk about more tomorrow, but it wouldn't mean that the, uh, different. So each project going in and doing its works on a particular parcel of land wouldn't change if you gave a five year implementation.

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Yeah. I understand that, but by all means, elaborate on that tomorrow. Uh, Mr. Walker.

00:20:36:18 - 00:21:06:24

Thank you, sir. Angus Walker for the parish councils. Um, as you know, our main case is that this project should be in a different location. But if it is to go ahead here, we would rather that they both were built at the same time. Otherwise, the environment or many of the environmental impacts, not all of them would be doubled. Like we talked yesterday about impact on the playing fields. Well, that would be twice as much if the project, the second project came back later and did the same thing again.

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So therefore the shorter shortening, the time within which the projects must start will make them closer together, make it more likely that they will overlap and be a shorter overall duration, which is what we would like because of the impact on local people.

00:21:25:12 - 00:21:42:23

So if I've already asked for a requirement to require them to be built at the same time, but if failing that, then shortening this to as much as short as possible to squash them together would be not as good, but something. Thank you sir.

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Okay, I understand the point. Thank you. Any further points

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you want to come back to that?

00:21:51:28 - 00:22:18:09

Uh, Liz, down on behalf of the applicants, I think we we we we are aware of the submissions. Um, I think it isn't as simple as that. Um, and I think we'll go into it in, in more detail tomorrow in terms of the nature of the impacts. Um, and, and as the applicants have made very clear, we think that seven year period is justified, is appropriate and actually is necessary in order to ensure that the projects are delivered. Thank you.

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Okay. Thank you. And just one last question because yeah, this will be discussed tomorrow. But in terms of the drafting of the DCO were the EXR or the Secretary of State to consider that the,

00:22:33:09 - 00:23:02:13

uh. Time limit should be reduced, which would then, as we've discussed, reduce the construction gap time. Other than an amendment to this requirement, again, this is hypothetical, but should that be considered to be necessary? Would there be any other knock on implications of drafting of the DCO or indeed things like any management plans, etc.? It's probably a question that might need sort of thinking about. I know it's not your proposal either, but.

00:23:02:18 - 00:23:23:27

Without prejudice is done on behalf of the applicant. The caveat that this is not our proposal. Completely understood. All completely understood. The change would be to amend the time limits in a requirement of one to 5 to 5 years, and also make the consequential change to the CA provisions, which give a period.

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Yes.

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But I don't think article 21. But off the top of my head, I can't think of anything else in the outline management plans or anything like that that would that would change.

00:23:38:12 - 00:23:55:03

Okay. It would be helpful at some stage to have information on that, particularly given the Secretary of State has changed. Mona. It's completely without prejudice, completely hypothetically. But obviously if something was to happen in that regard, everything else would need to fall into place in terms of documentation, and that's.

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Done on behalf of the applicant. It probably would help to know that we didn't change anything else on Mona. It was just the five years that was changed so there weren't any consequences. We will check the position, but I'm 99.9% sure it won't change anything else through the document.

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Okay.

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Okay. If we move to

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requirement.

00:24:26:07 - 00:25:02:06

Two. I've got no questions on requirement to at this stage. So requirement three stages of projects. We discussed this briefly earlier on and I think actually specific hearing one as well. Can you just so everyone's aware just to I know it's been explained before but just briefly describe what the what a stage is as opposed to a phase. Just so everybody's clear and what this requirement is seeking to do in that, in that respect, just so everybody is clear what the reasoning is for this requirement.

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And you know, how a stage works as opposed to a phase.

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Laura Fuller, on behalf of the applicant, I think we did put a fairly detailed written submission in after the first set of hearings, and.

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Not every might have read that. So just so everyone in the room who's following this can just understand what what the approach is here really.

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Just perhaps someone could dig out the reference for it so we can confirm that, uh, what that response was. Um, this this the reference to stage is, is the fact that these are long linear projects. Um, and what the normal process would be is that, um, it would be once the, the principal contractor is on board, they will also set out a program, um, and that they wouldn't be starting works all over the place all at once. Um, there would be a what is generally now called a staging process.

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Um, so that determine which stages. Uh, so sections in effect would be maybe the other way of explaining it of the cable route would be done as a stage of works. Um, and that would be set out in the, the details that would be submitted under that requirement.

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I am aware there is confusion sometimes between phases, use of the terminology, phases and stages because I think in some other development consent orders it's been the same requirement. Uses the term interchangeably almost, and refers to phases of development. But here we've used the term stages to, to, to describe that. Um, and the phase is sometimes used on, on other development consent orders where there are potentially often um, array areas, for example, that might be split into two and they might, but it's one project, but they might deliver it in more than one phase.

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So they would come forward as separate overall phases. There is no intention to to do that with the delivery of this work. It is just about setting out those stages or sections of work.

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Okay. Thank you. Any questions from anybody on this, Mr. Walker.

00:27:14:04 - 00:27:25:23

Sir? Angus Walker for the parish council. I was going to ask that same question. Do I understand from the answer that stages are more physical. Subdivisions and phases would be a more temporal

00:27:27:12 - 00:27:33:12

subdivision. Doing it, doing one bit of it and then waiting and then doing another bit, which I misunderstood.

00:27:35:24 - 00:27:36:09

Uh.

00:27:38:09 - 00:28:11:06

Yes. In general, all those stages could be temporal as well, in that you're not doing all stages at the same time. So, so phases would be, you know, phase one is 500MW of generation plus two cables. If you were to deliver the project in phases, it would be done like that. And you may have, but that isn't the proposal here. The proposal here is that the totality of the works will be delivered at the same time, albeit it would be, uh, with different works.

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I sort of do this and then do that, but different works taking place along the route at different times in accordance with the staging plan that has been approved by the planning.

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Thank you. Yes. That's clear.

00:28:22:21 - 00:28:54:24

And that would be helpful, obviously. And this has to be approved, by the way as well, doesn't it, by the local planning authority. So the three two says that, uh, works will not be commenced on the relevant project until details of the stages of the project. Eight onshore works and intertidal works have been submitted to and approved by the relevant planning authority, so that that will be before the planning authority. Obviously, that will be helpful. Then people can sort of see how the works, I presume, from the details of the stages. If I lived on, uh, for example, I don't know, Leech Lane and I was interested in well, one of the work's going to be taking place near to me.

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I'll get an understanding from that stage. Staging, uh, detail, shall we say, or when, when they would happen, would it include, would it, would it have so much detail in it,

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or is there a is there another mechanism in the application by which people would be able to. Because obviously people are planning ahead for lots of things and this could be residents, it could be farmers, it could be all sorts of things helpful to sort of have notice of when the works might affect them, you know, down the route, including the substations, of course.

00:29:25:09 - 00:30:02:27

Phil Williamson, on behalf of the applicants, and notwithstanding that Leach Lane is an awkward one to have picked out because that that refers to the landfall as well as the onshore cable route, which are typically separate different stages. Um, the outline communications plan that would be part of the discharge requirements associated with that stage would notify residents of the activities that are due to occur and how they will occur. Um, and then obviously that notifies um also that is agreed with the local authority, how that is communicated out and all of the other requirements discharged through the local authority obviously are agreed with that on that stage.

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Sorry, that's the outline community liaison plan. Have we got a reference to that.

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Outline communications plan? Um, just bear with me whilst I get the reference. Sorry. That's

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rep 3020.

00:30:22:24 - 00:30:44:02

Sorry. Rep 3020. And I imagine there's already been engagement with the local authorities on that. But again, I would ask that the local authorities, if not already, do do look at that to make sure that you're if there's anything in there which you suggest should be changed or whatever it might be, because that's obviously a an important document as well.

00:30:44:15 - 00:31:05:14

Phil Williamson, on behalf of the applicants, we've not received any comments from the local authorities on the Outline Communications plan to date, but we'd very much welcome that engagement. The Outline Communications plan is also one of the documents earmarked for updated deadline for um, in response to the onshore site preparation works as a kind of holistic review of all management plans.

