



Planning Inspectorate  
Arolygiaeth Gynllunio

## Hearing Transcript

<b>Project:</b>	Morgan and Morecambe Offshore Wind Farms Transmission Assets
<b>Hearing:</b>	Issue Specific Hearing 4 (ISH4) – Part 3
<b>Date:</b>	07 October 2025

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**FULL TRANSCRIPT (with timecode)**

00:00:05:15 - 00:00:08:12

2:10 now, so we're going to resume the hearing

00:00:10:02 - 00:00:12:02

as the recording restarted.

00:00:13:18 - 00:00:42:29

Thank you. Uh, before going on with, uh, item five, which is traffic and transport, um, conscious of the conversation we have we filed earlier, um, about their ecologist. Um, we propose swapping agenda item seven, agenda item six, reversing the order of them. So after five, we do seven. And then on to six. Anyone got any objections or comments on that proposal?

00:00:45:14 - 00:00:46:03

No.

00:00:47:24 - 00:01:18:07

Okay. That's great. So we'll we'll reverse that order. Okay. Going on then to agenda item five which is transport and traffic and transport which again is another topic that we've had a lot of representations on and heard a lot in previous hearings on. But as Mr. Cliff said earlier, um, all that information we're going to take into account deliberations and we, you know, we don't have to rehearse all those representations again.

00:01:18:09 - 00:01:50:18

But in this hearing, there are three specific issues that we'd like to cover. So starting first with um, agenda item five A and that's to get an update really on the acceptable acceptability and principle of the proposed routes and accesses for HGVs, these last leg journeys. So starting with the links first uh, with the applicant, please give an update of where you are and I'm conscious you'll be meeting with Lancashire County Council every two weeks.

00:01:50:20 - 00:01:56:06

I think you said in your, um, deadline five submission. Yep.

00:01:57:29 - 00:02:29:03

Phil Williamson on behalf of the applicants. So following deadline five. Um, the applicants have agreed with El-Sisi. So El-Sisi have agreed to the applicant's request for a series of workshops, um, to address their residual comments on those last leg routes. Um, as part of those workshops, the

applicants have undertaken um, swept path analysis on the last leg routes. Um, as agreed with LCC in order to move those discussions forwards.

00:02:29:19 - 00:03:04:13

Um, and to try to facilitate that agreement on the deliverability of the mitigation measures which were included in the Outline Construction Traffic Management plan. Um, that was discussed a number of times and is proposed to continue to be discussed. Um, I think we've had four meetings to date. Um, we've proposed another three following hearings. Um, so in total of the 16 links originally identified by LCC, we have. Uh. I don't want to put words in the mouth of El-Sisi, but from the applicant's position, we believe that we have agreements in principle on sort of ten and a half of those.

00:03:04:16 - 00:03:37:02

Um, bearing in mind we are some way through those workshops, um, and that we have agreed strategies that are that are deliverable to manage the passage of HGVs, of those ten and a half links, and those include the measures that were in the outline construction, traffic management plan, use of alternative accesses, widening, creation of passing places, limits on vehicle numbers and scheduling, uh signage, parking management, localised verge profiling and driver education induction processes.

00:03:37:18 - 00:04:14:00

Um, and that the description of each of those links specific mitigation measures will be included in an update to the Outline Construction Traffic Management Plan at deadline six. We are still going through that process with El-Sisi. As I alluded to, we have three quite long sessions in the diary with LK. But LK have been working very closely with us. It's been a very collaborative and forward, um, sort of constructive, um, engagement. And the detailed design of those measures will be progressed as part of agreeing the final detailed CMP and the post consent phase.

00:04:14:06 - 00:04:59:27

So that means that we have five and a half routes remaining to discuss, which will be addressed in the following three meetings. Um, which LK have stated they want to go through all of those. They have indicated based on the pattern of measures that we've been going through, as we've been discussing each of those, those legs, that solutions can be found, but they would like to go through the detail, and we are committed to providing that detail on that link by link. But we are confident that continuing that positive engagement with LK, that we can demonstrate that all matters relating to acceptability of HGV routes and the last links can be agreed, and we can communicate that to the examining authority with an updated statement of Common ground at deadline six.

00:05:00:22 - 00:05:12:19

Okay. Thank you. So I suppose the crucial question is, uh, are you confident that all that mitigation can be achieved within the public highway and the order limits?