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Okay, I am aware, just for the local authority's benefit. Obviously there's a lot of information to have to, to, to, to where to read through and that some of the management plans might not be the sort of thing you read. First of all, because you're probably looking at the detail of a yes, but if consent was to be granted, then the management plans become extremely important documents in terms of how this is implemented. So I would urge you to have a have a look at those and put comments into the examination at an appropriate time. And when comments are submitted to the application, by all means copy those.

00:31:36:08 - 00:31:55:16

I think the applicant would be happy for this. Copy those to the applicant. So you're not waiting for a deadline for the applicant to receive them. I presume you're happy with that. I know sometimes things come to us and we can't publish things till the deadline. But you think we'll get them to the other party so they can have them? So if that can be done on these matters, that would be probably advantageous.

00:31:55:22 - 00:32:13:13

Phil Williamson, on behalf of the applicants. Yes. I just repeat, we'd very much welcome those conversations with the local authorities. Management plans are one of the lines to be discussed within the statements of common ground. And so as we are having those meetings regularly, we would very much welcome comments on all management plans.

00:32:13:27 - 00:32:36:06

And the same would apply to any community group, resident parish council. I know you're opposed to the opposed to the application, but the you know, I know without prejudice commenting on these

these these plans, particularly things like the outline community liaison plan that could be beneficial. So don't hold back on doing that just because you're objecting to the application. Uh. Sorry.

00:32:38:06 - 00:33:08:01

Sir. Blackpool Council Blackpool Council have reviewed the outline communications plan. We consider it to be fairly standard, to be honest, for a DCO, and didn't really have any more comments on it. If there was going to be any comment coming from Blackpool Council, it would be a statement like regular meetings with a local liaison committee. What exactly is anticipated on that? But I'm imagining further detail will come at a later stage and I stand to be corrected. Um, if I am wrong on that.

00:33:10:00 - 00:33:10:15

Okay.

00:33:10:17 - 00:33:42:00

Thank you very, Williamson, on behalf of the applicants. Um, a detail obviously is I mean, these are outlined management plans. Um, and therefore we would obviously be filling in that detail as part of the discharge of the requirement associated with the outline communications plan and the requirement eight the outline code of construction practice. Um, if there are specifics that the local authorities wish to draw out or discuss with us and how that will function at a later date. We again, we'd very much welcome those conversations. Yeah, that is helpful.

00:33:42:06 - 00:34:18:11

Thank you. And things like, you know, potential community liaison groups as well. I know that comes out of several DCR applications. I know this is, you know, on the basis of something is approved. So again, it would be on without prejudice basis. But, uh, these are the sort of things which, you know, should be considered at this stage as well, albeit in outline. Okay. Just one more question on there. Requirement three. Is it necessary Sorry. Or would it be helpful? Well, probably. Is it necessary as the important test, isn't it? Uh, that this requirement should also include details of which scenario is to be pursued.

00:34:20:00 - 00:34:40:21

Uh, I know again, this was done on the Sheringham Shoal and dungeon extensions. So when you're answering that respect, it might be the same as your answer you gave me before, but actually, in terms of people knowing which scenario is going to take place, uh, or as much detail as can be provided at that at this stage, that might also be a helpful thing so people can plan ahead as to what, yeah, what might be happening.

00:34:51:22 - 00:35:26:00

Phil Williamson, on behalf of the applicants, um, in terms of how the discharge of requirements is ultimately will ultimately take place. It follows that obviously they are two separate projects and they will need to be discharged individually. Um, the I think it would be would become quite apparent to the local authority if both projects come forward at the same time with staging plans, and at that point it obviously becomes a matter for the local authority in terms of how those staging plans interact with one another, and obviously the coordination that happens between the applicants as part of that, part of that discharge of requirements.

00:35:26:23 - 00:35:39:03

At this stage, it's not possible for us to be to determine whether it will be a concurrent or sequential scenario. Obviously, from the representations that have been made previously, but we recognise the point made.

00:35:40:26 - 00:36:21:08

Lawful on behalf of that. If I could just add, as you said, you drew a comparison to the sharing show and does an extensions order where there is a notification. And as I previously explained, there were additional scenarios that were in play in that in that application and that were drafted into the DCO so that that was drafted into that requirement. However, I just want to also note that for here we've got the collaboration requirement. And just to highlight that, that does require its sharing of staging plans with the other Undertaker before it is submitted for discharge and when it would be submitted for discharge, it would include any comments from the the other Undertaker.

00:36:21:10 - 00:36:37:21

So as part of that overall submission, you, the local planning authorities would have the benefit of of that process having happened before and the comments that would come forward from the other Undertaker recorded there in the event.

00:36:40:20 - 00:37:25:14

Sorry, on behalf of the applicant. So I think the only other thing I'd add is that, um, the applicant won't individually or separately be turning up on the local authority's doorstep and saying, here's our staging plan, and we're starting works in six weeks time, because that's just not how the the kind of delivery of these projects works. There's obviously a very long lead in time. There's the, uh, there's the, um, the financial investment decision and all those matters. So there there will be a very long lead in and it'll be very apparent to the local authority, particularly around the discharge, as to whether the projects are coming together, uh, concurrently or sequentially, just because of that engagement and that ongoing engagement.

00:37:25:20 - 00:37:52:04

I mean, again, we'll talk about it tomorrow in terms of sort of key powers and the engagement with landowners. It isn't something that the applicants just turn up on somebody. I appreciate that and say this is going to happen. I mean, the the leading and the engagement up to that is over. Well, it will be from, from sort of decision right through to, to the point of implementation with those key stages understood in terms of when the timing of things will happen.

00:37:52:23 - 00:38:21:07

I mean, maybe it's something that could be included in the community again in the community liaison plan. I mean, things like websites, etc. are a very good medium for displaying information on on likely timescales just so people can understand, because obviously this is a project which is going to be taking place over, you know, several years or a gap, albeit with the gap in between. But in terms of, you know, allowing people to plan ahead, uh, I think might be, might, might be helpful at the, at the very least.

00:38:21:09 - 00:38:24:27

So that is done on behalf of the applicants. We'll take that one away and have a look at it.

00:38:24:29 - 00:38:29:22

Okay. Thank you, Mr. Sheikh. Do you want to say anything for the borough council?

00:38:29:24 - 00:39:02:01

Yes. I think we understand the lead in time. So we also understand requirement 25, which is the collaboration between the two projects. I think our concern is that there are separate, um, requirements. So requirement three for both projects. And that notwithstanding the fact that there might have been some internal discussion between the two applicants, is that that information may not be transferred to the Council as the relevant determining authority. Um, when coming to look at discharging requirement three. So I think we'd welcome, um, some additional wording.

00:39:02:03 - 00:39:32:26

Perhaps we'll have to think about how best that should be provided. Um, but that requires any collaboration, discussions and the extent to which the the stages plans reflect one another and properly reflect that collaborative discussion prior to discharge. So that we have that information I think is currently drafted. We understand there'll be the internal applicant, um, discussion prior to stages plans, but we may not actually have that information in front of us when we come to discharge the independent stages plans.

00:39:32:28 - 00:39:34:02

I think that's our point.

00:39:35:11 - 00:39:35:26

Okay.

00:39:43:26 - 00:39:56:11

As before, if there's any suggestions you have in that regard, you've obviously discussed it with the applicant in the first instance. But if the agreement can't be reached, then any alternative drafting you want to put forward then please, please do so.

00:39:58:02 - 00:39:58:17

Laura.

00:39:59:00 - 00:40:03:28

Sorry, Mr. Speaker, and then I'll let you. I'll let you come back. All the points that were raised.