00:05:13:29 - 00:05:33:09

Phil Williamson, on behalf of the applicants. Yes. All measures are focused on within the highway boundary. Um, notwithstanding any comments that LCC have in terms of agreeing caps or limits or scheduling, which would be part of the detailed construction traffic management plan in the post concern phase.

00:05:34:03 - 00:05:41:29

Okay. Thank you. Perhaps, Mr. Stephens, perhaps I could have the Lancashire County Council's comments on that. Good afternoon.

00:05:42:01 - 00:05:45:04

Neil Stephens, Lancashire County Council. I can concur with

00:05:46:21 - 00:06:24:08

the comments that have been made so far. The only things that have been excluded are sort of technology based solutions, um, such as the use of the trackers on vehicles to support route choice or to enforce the route choice. Also, the use of the larger compounds for the safe storage of vehicles before they can access some of these more narrower, narrower routes and lines, and also the the likelihood and possibility of using existing labor or the creation of new lay bys on existing roads, such as those which are classified as the the arrows, again providing opportunities.

00:06:24:20 - 00:06:57:14

Um, the discussions or the workshops that have been had today have been very positive and in some ways does allay some of the concerns that I previously highlighted in previous hearings, certainly on the the swept paths and why that wasn't provided. Whilst I don't necessarily have the swept paths. Uh, what they have done, um, I'm, I'm satisfied that they are following, um, a reasonable process and approach, including some of the things which were we did have issue on, such as the width of vehicles, including wing mirrors.

00:06:57:16 - 00:07:21:28

So they are now including the envelope with wing mirrors and looking at the areas where two HGVs can't pass. And then we have now a suite of solutions to overcome those within the highway boundary. At the same time, I've also asked the applicants to have, um, dialogue with um, with um.

00:07:25:07 - 00:08:05:26

With National Grid regarding the opportunity opportunities at panel and which is in National Grid's control, because that could overcome some of the issues if that doesn't come into fruition. We know that route has been used for many years. Look at the size of the Witham site. There will always be restrictions there. But there is a way that movements can take place safely, and it may be the case that some of the options are going to be difficult for the contractors, being such as one in, one out approach, the use of banks, but they are necessary.

00:08:05:28 - 00:08:39:23

Whether that's to my network or whether it's to Blackpool's network, which is on the periphery, where I think Stargate Junction, there is the need for a bank there. But overall, I think things are going the right direction. We're currently looking at, um, Balham Road, which we know there are issues. The work that's been done to date, I'm fairly happy with it. And I suppose that your next question. Am I confident that all issues can be overcome? I can't offer you that certainty until the whole process has been finished.

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And I do have all that information in front of me, because whilst we're doing things on screen, I haven't had the luxury at this stage to review it in isolation of the applicant

00:08:51:17 - 00:09:09:12

with regard to next steps. As already indicated, we have three sessions over the next few days booked in. So then at least then we have gone through all the routes and we'll know exactly where we are and whether agreement can be made or what are the residual issues.

00:09:10:05 - 00:09:20:25

Okay, you mentioned you didn't have the swept paths. So obviously that's that's quite a handicap isn't it. Correctly, you know, confident that it's mitigated.

00:09:21:06 - 00:09:46:15

On screen during the the workshops I've seen the swept paths on screen. We've, we've zoomed into the areas where I've got concern and then we've, we've discussed the options at those locations. So I am confident they have done Swept paths because I've seen them, and I am confident that they have included the wing mirrors. I've seen that information on screen, but all the information has yet to be passed over to the Highway Authority and myself.

00:09:47:04 - 00:09:51:10

Okay, so which locations are you most concerned about?

00:09:53:06 - 00:10:26:18

Balam road as a as a corridor. We have, um, I think that's one of the more difficult corridors. We've started looking at Balam Road. Um, we haven't got to the end of Balam Road yet. Uh, I think that's going to be my probably the biggest area of concern. There are other sort of links which we have discussed, uh, which we have got to a positive solution on. Um, such as these are in principle subjects me reviewing independently Kirkham Road, uh, Wall and Road.

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There are some subtleties around Wall and Road because some of that is private and does include a cycle lane within. We've looked at the options and opportunities there to overcome any safety issues, with cyclists coming in the opposing direction

00:10:41:11 - 00:11:12:08

With regard to, um, how it cross lane. That is the one which is in close proximity to National Grid. We've discussed options there. We know it's very narrow. We also know it's it is lightly trafficked. We do know it is used by other large vehicles. So it's about having a management approach that can work for both. And again, that's where it does rely on some of these management measures rather than engineering solutions.

00:11:12:26 - 00:11:15:14

Okay. So great.

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So one last point which I see this is

00:11:19:12 - 00:11:35:11

whether I'm calling it a good news story. I'm not sure everybody will. But if you're a cyclist you see it's a good news story. One of my concerns that I had with the guild wheel and using the overbridge. Um, it's been confirmed that they will not use the Guild wheel and that overbridge. I think that.

00:11:35:13 - 00:11:35:28

The.

00:11:36:00 - 00:11:36:29

Two cyclists.

00:11:37:01 - 00:12:03:14

Yeah. Noted that. So basically you'll have a final position for deadline six. Yes. And the applicants will have a final decision. Final position at deadline six. So we can see exactly where the two parties are. Okay. That's great. Can I move on then to accesses. And if the applicants could again provide an update where you believe you are at the moment.

00:12:04:19 - 00:12:41:08

I certainly Phil Williamson on behalf of the applicants. So again following deadline five, El-Sisi agreed to our request for a series of workshops to again address those comments on those El-Sisi comments that were outstanding. Um, so those matters of access designs, including the change request, um, have been discussed with El-Sisi at a meeting on the 25th of September. And, um, to our understanding, El-Sisi and the applicants have agreed that, subject to minor revisions to the Outline Highways Access Management plan that all matters in relation to accesses can be agreed.

00:12:41:10 - 00:12:57:05

We will submit that updated outline how our Access Management outline Highway Access Management plan at deadline six. And so again, from our perspective, we believe that all matters relating to access and designs are agreed. And that can be updated in the statement of Common ground which will be submitted at deadline six.

00:12:57:21 - 00:13:04:28

Okay. So I'm going to ask you again, are you confident that these accesses can be constructed within the order limits?

00:13:05:29 - 00:13:12:10

Phil Williamson on behalf of the applicants. Yes, they will be delivered within the order limits. Okay.

00:13:12:15 - 00:13:14:11

Mr. Stevens, would you like to comment?

00:13:14:24 - 00:13:26:22

Neil Stevens, Lancashire County Council I concur that design solutions have been, um, considered on plan. Um, on screen.

00:13:29:09 - 00:13:54:04

There are design solutions which will be acceptable to the local highway authority. Again subject to me being given a copy and looking at all the detail. I don't have any issue that something can't be delivered, which then would result in a safety issue. I also believe that the full access all three, all accesses can be delivered within highway or in land controlled by the applicant.

00:13:56:23 - 00:14:04:13

Okay. And again, you've got no concerns about the order limits and achieving visibility displays.

00:14:05:03 - 00:14:33:06

With regard to accesses. I've always been fairly confident with the accesses. And one of the last workshops we'd gone through all the access points. Um, the applicant is fully aware of what changes need to be made. It's for them to deliver those changes as part of the next package of information to be presented to the Highway Authority. I will then be able to do one final review, but I'm there shouldn't be any issues if they've taken on board all the advice that's been provided.

00:14:34:06 - 00:14:50:18

Okay. And you're content with the changed application. And access is nine A and nine B. Yes. And ten, which I think is the operational access. Isn't it on that. Okay.

00:14:54:02 - 00:15:01:25

Okay then moving on then to item five B. And that's construction access is on Balam Road.

00:15:04:01 - 00:15:38:08

Um, the examining authority at deadline five noted a number of representations, um, highlighting the discrete number of temporary construction accesses, particularly off Balam Road, for each project. Uh, would the applicant please explain the rationale for the requirement for temporary construction access in general, including why they can be shared in some locations but not others? I think it would help if people understand the thinking behind those temporary constructor accesses and where they can be shared and where they can't.

00:15:39:12 - 00:16:20:03

Phil Williamson on behalf of the applicants. Um, so in terms of the temporary construction accesses and the essentially what is essentially the construction access strategy. Um, the applicants put forward a construction access strategy that maximized the potential for efficiency. Um, and for obviously meeting the safety requirements for those construction accesses. In this particular instance, in Balam Um Balam Road, there are two construction accesses on the basis that in the in a concurrent construction scenario, there may be two um contractor deliveries to this location.