00:40:04:08 - 00:40:31:09

Thank you. John. Borough council. It's just a note that, um, we have seen in other parts of the I believe in the commitments register that for other some other matters. Um, there is a commitment from Morgan and Morgan to share and effectively approve information between themselves before then submitting to the local authority. And it could be that that kind of arrangement for these details would be appropriate.

00:40:33:04 - 00:40:34:04

Okay. Thank you.

00:40:34:27 - 00:41:22:03

Laura, on behalf of the applicants, I'd just like to highlight that the the wording in the onshore collaboration condition requirements. Sorry. And I think that does cover, um, much of the borough council's concerns. Um, so perhaps it just helps. I just read it. Read it out. So in in the event of either sequential or concurrent construction of project A and project B, this is in the Morgan context. Morgan must, before submitting any plans, schemes, details or documents required to be submitted for approval under the requirements, provide a copy of that plan or document to Morcom to enable Morcom to provide comments on the relevant plans and documentation, and then, importantly, be when submitting any plan or document referred to in subparagraph A for approval.

00:41:22:07 - 00:41:28:05

Submit any comments duly received from Morcom or a statement confirming that no such comments were received.

00:41:29:21 - 00:41:48:17

I think that already does quite a lot of what what what we're being asked for there, because it provides a mechanism and a requirement to share information before it's submitted for discharge, and also provide any comments that are received by the other undertaker as part of that submission.

00:41:49:01 - 00:41:57:27

But at no point does that require submission to the local planning authority, I'm assuming. Or does it? Sorry. Does it? I don't I think it does, does it?

00:41:59:26 - 00:42:26:06

Laura Foote, on behalf of the applicants. Yes. So this applies to all of the other requirements because it's it's basically for any time you're submitting a plan, scheme, detail or document under any of the other requirements in the schedule, you have to share that information before it is submitted for discharge. I see with the other Undertaker, take their comments and provide those comments as well to the local planning authority.

00:42:30:00 - 00:42:31:11

Any comments on that.

00:42:31:13 - 00:43:02:24

Show so far? Borough council. So we're aware of requirement 25 be. I think we need to just go away and have a think about whether there's anything in addition to that. So we're aware that the comments that have been received through that internal consultation between the applicants will be provided to us, whether we want something a bit more than that, which goes, you know, goes beyond the comments and discussion and indicates how there's been iterations, for instance, or those comments been reflected in the stages stage plans is, I think, the point we're getting at. So we'll have a think as to whether we suggest any additional wording, um, and, and come back and writing on that point.

00:43:03:15 - 00:43:04:04

Okay.

00:43:04:15 - 00:43:11:25

Thank you. And thank you for your explanation. We probably don't need to go on to consider that requirement later on now, because we've just done so. So thank you for that explanation.

00:43:16:28 - 00:43:21:04

On line hand is at Lancashire County Council.

00:43:24:12 - 00:43:26:10

Yes. Thank you sir. I'm Andrew Makowski of the.

00:43:26:12 - 00:44:01:17

Lancashire County Council. But I have to say that those comments I think, will be very helpful and I should just say that the, the, the conversation within Lancashire County Council on um, requirement three, I think really focused in upon the issue that to some extent we felt that the the condition needed to go further in terms of sort of condition, the requirement needed to go further in in terms of, um, addressing that point, that whilst it's concerned with the stages. There's still that broader overall question of the phasing of the two projects and how they actually tie together, and then the stages linked into that.

00:44:01:19 - 00:44:15:06

But, but, but I'm just making this more as an observation. Having just listened to everything everyone said that, you know, maybe there is a need just to, to amend the wording of, of requirement three just to reflect that better. But I think that's what's been being suggested here.

00:44:16:04 - 00:44:28:05

Okay. Yes. Thank you. That's helpful. Obviously if you want to sort of join Fylde Council in its discussions on this matter, then that could seem to be helpful in terms of a joint approach as well. Okay. Thank you.

00:44:30:14 - 00:44:38:18

Okay. Uh, requirement for is substation works.

00:44:45:23 - 00:44:48:02

First of all, uh.

00:44:50:28 - 00:44:51:16

One.

00:44:54:24 - 00:44:56:17

Does, the AA still does.

00:44:56:19 - 00:45:01:09

This is one way they think the Environment Agency request being included as a consultation.

00:45:04:03 - 00:45:27:03

I have mixed views about this myself in terms of it's up to the local authority really who it would consult. And normally from my experience, the local authority probably would want to consult the parties like the Environment Agency on such a condition. But I can see the point of view that maybe in some cases that's perhaps not not in. So maybe it is something that might be required. Is it something that's going to be updated? What's the situation?

00:45:27:22 - 00:45:44:00

Laura Fuller, on behalf of the applicants, um, I think following, uh, exchange of written submissions, um, the Environment Agency have confirmed that they no longer need to be a consultation requirement for. And it's certainly not a matter that we consider as outstanding between us.

00:45:45:12 - 00:45:48:06

Okay. What do the Environment Agency like to confirm?

00:45:50:17 - 00:45:56:05

Yes. Liz Locke. On behalf of the Environment Agency, I can confirm that position. Thank you.

00:45:56:17 - 00:45:57:17

Okay. Thank you.

00:46:01:21 - 00:46:11:25

Any comments from the local? If I can start this talk with the local authorities, I will come to you. Any comments from the local authorities? Lancashire county Council. Fylde. Blackpool.

00:46:14:19 - 00:46:15:04

Yeah.

00:46:17:15 - 00:46:19:20

Okay. Lancashire County Council.

00:46:21:11 - 00:46:55:09

Uh, yes. Thank you. Sarah Andrew Schakowsky for Lancashire County Council. Um, 333, three points from us. Um, just possibly not in the order I was going to say them, but just to pick up on the point about consultation, we it did cross our mind, particularly as given the wording of some of the other requirements that, um, there should be reference to consultation with Lancashire County Council, um, in uh requirement for insofar as it um, it also addresses the points about vehicular access. So essentially consultation with with Lancashire county councillors local authority.

00:46:55:21 - 00:47:45:22

Um so that was my first point. Um, second two points are just about what one is. Um, I sort of put this more up just for a point, for discussion than necessarily a request. Um, we we noticed that, um, obviously we've got requirement for here for the substation works, and then there's requirement six in relation to landscaping. And we had a little bit of discussion about whether or not there should be an explicit requirement in this requirement in relation to the, to the landscaping of the substations, insofar as I've personally dealt with them with, with, with another case elsewhere in the country where the

relationship between the landscaping linked to, to the substation, um, and substations tend to be very large, should should actually be tied in with the requirement relating to the to the design because the two are so intimately linked.

00:47:46:06 - 00:48:08:23

Um, this is something that the district council's may want to comment on, because ultimately it's going to be them as the relevant planning authority. One of them is the relevant planning authority. So I just put that up there as a of a thought. The other the other point that we wondered whether there might be, um, an item missing from this is details of lighting because we see that isn't referenced in the requirement. So those were our three points.

00:48:12:06 - 00:48:24:17

Okay. Thank you. That's that's helpful. And yeah, absolutely acknowledged the point about the need to holistically consider the design and the landscaping proposals as one. I'll come back to the applicants on that. Mr. Sheikh, do you want to say something.

00:48:24:19 - 00:48:51:24

First so far Borough council. So just on the point of landscaping, I think subject to the applicant's comments, we're content that as as it's currently drafted, requirement six would, um, catch any works to substation anyway because it would be. No. No stage may commence until there is a written landscaping scheme for that stage of work. So substation couldn't be built out until, um, Requirement six have been discharged anyway. Um, I'll leave that one with the applicants for that. So our current understanding.