00:16:20:05 - 00:17:02:24

And therefore, in order to be compliant with CDM regulations and in order to appropriately schedule those deliveries, there's a need for two accesses, one for each project in this location. Through our engagement with LCC, we have demonstrated that these accesses can be safely delivered in this location, and so it is always the preference of the project to have separate construction accesses for efficiency and safety reasons. In other locations along the corridor, um, along the onshore export cable

corridor, there are instances where it is not possible to have two accesses, and that there is a need for the projects to share and access.

00:17:03:02 - 00:17:30:29

That is not the preference of the projects, partly for the well, completely for the delivery and also for the safety aspects, which simply complicate matters and mean that the delivery of the construction just becomes that more complicated and complex. When you've got two separate contractors using the same access, those instances where there is a need to share, we have had to share. Um, and that is a commitment from the projects in order to deliver the construction.

00:17:32:06 - 00:17:42:01

So basically what you're saying it's not a safety issue because you can make those single accesses work, but it's more efficiency issue.

00:17:43:11 - 00:18:13:00

Phil Williamson on behalf of the applicants. It is both. Um, there is a safety aspect simply because we are increasing the risk by sharing an access and that is that is manageable. But it is not preferable from a safety perspective, from a safety perspective. It is always preferable to have a separate access. Um, it obviously does aid with delivery and efficiencies because there is less management of the safety element.

00:18:15:19 - 00:18:30:18

But either something is safe or it isn't safe. I mean, there's levels of risk. Um, it sounds to me the driving factor behind this is efficiency of construction rather than a safety risk.

00:18:31:20 - 00:19:02:02

Phil Williamson on behalf of the applicants, there's two parts to the safety. There's obviously the safe, safe access, whether that is safe in itself, which is what we've had with those discussions with LCC in terms of how that is implemented. The implementation of the construction and the safety around contractor operations and CDM regulations is another matter. And that the safety delivery of that, the delivery of the safety is a logistical management aspect.

00:19:02:04 - 00:19:23:27

I take your point that that is partly on efficiency. But logistically when you have two separate contractors working to two different programmes and timescales, whilst we are committed to that coordination piece, simply managing the CDM boundaries between two contractors in an overlapping area does become a matter that. That makes things harder, essentially.

00:19:24:09 - 00:19:29:25

But there's quite a few accesses where you can achieve that. Yes, and you have to achieve that.

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Phil Williamson, on behalf of the applicants. Yes, because we have had to. But but also, yes, we are able to make that commitment if necessary.

00:19:40:20 - 00:19:48:09



Okay. Thank you. Mr. Stephens, would you like to comment on the number of construction accesses and that the rationale behind that, that number.

00:19:49:13 - 00:20:21:13

I can accept the rationale and the efficiency. The slight concern I would have is one of managing conflicts at the numerous access points that are in close proximity. I'm not saying it can't be overcome, but it is one of a on site management issue that the contractor will have to ensure does not compromise safety or conflict. It's about coordination. I think that's my biggest concern. It's not the safety of the delivery of the junctions or that individual operation. It's one of how are they going to be managed.

00:20:21:15 - 00:20:32:29

It's then about driver training to make sure the driver knows which particular access he's going to or she's going to, rather than how they operate individually, because I don't have an issue with that. Thank you.

00:20:33:01 - 00:20:53:29

Okay. Perhaps you could take an action to to set out that rationale for the number of accesses. And as the Stevens has pointed out, how you manage that potential issue of, um, you know, routing a vehicle to the wrong access and the potential safety issues that could then throw up.

00:20:55:26 - 00:21:31:00

Williamson on behalf of the applicants. I'm happy to take that that action, as you've said on the second point, in relation to the management and driver education, those measures have been highlighted by Lancashire County Council in our engagement over a series of workshops, and we have included those specific measures into the updates to go into the outline construction traffic management plan, specifically on driver education, inductions, signage. And so that update will be provided at deadline six. Um, so I believe we're we are aligned with LCS view that these risks need to be managed appropriately.

00:21:31:02 - 00:21:38:04

And and we are writing that in explicitly into the outline TMP construction traffic management plans.