00:48:53:24 - 00:49:28:19

Uh, lays down on behalf of the applicants. Thank you for that. And that's definitely was the intention of how it would work. Um, in terms of operational lighting, um, I'd just point at Lancashire County Council two um, requirements 17, which deals with control of operational artificial light emissions. So the only lighting there'll be and again, this is incredibly limited given it's a substation that will be at the substations. Uh, and requirement 17 requires that written scheme, uh, in terms of how that operational lighting will will be managed, etcetera, and what it will be.

00:49:28:21 - 00:49:38:11

So there is a there is a discharge of that. And uh, it's, it's linked to the coming into operation of work number 21, which is the substation site.

00:49:42:24 - 00:50:07:19

Lawfully on behalf of the applicant, I think there was also a point about, um, access being listed and whether there should be a consultation. And again, just highlight that there is requirement ten, which requires um, approvals of Lancashire, Lancashire County Council in relation to the creation of permanent and temporary accesses. So we would consider that to be covered under that requirement in the same way.

00:50:10:20 - 00:50:23:19

Thank you. On a proposal such as this, I don't know what internal arrangements Fylde Council has in terms of its consultation with Lancashire Environment Agency. But on something like this, where there was a submission under requirement for,

00:50:25:13 - 00:50:40:00

would the council automatically consult Lancashire County Council, particularly if there's access details? I take the point that access details submitted to be submitted elsewhere. Uh, would the Fylde Council always consult Lancashire on such matters.

00:50:40:19 - 00:51:13:21

Of Borough council? The answer is yes, sir, if there are matters which are under their purview, we are quite content with County Council's request to be a named consultant, because we note that although obviously there's a separate requirement in terms of access, given one of the detailed um works under requirement for is vehicular and pedestrian access, that will be something necessarily we have to consult them on anyway. So although that might be called under two separate requirements, we still think it's appropriate if the county council wish to be a named consultation requirement for.

00:51:18:00 - 00:51:19:26

Okay. Thank you.

00:51:24:11 - 00:51:55:01

Uh, Liz Dunn, on behalf of the applicants. Um, we'll take that one away. I have to say, we think this is covered elsewhere in terms of Lancashire's approval of the relevant works under under a separate element. And clearly, if it is the borough council's practice to consult with the council anyway. We don't. The writing in of specific consultees is where they wouldn't necessarily be picked up by the local authorities. Consultation will take it away and have a look at it, but we think it's covered elsewhere.

00:51:55:15 - 00:52:28:28

Okay. And you refer to condition sorry. Requirements 17 control of operation artificial light emissions, which I don't know. I think the wording of that might need to be adjusted if that will, because that doesn't actually include sort of details of the lighting. It's just the management and mitigation of the lighting. If I was being a little bit, maybe slightly pedantic or perhaps perhaps not so, and the condition actually itself, the requirement itself says control of operation artificial light emissions. But I think that may be necessary to include the actual details of the actual structure, light fittings, etc.,

00:52:29:00 - 00:52:33:03

as well as just the management and mitigation of it at that point could be taken into account.

00:52:33:05 - 00:53:05:13

Please feel free. Williamson, on behalf of the applicant, um, we can certainly take that one away. I think the reason it's drafted in such a manner is that as an unmanned substation, there aren't necessarily proposals to light it. We are aware that there are health and safety requirements associated with that. And obviously, if there is a requirement to manage artificial light emissions, those will be

appropriately identified and agreed with the local authority, local planning authority as part of the discharge of that requirement, including any mitigation measures.

00:53:07:19 - 00:53:08:06

Okay.

00:53:09:04 - 00:53:43:02

So far borough council. So I understand the applicant response in relation to a requirement for I think if requirement for is intended to be an overarching policy which deals with each of those detailed elements, and one of those detailed elements is vehicular and pedestrian access, which would otherwise be discharged under requirement ten. Um, we might need a tweak to the wording because as it currently reads, requirement four says all of these matters have to be submitted and approved by the relevant planning authority. The relevant planning authority would be asked, but we can't approve highways works, which we need to go to the relevant highway authority.

00:53:43:04 - 00:53:59:04

So I think we might need to either remove the word planning so it's just relevant authority, or tweak some of the wording to reflect the fact that some of those detailed elements wouldn't be part of the same discharge application. I'm not sure. Quite. There's something I think needs to change there just to reflect.

00:53:59:06 - 00:54:18:29

So just on my understanding. So if there was a access provision and that would come as part of a package for, for example, substation work. So it could just be for a housing estate. The local planning authority couldn't approve those highway works. And it used to be the case where, uh,

00:54:20:28 - 00:54:27:29

a district authority could do so after consultation with a county authority. Is that.

00:54:32:16 - 00:54:36:15

Maybe that's something just to sort of check and clarify at a deadline for.

00:54:36:27 - 00:54:53:05

Shall we say Bar Council? Yes, I think that's a legal point. We'll have to just go away and double check. Certainly in practical terms we would consult a Lancashire County Council. But from a legal perspective, we'll check it. We'll respond in writing. And then depending on the answer to that, we can perhaps tweak the wording.

00:54:55:05 - 00:54:57:05

Okay. Thank you.

00:55:00:04 - 00:55:34:09

Unless there's anything on that, there's one final question from me is there's been a little bit of discussion, I think, further to one of our questions about the potential involvement of an independent design review panel. And again, it's something which I think has been included in some development

consent orders for substations in a similar requirement. Not for all. Uh, given the there is obviously sensitivity towards the substation and the design of the substation in this location.

00:55:34:11 - 00:55:57:14

I hope that's that's agreed. What are the party's views on on that being included in the requirement? I'll come to you last, but just in terms of the local authorities, I think failed. In your response to our question, you were saying, well, not at the moment because there's not sufficient details available. But given the fact that this is going to have the details in, uh, what would your view be on that?

00:56:06:17 - 00:56:14:08

Semi final Borough council. So I think we need to take that one away and writing. I think there's a discussion that needs to happen behind the scenes first before we can respond on that one.

00:56:15:01 - 00:56:15:20

Okay.

00:56:17:06 - 00:56:22:07

Thank you. Anybody else before I ask for a response from the applicant, I.

00:56:22:09 - 00:57:07:12

Feel very Williamson, on behalf of the applicant, um, obviously would welcome comment from FA Borough Council on those matters. Um, I think this was this was touched upon in the landscape and visual resources section of the issue specific hearings. I think on day one, where we have set out and have agreed as part of our hearing action plan, to submit an engagement plan with Borough Council and and Lancashire and all other local authorities in relation to the design code, which would be included within the outline design principles. Part of our discussions, as in that discussion on the outline design principles, will be about the review process and making sure that is robust to give Fylde Borough Council, um, assurance on how the designs will be put forward and brought forward.

00:57:07:21 - 00:57:10:06

Um, including the landscape management plans.

00:57:12:06 - 00:57:27:04

Okay. Thank you. I appreciate it's part of those wider discussions, and I appreciate to you that some local authorities probably used more design panels, independent design panels more, as it can vary from place to place. But where they are used, they can be very, very useful. But I'll leave that between the the parties.

00:57:31:03 - 00:58:03:10

And borough council Just to provide a brief bit of context. Um. Um, I completely agree with the comments about design review panels. The, the the question that we are grappling with at the moment is that we're effectively being asked to potentially make a commitment that will commit, um, that the future authority, as it is at any such time, to a decision that will have a material impact on how the determination is made at that time, because the output of a design review panel has material weight.

00:58:03:26 - 00:58:15:06

Um, so so that's that's what we're considering. It's not that we don't see the value of design review at all. It's more a kind of procedural governance question that we're looking at. Yep.

00:58:15:08 - 00:58:17:00

That's completely understood. Thank you.

00:58:18:21 - 00:58:29:05

Okay. Um, nothing else on requirement four. Oh, Mr. Walker, sorry, I thought your microphone was turned on, but I didn't see a hand going up. But I thought that anyway.

00:58:29:10 - 00:58:34:09

Yes. Thank you, sir. Well, I did put my hand up earlier. And then you said, let's hear the local authorities first.

00:58:34:13 - 00:58:34:29

I apologize.

00:58:35:07 - 00:59:08:25

Um, we're obviously particularly interested in works number 21 A and 21 B, because they are the substations right next to our, uh, villages. Um, I have two suggestions for requirement for. The first one is to add external appearance to the list A to H as one of the things details that is provided. And that might help with the design issue, because that will be later and then won't fit a filed because they'll look at it at the time maybe, I don't know.

00:59:09:09 - 00:59:43:04

Um, the second one is I think this probably will happen as a matter of course, but we would like to be consulted on these details as both parish councils and also Kirkham Town Council. This may happen as a matter of course. Fylde Borough Council doing that. I have a slight paranoia that if they have a sort of set of rules of such things, they apply to planning town and country planning discharges and not dispose formally, and it might slip through the cracks somehow.

00:59:43:15 - 00:59:53:24

So until we receive some sort of written assurance that we will be consulted by the Borough council, then we would like to be added as a consultant to this requirement. Thank you.

00:59:55:00 - 01:00:01:03

Okay. Thank you. That's. Would that be something that the council would normally

01:00:02:21 - 01:00:03:06

do.

01:00:04:26 - 01:00:37:24

At Borough Council? Yes. At the moment as a, as a matter of course we consult parish councils on applications however. Um, I accept the point made by Mr. Walker and, and it does seem that the most, um, kind of reasonably available and practical way to address this would be to reference the parish councils as a consultant to account for any potential changes in kind of governance, governance and

procedures. We certainly have no objection to that. Um, and as I said at the moment, they would be consulted.

01:00:37:26 - 01:00:46:04

But what I couldn't say right now is that within the next, you know, however ten years or so that that situation might not change.

01:00:46:16 - 01:01:09:17

Okay. Thank you. And I would imagine and certainly this seems to be in sort of the relevant infrastructure design guidance, that the community in any case, is involved in the evolution of the design. Uh, so it may well be that the actual parish council groups, relevant parish councils, residents groups are actually involved to some degree in the evolving design process anyway.

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

Phil Williamson, on behalf of the applicants, I think I would like to have these conversations with with Fylde Borough Council as part of the development of the outline design principles. Um, so I'd like to demonstrate that progress by deadline five. Okay.

01:01:29:23 - 01:01:30:12

Thank you.

01:01:34:15 - 01:01:37:07

Okay. Moving on to.

01:01:38:04 - 01:01:38:19

Uh.

01:01:38:21 - 01:01:39:24

Good. Sorry.

01:01:39:26 - 01:01:40:28

Yeah, sorry. I poor for.

01:01:41:00 - 01:01:41:15

Sure.

01:01:41:17 - 01:01:42:02

On behalf.

01:01:42:04 - 01:01:42:19

Of.

01:01:42:21 - 01:01:43:06

Uh, Bay systems.

01:01:43:08 - 01:01:46:17

Uh, just a couple of points on on this requirements. Um.

01:01:47:28 - 01:02:22:05

I would like to see another addition to the list of details. Um, and that being the location height of, of the lightning rods, um, and also and there's been a few comments today and earlier in the week on, uh, no external lightning, but there may be a requirement for, um, aircraft safety lighting on these masts, um, depending on their heights. So I think I would like to see that included in that list of, of uh, of details to be, to be approved. Um, also, Bay systems would like to be in a holistic consultation on this matter.

01:02:22:07 - 01:02:54:26

Um, so they can ensure that the the final design heights of these are these. The lightning rods on the buildings, um, do not infringe on aircraft safety. Um, and the Dio. My colleagues at BA have been discussing talking to Dio this morning. Um, the Dio have actually requested as well to be named consul T on this requirement. Um, they did state this in their, um, deadline one representations. Uh, which is rep 1075. Um, and there are actually a number of other requirements, um, where they are requested to be a consul.

01:02:54:28 - 01:02:59:27

T and there's a few more they've mentioned this morning, so I'll flag those as we get to those requirements.

01:03:01:03 - 01:03:05:03

And just to be clear, are those comments in relation to requirement four?

01:03:07:13 - 01:03:07:28

Yes.

01:03:08:00 - 01:03:08:15

Yeah.

01:03:08:17 - 01:03:09:02

Yeah.

01:03:09:14 - 01:03:21:14

Not requirement five as well. Because in terms of the, uh, I had a note down that, uh, on requirement five, there's an issue with BA in terms of the maximum heights above AOD. Yeah.

01:03:22:26 - 01:03:46:10

I think we've got a separate comment on that I think. Yeah. Requirement five I think restricts the, the height I think the maximum height. Whereas I think requirement four is the final design height, which may be different or should comply with the maximum height. So not be higher than the maximum height. But I think we uh yeah, we've got separate comment on requirement five, but we'd like to be consulted on the final design which submitted it for requirement for.

01:03:47:15 - 01:03:48:03

Okay.

01:03:48:18 - 01:04:22:14

Thank you. So it's done on behalf of the applicant. Um, we'll come on to the, um, position on, um, the specifying the maximum height of the buildings for oud. Um, uh, in a moment. Um, I'm slightly confused as to the role that either Bar or Dio would have as a consul T in respect of those matters, as I understand it, um, by and Dio or by needs to undertake a safeguarding assessment of the height of those final structures.

01:04:23:00 - 01:04:56:12

as to to ensure that that those meet its requirements. But this is about approving the details of those matters. And this is, in my mind conflating two separate points. One is by undertaking its safeguarding assessment, which I think the applicants accept needs to be done. And I believe there is a way through and managing, but that doesn't, uh, necessitate BA or Dio being a named consul T for this requirement because there is nothing for them effectively to approve or veto or any of those matters.

01:04:56:14 - 01:05:26:01

So that's the applicant's position at the moment. We are, I'm hoping, in active discussions with by on these matters, but it certainly isn't the position that we think that it is either necessary or appropriate for BA or Dio to be named on this. This is unlike where, you know, you'd have an aviation requirement that requires approval, and therefore there are key consultees in terms of signing this off. This is about the design details of the project. Substation. Sorry.

01:05:26:15 - 01:05:44:19

I don't know under the. Thank you. That's helpful. I don't know under the development management procedure or you know this relates to section 78 applications. If there's actually a statutory requirement to consult the be on certain developments within certain ranges of our airfields and airports, etc..

01:05:45:07 - 01:06:01:21

So lays down on behalf of the applicants, if there is such a thing and if it does apply here, it's probably something to check. I think it would be a matter for the local authorities to do through its role as the discharging authority, rather than through the applicant, but we can certainly have a look at that.

01:06:02:12 - 01:06:28:00

Again in the section 78 context. Yes, the local board would have to consult with them in terms of the statutory and not in section 78, obviously here at all. But uh, uh, I know from experience that that can be the, uh, that can be the case, but is that a statutory requirement or is it a voluntary requirement? I think it's a statutory requirement on the or. Certainly. Uh, yeah. Under the development management procedure order. Anyway, that could be looked at, please. Uh, okay.

01:06:31:06 - 01:06:35:06

So moving on then to the requirement five.

01:06:35:12 - 01:06:36:07

The detailed.

01:06:36:09 - 01:06:43:10

Design parameters. Is anything else that I would like to comment on that, that you've not already said, uh.

01:06:43:19 - 01:06:46:04

Paul Fischer on behalf of basis. So it's a requirement five now.

01:06:46:06 - 01:06:47:07

So yes, we're on to five now.

01:06:47:09 - 01:06:47:24

Yes.

01:06:47:26 - 01:07:00:13

No, I think I'm just repeating what we've put in our in our written, written representations, uh, various deadlines about, um, use of heights and rather than um above finished in the words fully finished ground level at the moment.