00:21:38:11 - 00:22:02:28

Okay. That's that's great. Thank you. Um, so that was the sort of general issue. Um, uh, Mr. and Mrs. Kirkham, a sort of raised specific issue on Saltcoats Road. So I wonder if you could, um, put onto the screen, uh, sheet eight of access to works plans. Rep 5A-010.

00:22:08:23 - 00:22:10:19

Three for that to load on the screen.

00:22:15:04 - 00:22:27:18

Um, yeah. I'll come to you. Don't worry. Um. so basically, uh, in this specific instance, I think it'd just be helpful if you just explain the need for the accesses

00:22:29:06 - 00:22:31:09

and what and why the number of accesses.

00:22:37:06 - 00:22:43:02

Some of the applicants could just zoom in a bit so we can see the, um, accesses in the center.

00:22:43:24 - 00:22:46:23

And as you can blow up that section at the bottom there.

00:22:47:01 - 00:22:47:16

Sorry.

00:22:47:18 - 00:22:53:17

The other, which is by, uh, East Ham Hall Farm. So.

00:22:57:06 - 00:22:57:21

Yeah.

00:22:59:11 - 00:22:59:27

No.

00:23:03:11 - 00:23:04:01

That one. Yeah.

00:23:07:12 - 00:23:31:10

Um, sorry for the Atkins in. In summary, there's two construction accesses in the center of the cable corridor, so 25 and 26 there They're provided to provide access for construction traffic to the east and east and west of the road there. Um, and then, as Mr. Williams explained, there is a further set of construction accesses to the south.

00:23:31:12 - 00:23:53:01

Sorry if I could just go back to, uh, 25 and 26, uh, the location of those access. It appears to be right in the centre of the corridor, um, between the two cable routes. I would at first sight, you know, seem obvious to serve both. Both, um, cable routes.

00:24:00:21 - 00:24:10:07

Sam Taylor for the applicants. Um, the location of those accesses is aligned, I believe, with the, um, as closely as we could in that location with the existing

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is aligned with the existing, um, accesses at that location. So to minimize disturbance. So that's why they're central. Equally within that cable corridor. There there isn't that space to provide to accesses. Offset such that you'd have safe separation between the two construction accesses. Which is why we have this sort of extension of the order limits heading south. Um, with the second access, um, which is then the 28 and 27, as you see on the plan there.

00:24:44:00 - 00:25:01:18

Then the, um, so the orange ones, the, our are the operational accesses, which um, sit sort of with um, sort of in the gates of the existing sort of operational access at that location in terms of sort of farm access, rather.

00:25:02:21 - 00:25:12:11

Okay. There's there's no way you could use 26 and 25 for Morgan and Morgan as a temporary construction. Access is.

00:25:25:28 - 00:25:49:16

Bill Williamson on behalf of the applicants. It's the same logic as was explaining I was explaining earlier, um, in it, you know, we could we could share. But in this instant, we have demonstrated that we can safely deliver accesses for each project, which then gives us that, um, maximum safety and efficiency benefit associated with delivery during the construction of concurrent construction scenario.

00:25:50:07 - 00:25:53:21

Okay. Thank you. I think at this stage I'll bring in miss MERS-CoV.

00:25:55:24 - 00:26:03:03

Thank you for allowing me to speak, Jackie Myerscough. I'm representing my parents, Harry and Jean Kirkham.

00:26:06:10 - 00:26:40:07

Um, and my sisters, Julia Wall up and John Kirkham and myself as farmer landowners impacted with proposed development. The proposed development has a major impact on our farm, and the cable route dissects five of the eight fields that we own, plus another two that required for mitigation. We have engaged with the applicant on numerous occasions on a range of issues, and we've yet to have a positive outcome reflecting our concerns.

00:26:40:27 - 00:27:14:02

Hence, the consultations not resulted in any positive changes in these accesses. The two issues I wish to focus on is this access point, um, which um, is proposed as an operational access to an existing gateway entrance off the highway on Saltcoats Road through my parents garden access gate and into the adjacent land that's owned by the siblings.

00:27:14:19 - 00:27:37:04

It's very close to the house and it will cause them significant stress. Obviously, the vibration and the noise pollution during construction will have a significant effect on their quality of life in the dwelling house, which is just behind the 28 T-28.

00:27:39:03 - 00:28:15:07

Um, we have proposed another operational access point without agreement from the applicant. Near to the junction of Hartnell Road and Saltcoats Road, which is just above the map that you can see. Um, yes, just at the end of there. Um, what? Just to compound the problem, very recently we've

become aware from the land tracker question that Morecambe have also requested construction access at the same point.

00:28:15:10 - 00:28:22:10

It's only a very small diagonal cut, but it is in their front garden.

00:28:24:02 - 00:29:00:07

We would like this access point changed, and we would like to look at any mitigation that can be brought to move it slightly out of their curtilage. And, you know, I don't think that's a big ask, really. Um, we we can't understand really why they've got three access points onto the same envelope of land into the same field, like you say, 26 and 28 or 28 and 25, whichever you read it like.

00:29:00:10 - 00:29:52:16

Plus the curtilage of my parent's home. Um, on a more general point, we can't. We also have the same issue with the access points onto Balam Road that you've just previously discussed, because again, there's multiple accesses required into a single field, some of which are only 20m apart, which we've discussed the reasons why, but also those accesses then cut diagonally across the field where arable farmers and what we were requesting was one access road to be operational access and construction access to run along the field boundary and a distance away from both dwellings that are above and below Balham Road.

00:29:53:21 - 00:29:55:20

Thank you for hearing that today.

00:29:55:22 - 00:30:02:26

Okay. Thank you. Um, at East Hall Farm, has the access proposals changed? How many of you clarify that

00:30:04:15 - 00:30:12:29

the lady seemed to suggest that perhaps additional access was proposed. Is that the case, or has this always been the access is proposed?

00:30:13:23 - 00:30:34:11

Hilary Williamson on behalf of the applicants. These are the accesses that were proposed as the applicant as part of the application. Um, that being said, we have been engaging with the Kirkham in relation to these accesses. Those discussions are still ongoing. Um, and yes, that's that's the current situation.

00:30:35:28 - 00:31:07:14

Uh, lays down on behalf of the applicants. Um, I think we're in a position where, um, we understand that that alternative access has been identified. Um, it is outside of the order limits. Um, and on land that is owned by the Kirkham. Um, and the sort of sequence of how we take this forward in terms of that operational access that I think, uh, clips into, um, your parents, uh, Garden is that we need to secure the alternative access voluntarily.

00:31:07:19 - 00:31:43:07

There's a sort of sequence to get us to the point where we can agree that we won't use that access. Uh, those discussions are ongoing. We just need to be able to document through the securing of the alternative access, which then means we would be able to covenant to the to the Kirkman, which is a standard way of not effectively exercising our powers that we wouldn't use. We wouldn't use that access. So, as I understand it, those discussions have started. We just need to make sure all the, the sort of legals are taken through so that we have that alternative operations and maintenance access secured before we can.

00:31:43:09 - 00:31:47:11

Then, uh, we can then covenant on that, that operational access.

00:31:47:13 - 00:31:52:03

Okay. So you are discussing this and explaining the position. Yes.

00:31:52:06 - 00:31:55:06

I think we're just not there. We're just not there anywhere near.

00:31:56:19 - 00:31:59:26

Is there a timetable for when you might get there?

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

Lays down on behalf of the applicants. It will come down to the documentation that needs to be put forward, but the applicants are happy to make that commitment to the examination, to the Kirkham that we will follow through that process. Um, uh, given how close we are to the end of the examination, I'd love to say we'd have it done by the end of the examination, but I think it's unlikely. So it would be something where we would be effectively saying we will see that process through, and then it would be an update to the Secretary of state. Uh, in the event that that we managed to to work that through.

00:32:35:04 - 00:32:46:01

Okay. Thank you. Okay. Um, moving on to five C. Has anyone got any access related issues arising from the changed application?

00:32:50:28 - 00:33:02:24

I don't see any hands up in the room. And then if I could open it up to any other comments or questions from the floor? Yes.

00:33:16:18 - 00:33:25:18

Westby with Plumpton Parish Council. I am the vice chair. I've lived in the area for 30 odd years, so I do know what I'm talking about.

00:33:28:06 - 00:33:28:22

Close to you.

00:33:29:14 - 00:33:29:29

Sorry.

00:33:33:03 - 00:34:06:19

Sorry, sorry. That's all I know. Um. I must admit, I travelled on Fulham Road an awful lot. I couldn't recognise anything on that map. God knows where you got it from. Nothing named. Even Fulham Road isn't named. But this is the technique that we're using at the moment. However, I have come to speak about Barham Road. I'm here to remind everyone that the cable laying should could affect businesses, especially those reliant on Palm Road, for the public consultation or inquiry.