01:07:00:15 - 01:07:18:09

On the AOD point. Currently it's not in AOD. Uh, is there a danger that having I mean, I don't know if both is required, but the problem with the AOD point, it doesn't mean an awful lot to, to, to, to, to sort of people looking at it in terms of what the height might be, uh, unless you know the details.

01:07:18:26 - 01:07:45:03

On behalf of Beatrice, I think I think the point that for BA is that they in order to do the technical safeguarding assessments, they need a fixed reference points and the finished ground levels aren't fixed. So I think it's difficult to, to, to assess without a fixed reference point, which isn't there at the moment. So some sort of some clarification is needed somewhere that, uh, what we should be assessing what the maximum, um, scenario we should be setting is. I think Aude would provide that.

01:07:45:17 - 01:07:48:23

Okay. Now I understand that at that point, Mr. Walker, is it related to that point?

01:07:49:22 - 01:08:04:16

It is indeed, yes. Because we heard yesterday that the site is on a slope and we don't know if it's going to be built up or down or along the slope. And so it is very important that will make a big difference to the perceived height of the masts and the building.

01:08:04:18 - 01:08:30:13

And that's true, isn't it? Because even the current wording of the, the requirement that says 13m above finished ground level, that doesn't actually tell you what the actual height will be in terms of if you're looking at it, for example, from a nearby property, because it depends on what the finished ground

level is and if the finished ground level is raised or decreased. Obviously, the height of the actual uh, buildings would be altered, uh, to correspond with that. So that that sounds that, that needs looking at in any case.

01:08:30:22 - 01:08:52:15

I think Phil Williamson, on behalf of the applicants, uh, we are aware of the points that have been raised on this matter and have flagged two bay systems that we will amend the requirement, five to include a maximum Ma meter meters above Ordnance datum. Um, rather than use finished ground level. So that amendment will be made for deadline for.

01:08:57:23 - 01:09:13:07

Any further comments on I mean that would provide a definitive point, even if that definitive point wouldn't be obvious what it is if somebody was just looking at it when they first read the requirement. I don't know if that can be what clarification can be provided, if any, on that. Um.

01:09:13:19 - 01:09:51:26

Phil Williamson, on behalf of the applicants, we will state a maximum meter above Ordnance datum, which will essentially be the 30 meter lightning rods, the maximum height of the 30 meter lightning rods. I think it's very I need to make it very clear that that's obviously a maximum. And we've set the maximum height of those lightning rods at 30m. They may not be 30m. We may not have any lightning rods. Um, so that's that will define that. Um, at that point, um, in terms of the safeguarding assessments that need to be undertaken by BA systems, those safeguarding assessments need to be undertaken on the detailed design rather than any meter above ordnance data, which we state on the face of the DCO.

01:09:52:01 - 01:10:07:21

So there is a process where the detailed design will occur and that will be informed through our agreements with BAE in terms of the provision of their safeguarding assessments. So there is a collaboration piece that will happen with BAE systems to provide them the assurance they are seeking.

01:10:08:00 - 01:10:08:15

And in.

01:10:08:17 - 01:10:09:02

Terms of.

01:10:09:08 - 01:10:33:02

The one, the 13m above finished ground level is currently drafted for buildings. And just briefly putting aside the separate by that point in terms of people's understanding of what that means in terms of the maximum height of buildings that could be on the sites. Does that also need to change, bearing in mind what's been what's been said?

01:10:33:26 - 01:10:46:13

Phil Williamson, on behalf of the applicant, we'll look at the wording in totality. So obviously the very maximum will refer to the lightning rods. But we'll also define maximum building height as well in relation to make.

01:10:46:15 - 01:10:47:26

Sure they can be done with with.

01:10:48:01 - 01:10:53:21

Yes, it's been done on lots of other dsos. So we'll follow a similar wording. Drafting.

01:10:53:26 - 01:10:54:12

Okay

01:10:56:10 - 01:10:57:26

okay. Anything else on requirements?

01:10:57:28 - 01:11:26:01

I just thought it might be so that people can understand what the an AOD figure running into. I don't know, 80m or something. What that means. Would it be helpful to have a reference point what AOD that is in the current situation so that we can compare it. Because, I mean, because I think it's something to do with the sea level at Newlyn in Cornwall, which is a bit irrelevant to this project, but a useful objective height.

01:11:27:19 - 01:11:53:04

That Phil Williamson, on behalf of the applicants, we provided a contour map that gives those contours in terms of heights in relation to measured as part of the landscape and and technical sorry landscape. Technical note I just have to quickly get the reference on that. Um, that will obviously provide a use that should provide the exact reference point for, um, for general members of the public to understand what that means.

01:11:53:06 - 01:12:04:07

And if the term oud is used anyway, it's going to need an interpretation clause anyway, isn't it in the DCI? And that could even be added to the actual requirement itself, potentially. Uh, as a suggestion.

01:12:07:29 - 01:12:18:26

That Phil Williamson, on behalf of the applicant, I think it will need that explanation. Yes. And the reference for the landscape technical note is rep 3064.

01:12:19:14 - 01:12:20:20

Okay. Thank you.

01:12:23:04 - 01:12:25:17

Okay. So that's requirement five.

01:12:27:04 - 01:12:40:23

Requirement six provision of landscaping. Uh, we've already touched on this. I think in terms of our earlier discussions on trees and hedgerows etc.. Uh.

01:12:44:23 - 01:12:50:14

Do the local planning authorities have any comments on the drafting of this requirement

01:12:52:05 - 01:13:00:08

and indeed requirement? Let's do six and seven together as they're sort of very linked, aren't they. The provision of landscaping and the implementation and maintenance of landscaping.

01:13:16:00 - 01:13:33:21

We've already covered the issue about whether or not the details of trees, hedgerows to be removed or retained needs to be included in the wording. And is there a detailed list of things needed to put into the requirement, which you sometimes get? But I appreciate the point that if that's clearly spelt out in the outline plans, then that that may suffice. Um.

01:13:37:24 - 01:13:39:03

Lancashire County Council.

01:13:41:27 - 01:14:12:15

Thank you sir. Yeah. Andrew Schakowsky, the Lancashire County Council, it was just just one particular quick point that came through from my team. And I just I sort of put it up with a bit of a question mark against it, which was in requirement seven. Um, the comment I had made to me was, um, whether a longer period of maintenance, um, should be required for the landscaping, i.e. more than five years. Um, particularly given the length of time that the construction period of the project may go on. I'm happy to take any thoughts from that. From, from. From the borough council.

01:14:12:22 - 01:14:14:03

It's really a matter for them.

01:14:15:11 - 01:14:16:03

Thank you.

01:14:17:15 - 01:14:24:23

For. Borough council. It's something we obviously support. Um, for the same reasons in terms of construction, time period, etc..

01:14:25:29 - 01:14:49:05

Okay. I think because five years is fairly standard for maintenance. I think even on Dsos, I think where there's been ones which have a greater than five years, I think they seem to be ones where there's been a particular case put for that in terms of, I don't know, the growing climatic conditions, soil conditions, all sorts of things. Uh, I'm certainly aware of that from some of the Norfolk CEOs.

01:14:49:15 - 01:15:26:22

Um, so Lee's done on behalf of the applicant. Can I perhaps explain this a bit better in the context, perhaps, of the outline landscape management plan as well? So requirement seven, um, isn't the

maintenance period. It's the replanting Planting period. So requirement seven secures five years for the replacement of any planting that dies during that period. And just to be clear, that is an ongoing five years. So if something dies within that five year period, then the five year period applies to the planting that's then put in to replace it.

01:15:26:24 - 01:16:01:05

So insofar as planting doesn't establish or takes time to establish, there's a rolling five year period effectively until that's for any replacement. Hopefully that makes sense in terms of maintenance. Um, the it is the, uh, landscape management plan. And insofar as it's relevant, the ecological management plan that will deal with the maintenance period for the landscaping around the substations, in particular, because they are being relied on, as we know, as mitigation for up to 15 years.

01:16:01:07 - 01:16:48:03

So this requirement seven, if we call this effectively the establishment period for the landscaping? Yes, particularly around the substations. Um, this is the five years where there is an obligation to continue to, to replant if if something, um, dies or becomes diseased. And the applicant's position is that five years is entirely appropriate here, we're aware that on other schemes there have been longer durations, but they've typically been, for example, we're aware of the East Anglia example, but I think there were specific coastal location where there were concerns about establishment that had been, um, that had been made given the, um, the submissions that had been made about the sort of productivity and the quality of the land in this area.

01:16:48:05 - 01:17:14:15

I think we consider that five years would be more than would be more than appropriate. And noting that it's a rolling five years, as I've just said. So so the five years within requirement seven is effectively if we call it the establishment period and then the Landscape and environmental management plan will deal with that ongoing maintenance period, which will be relevant to the species. The design of the planting and everything that is put in place. Thank you.

01:17:14:17 - 01:17:15:06

Thank you.

01:17:21:21 - 01:17:30:15

Yeah. So the the title of the title, that requirement might need changing on that basis. The first point. But the

01:17:32:14 - 01:17:55:06

if it can just be absolutely clear. First of all, I'm presuming the wording is in there somewhere in terms of the management plans, what you've said about the fact that if a species dies, then that would maintain for five years to be sort of clear, which provision requires that? And I think also the landscape management plan, there are some things which are five years, of course, and some things which are longer than five years. I think I remember from, from reading, um.

01:17:57:24 - 01:18:01:04

Do you want to comment on that before I make my final two small points on this show?

01:18:01:13 - 01:18:35:17

Carl. Borough Council. So I think that's all understood. What we'll do is we'll look at the outline landscape management plan and just pull up any comments on that in writing. I think the point is that as currently drafted, requirements seven um, deals I think with implementation adequately, but it's the retention of and maintenance under the outlined landscape management plan that perhaps could be slightly better drafted because I understand that, um, the last so requirement seven, paragraph three deals with replacement species where they failed within the five year period.

01:18:35:22 - 01:18:50:15

I think the point is we could do with some wording which retains, um, the landscape management plan to the maintenance provisions within that plan are continued. So it's not just implementation, but there's actually retention.

01:18:51:10 - 01:18:54:11

Yeah I understand. Thank you. Can that be taken on board?

01:18:55:03 - 01:19:34:19

Phil Williamson, on behalf of the applicant, I think that's accepted and can be taken on board if I may request that rather than submit five borough council's comments on the landscape management plan, that we follow through with the engagement process, which we have communicated to Borough Council and will submit a deadline for the outline design principles, technical matters on landscape and visual resources and also the Outline Landscape Management plan. Um is intended to bring together all of those work streams to ensure that the landscape management we're proposing is proportionate, um, but also secured in a way that assures a file it can be delivered.

01:19:34:27 - 01:19:45:05

Um, I'd very much like if we can go through that process. Um, which I think we have sort of agreed, um, to get to a resolution that we can present at deadline five.

01:19:46:07 - 01:19:58:06

So, so I think what we're saying is, please don't submit your comments on the outline landscape management plan at deadline for I think there's a much more productive discussion to be had on the evolution of that document, along with the design principles.

01:19:59:13 - 01:20:23:16

Farnborough Council. So that's understood and quite happy to take that approach. Um, just the other thing in uh, in respect of requirement seven, paragraph three, we do note that some other dsos, I think, um, Grampian, for instance, uh, sets a ten year replanting period. So what we'll do is we'll just go away and have a look at other dsos and indicate whether we think that's the approach should be taken here too, and perhaps discuss that with the applicants offline.

01:20:24:00 - 01:20:38:28

So Liz, Don, on behalf of the applicants, um, as I said previously, I think where there has been an extended period, it's been because there have been concerns about ground conditions. So if the local authority are looking for that, then they would need to have a justification as to why.

01:20:39:00 - 01:20:39:15

And I said.

01:20:39:17 - 01:20:43:15

That was considered that landscaping wouldn't establish within that five year period.

01:20:43:21 - 01:21:02:06

Yeah. No, I acknowledge that. I said that in my introduction to. So I think that's absolutely the case and that's that's understood. So thank you. The E requested to be a consulted on this. Uh, I'm presuming the E is happy on the same basis that you were happy on the previous requirement? Uh, Miss Locke. Is that the case?

01:21:03:28 - 01:21:05:27

Yes, sir. That's the case. Thank you.

01:21:06:20 - 01:21:25:27

Okay. Thank you. And my final point. I don't ever want to raise this or not, but the use of the word may in requirement six rather than shall. I don't know, uh, maybe it's something that we can just deal with. We need to deal with it. Uh, I don't know. I may sound a little bit. Sort of. I might do it. Might not. Uh.

01:21:29:03 - 01:21:31:27

I think you'll see. Uh, we've used.

01:21:31:29 - 01:21:32:14

Mace.

01:21:32:16 - 01:21:33:01

All the way through.

01:21:33:03 - 01:21:40:29

I know, and I know it's all through, Mona. That's gone for the secretary of State as well. Uh, does it make any difference if it's may or shall from your perspective?

01:21:42:15 - 01:21:46:04

I just think is more precise. I think may leave some to my mind.

01:21:46:06 - 01:21:55:21

Some ambiguity lays down on behalf of the applicant. Should we take that one away and look at it against, um, recently granted. Yeah. Well, in terms of where the wordings got to.

01:21:55:24 - 01:21:58:05

The echoes might go in your favor on it, but.

01:22:00:23 - 01:22:06:11

So far by council, I think because it's negatively worded, I don't think it makes a big difference as to whether it's May or shall.

01:22:06:13 - 01:22:14:03

But yes, I think it depends on the actual way, the actual framing of the actual drafting. And in that case, it might not do. Yes, elsewhere in my.

01:22:14:05 - 01:22:19:19

Notes, stage may commence. Is is adequate, but it depends if there's a difference in drafting for the others.

01:22:20:21 - 01:22:21:27

Okay. Yeah.

01:22:25:05 - 01:22:30:01

I don't think many section 78 inspectors would use May, let's put it that way anyway. Um.

01:22:30:18 - 01:22:37:11

So Catherine night, Blackpool Council we, uh, concur with filed on this. Uh, we concur with Fylde. Totally.

01:22:37:13 - 01:22:45:29

Right. Thank you, thank you. Okay. Okay, let's leave that there, shall we? Before we get into a detailed discussion on that. And sorry.

01:22:46:01 - 01:22:47:28

So one more comment for me again.

01:22:48:00 - 01:22:48:23

Sorry, sorry.

01:22:48:28 - 01:23:08:18

Sorry I'm hidden behind camera. You can't just see me I don't think. Sorry systems. Uh, this is another requirement that, um, be a request to be a consultation. Um, and the Dio have also asked in their, uh, deadline. One representation of the mod can be a consulting as well. Uh, and it's purely to ensure that any landscaping isn't a bird attractant risk.

01:23:09:05 - 01:23:09:23

Okay.

01:23:10:26 - 01:23:33:26

Thank you. The reason I sometimes missed your hand is that, uh, I think we're all complaining about bad eyesight in these hearings, but when I'm faced with a window which is quite bright, my eyes slightly struggled with it. So that is. That is why it's nice seeing the view of the trees, etc., however. Uh, yeah. Um, okay. Um, do you want to respond to that point that's just been made?

01:23:34:05 - 01:24:19:22

Uh, Phil Williamson, on behalf of the applicants. Um, similar to the discussion we had around, excuse me, requirement for, um, the applicants don't believe it appropriate that BA systems be a named consultant in relation to the provision of landscaping. Um, as that is a matter related to the mitigation of the, um for the onshore substation. The assurances that BAE systems would be found within the requirement, um, requirement 12, I think on the Outline Ecological Management Plan and the Outline Wildlife Hazard Management Plan, which creates commitments to undertake that wildlife hazard attractant risk assessment, um, which obviously would be informed by the um discharged out landscape management plan which would be agreed with the relevant authority.