00:34:06:21 - 00:34:39:13

Earlier in summer I had canvassed the businesses on Ballan Road, West Mossley and Peel Road that rely on good road communication. Remembering that Balham Road links listen to Peel Road and the M55, there has been no consultation between the applicant and any of the small businesses. Nothing has been done to allay fears that Balham Road will have closures or restricted vehicle movements using traffic lights.

00:34:39:19 - 00:35:11:15

I was assured at that meeting in early summer that the road would not close, but there has been nothing said about how long the test will take or how it will affect traffic movement. I have concentrated my efforts on Balham Road and Peel Road, but I am sure there are concerns about the other roads that lay in the path of the proposed cable route. As as at the last public consultation, we are left with questions still unanswered.

00:35:11:18 - 00:35:16:27

Westby residents need to know what is happening. Thank you.

00:35:17:08 - 00:35:22:02

Okay. Thank you for that. Um, with the applicants like to respond briefly to that.

00:35:23:07 - 00:35:54:26

Phil Williamson, on behalf of the applicants. Um, the suite of measures that we are discussing with Lancashire County Council in terms of traffic management measures are covered, but do obviously cover and road and the management of Balam Road. Um, I want to be clear that we are not going to close Balam Road. Um, the management measures included within the construction traffic management plan would be agreed with Lancashire County Council in terms of how we implement the accesses and last leg mitigation.

00:35:54:28 - 00:36:04:06

And certainly there would be no restrictive movement measures on any member of the public. Those would be only applicable to the construction traffic associated with the projects.

00:36:05:12 - 00:36:09:25

Okay. Thank you. Any final comments on this item?

00:36:11:24 - 00:36:19:13

No. Okay. We'll move on then to item seven on Shore Ecology and Biodiversity at Lasdun.

00:36:19:15 - 00:36:30:01

On behalf of the applicants, we need to do a quite a big shift around the people. So if you could just give us a couple of minutes and we'll make sure the right people are in the room and get rid of the people we don't need anymore. Thank you.

00:38:03:07 - 00:38:17:29

Okay. Everybody ready? So moving to agenda item seven on shore ecology and biodiversity. We are going to start with an update on outstanding issues under discussion with Natural England.

00:38:21:10 - 00:39:02:26

Um we are going to cover briefly outline hydrological risk assessment under this item as well. Uh so just for your information, there's a question um, and there for that and the issues we are going to be covering are not just related to Natural England submissions. They are, um, issues that the councils are highlighting as well. So the first question I've got is to the applicants, and I understand from your deadline five submissions that progress has been made in terms of reaching agreement with Natural England.

00:39:02:28 - 00:39:30:03

However, there's a number of issues that are still outstanding. I have no intention of going through them in depth during this hearing, but are there any specific issues that have been progressed further since your deadline five submission, and you'll appreciate that we are a deadline behind with Natural England. So if you have had further discussions and things have been solved, um, please give us an update.

00:39:32:06 - 00:40:11:08

Laura Martin, on behalf of the applicant, I'll just quickly run through the the main outstanding issues and what we've done to, um, leave Natural England's concerns. So the first is n e 13, which is the impact of sand dune features on rhythm, sand and dunes. We submitted the hydrological risk assessment at deadline five and we've updated it at deadline. Oh, sorry. We submitted it at deadline three and subsequently updated it at deadline five to incorporate the findings of the National Vegetation Surveys, which were undertaken at Livingston and ASC and also the biological heritage site.

00:40:11:18 - 00:40:26:18

The update also incorporates the comments raised by Natural England and the Environment Agency. Since then, we've also received an update from the Environment Agency to say that they are content with the updates that have been made.

00:40:28:07 - 00:41:01:08

Um, moving on to the lack of sand dune habitat survey effort. As I just outlined, we have undertaken the NVC surveys at Livingston and Dunes and Saint Anne's Old Links Golf Course biological heritage site, and the results were included in an update to volume three, annex 3.3 the phase one habitat, National Vegetation Classification, and Hedgerow Survey Technical Report. We are awaiting Natural England's confirmation, but we think that this should resolve this issue.