01:24:20:17 - 01:24:21:05

Okay.

01:24:22:03 - 01:24:43:28

Uh, portfolio based systems I think. Yeah. Conversation on this. I think that the the Dio rate is initially before requirement 12 as was originally drafted was it was in the um was in the draft DCO um, I think as long as yeah, that captures all the landscaping, then we probably could accept that. Um, but we'll take that offline and have a conversation with the applicants on that front.

01:24:44:06 - 01:25:00:29

Okay. Thank you for that. Uh, clarification. I think we're shortly going to take a break, and we probably do need to up the speed a little bit. Although the discussion of requirements is always going to take some time just in terms of requirement eight, the code of construction practice.

01:25:03:10 - 01:25:16:05

In terms of the ease concern, I think we now have an outline hydrological risk assessment now included, don't we. In deadline three a nod is sufficient. Yeah. Thank you. Um.

01:25:20:25 - 01:25:42:21

Okay I've got I've got a minor point about must and shall. I'm not going to go back there any and this obviously the this this requirement strikes to the heart of how things are, are implemented during construction. But of course, the true detail of it probably really lies in the outline management plans themselves, which are absolutely critical. But any wording on the drafting of climate aid?

01:25:43:01 - 01:26:13:15

Laura, for Laura, could I just add, just coming back to the wording about the hydrological risk assessment? Yeah. Um, there is an outstanding point with the Environment Agency in relation to the addition of that wording. We have agreed that we will be further updating that deadline for. So it refers to hydrologic hydrogeological risk assessments for trenches installation beneath both the Live and Saint Anne's site and the River Ribble crossing. And I believe that will then deal with that outstanding concern from the Environment Agency.

01:26:13:29 - 01:26:18:14

Okay. Thank you. I want to say anything quickly on that.

01:26:21:26 - 01:27:00:16

Hello, sir. Yes, it's Liz Locke here on behalf of the Environment Agency. Just to confirm that, we're looking forward to seeing that, um, inclusion of the river estuary on the, um specified on requirement eight. Um, also in the outline code of construction practice. Um, we're in discussion with the with the applicant about the, um, the specific inclusion of hydrogeological risk assessments included in in the outline Code of construction Practice.

01:27:00:21 - 01:27:17:15

Um, at the moment, it's, it's specified in the commitments but not actually included in the wording of the, um, the outline code of construction practice. Um, but we we're in, um, discussion to try and get that sorted. Thank you.

01:27:18:04 - 01:27:19:22

Okay. Thank you. That's helpful.

01:27:23:02 - 01:27:32:10

Laura Martin, on behalf of both the applicants, um, we note the point varies by the Environment Agency and will include that in the code of construction practice at deadline for.

01:27:33:22 - 01:27:37:01

Okay. Thank you, Mr. Walker.

01:27:37:09 - 01:28:15:16

Yes. Thank you. Um, I did have a comment on the code of construction practice. It's a bit curious that there's a commitments register. And then also table 1.2 in the Code of construction practice, which I think are basically the same. Um, but I looked at a sample of the commitments in the table 1.2, to see if they were then listed in the Code of construction practice, and they sometimes didn't. I couldn't find them. So I think it would be useful to check that table and perhaps put the paragraph number where the commitment is made in the right hand column or something like that, just to make sure they all are real commitments.

01:28:16:12 - 01:28:17:02

Thank you.

01:28:17:18 - 01:28:22:18

Dr. Martin, on behalf of both the applicants. Yeah, we make your point and we'll do a review of that.

01:28:22:20 - 01:28:33:21

Yeah, it's absolutely essential to make sure that each one of the commitments is followed through in the DCO obviously. So yeah. Thank you. Okay Mr. Forshaw.

01:28:34:05 - 01:29:11:25

All right. Yeah, yeah. Systems. Um, there's a requirement under, um, civil Aviation publication 738. Um, within I think within six kilometres of any licensed aerodrome or which water aerodrome is that any, um, tall? Well, any construction equipment, including cranes over ten metres. There's a requirement to agree their use, uh, including hours of use, um, with the aerodrome operator. Uh, first,

I think the code of construction practice seems to be an appropriate, uh, location to, to to, um, for the applicants to sort of, um, specify that essentially.

01:29:12:01 - 01:29:18:00

Um, I think on that basis as well, it'd be useful to have BA and the Mod as a consultation on that document.

01:29:20:12 - 01:29:21:17

Okay. Thank you.

01:29:26:03 - 01:29:27:28

For the applicants like to comment on that.

01:29:30:12 - 01:29:48:00

Laura Williamson, on behalf of the applicants, um, I'd just like to take that one away rather than comment on it right now. Um, we are aware of the requirement from, um, from BA systems. Um, but I'd just like to think about whether it's appropriate to secure that via the Safeguarding Assessments Commitment or Wildlife Hazard Management Plan. Okay, so that could be I think.

01:29:48:02 - 01:29:51:19

We can ongoing discussions that you're obviously going to be having as well.

01:29:51:22 - 01:30:14:01

Yeah for sure. I think it's a bit separate from from both of those. I think there's a there's a requirement for the use of cranes. It's it's a it's another licensing requirements separate to the, the safeguarding assessments that before they use there is an agreement a prior agreement with the aerodrome operators. So it's a it's a bit separate. So um, I think we have the conversation where that's secured, but I think it should be secured somewhere in the DCO. Okay.

01:30:14:22 - 01:30:19:25

Okay. If that can be taken offline, so to speak. Uh. Thank you. Okay.

01:30:21:20 - 01:30:26:25

There's the what? We need to have a break to get rid of this wasp, if nothing else but at Marlborough Council. One last comment before we.

01:30:26:27 - 01:30:46:22

Break, John, take Fall Borough Council. And we've commented on a range of the, um, management plans, which I won't go over now, and we've already confirmed we'll have more discussions. I think it is just worth highlighting our request. Um, for a separate emergency services liaison and coordination Ordination plan to be included in the suite of management plans as well.

01:30:47:27 - 01:30:49:21

Okay. That's noted. Thank you.

01:30:50:28 - 01:31:04:26

Uh, Phil Williamson, on behalf of the applicants. Um, we've recognized the comments raised and will be including the identification of emergency services and liaison with them in the updates to the outline construction traffic management plan and deadline for.

01:31:06:06 - 01:31:37:14

Okay. Thank you. Obviously, you can have a separate conversation about the contents of that if need be. Okay. Thank you. So very shortly. Go for a break. Obviously we've got several requirements to go through which we should be able to do fairly swiftly. We've then got I'm not expecting much of a discussion today on the protective provisions, because I know that progress is being made in those in relevant circumstances. So I'm not expecting a detailed discussion on the drafting of those.

01:31:37:16 - 01:32:03:17

It's more of an update on where things are going, which I think we've largely got in the deadline three update. Similarly, I'm not expecting a long discussion in relation to the marine licences, partly because obviously we've not got the MMO and the Natural England here who are obviously will be central to those discussions. But also I note the progress that's being made on those, those matters. So I think we can still finish around five, 5:00, uh, on the current programme.

01:32:03:24 - 01:32:14:16

Uh, Laura, I just like to say I think that, um, update on protective provisions is also on the agenda for tomorrow. So we can just cover that then as well, but instead.

01:32:14:25 - 01:32:32:21

Potentially. Yes, potentially. I know time might be quite tight on that as well, depending on the number of interested parties or affected persons who who want to speak. But that is an option. Yeah. Yeah. Okay. Let's break for, uh, afternoon tea etc. and uh, we will come back at 340. Thank you.