00:41:01:20 - 00:41:14:08

Can I just ask? Um, do you have a date by which there will be an update on when are you meeting with Natural England to discuss this issue? Because there's submission stated, they can't comment.

00:41:14:27 - 00:41:21:11

We we've requested a meeting. All comments. Um, and we're awaiting Natural England's availability on this.

00:41:22:10 - 00:41:26:16

So are we going to get this before deadline six or at deadline six?

00:41:26:20 - 00:41:28:09

I would hope you would. Yes.

00:41:30:06 - 00:41:30:21

Okay.

00:41:32:02 - 00:41:56:05

Shall I continue? Yeah. Um, the next one probably to highlight is um, n e 19, which was the lack of an in principle derogation case for the impacts the intertidal Spa and Ramsar site. Waterbirds. As stated in our deadline five submissions, we had a joint statement with Natural England, which I can read out, but appreciate that you might have already read me.

00:41:56:09 - 00:41:58:16

No. Yeah, no need to read that out. Okay.

00:41:59:04 - 00:42:16:06

Um, but basically, just to summarize that both parties have now agreed that subject to the updates, the outline Ecological Management plan and adverse effects on integrity of the ribbon estuary, Spa and Ramsar site can now be ruled out.

00:42:17:25 - 00:42:49:27

I do have a question on this because that connects with the, um, Fair Haven saltmarsh classification. Uh, I note from the joint statement that you are now calling it an alleviation method. Now, the Outline Ecological Management plan has not been updated to reflect that it's still classed as a mitigation area. Could you explain what is the status and if the documents are going to be updated to classes that something else the mitigation.

00:42:51:15 - 00:43:03:01

Laura Martin on behalf of the applicants. So it's an alleviation measure that's within the mitigation package. So it's still correct to classify it as mitigation.

00:43:11:27 - 00:43:16:19

Okay. So it's still a mitigation. However it's not um.

00:43:19:02 - 00:43:30:20



Is it required for the HRA, um regulations. Is that my understanding is that you don't need it to mitigate the effects?

00:43:38:00 - 00:43:51:10

Um, Laura Martin on behalf of both the applicants. Yes. Natural England have, um, stated that it is needed as an alleviation measure, as part of the mitigation package to rule out the no adverse effects on integrity.

00:43:53:06 - 00:43:58:07

Okay. Thank you. Please continue on the updates.

00:43:58:27 - 00:44:25:12

Um, and then lastly was the impacts of the rebel and estuary Spa and Ramsar site. But in terms of the terrestrial water birds, natural England, in our meeting on the 16th of September, have stated that they envisage that any additional concerns can be closed out. Um, and that was done through the provision of the updates, the Outline Ecological Management plan and the Isa at deadline five.

00:44:31:13 - 00:44:35:04

I think that's all of them. Unless you have any others that you want me to go through.

00:44:35:06 - 00:44:36:21

Okay. Thank you.

00:44:38:06 - 00:45:25:20

In terms of the outline hydrogeological risk assessment. You have mentioned and covered the updates done to the documents and their recent submission. Natural England have asked for a commitment. They have asked for a commitment to be set. That minimal cable depth is at over 15m rather than your current ten metres commitment, and they stated that that would fully, fully mitigate their concerns and hopefully you would avoid the middle sands which form part of the aquifer that's underneath there.

00:45:26:16 - 00:45:41:03

Could you explain why you can't make that commitment? And I have read your response where you say this is going to be determined at detailed design. But could you explain why there is such a difference

00:45:42:23 - 00:45:44:19

in verses 15m.

00:45:44:21 - 00:46:15:10

So I can start? Um, Laura Martin, on behalf of both the applicants, but I mainly make up my engineering colleagues to, um, continue. But the when you install, um, a cable at depth, it directs the cable so the electrical efficiency is decreased. So that's the reason why we won't necessarily make that commitment at this point. And we also feel and so I think so does the Environment Agency that other mitigation measures could be adopted.

00:46:15:12 - 00:46:30:17

And they would be agreed as part of the discharge of requirement of the detailed hydrological risk assessment. So it is a mitigation measure that we're looking at. And whether we install the cable at a depth or there could be other mitigation options possible.

00:46:32:05 - 00:46:59:17

Um, I understand that, but Natural England seem to still have concerns around this depth. So could you make a commitment that if, um, impacts cannot be avoided? In case you can't rule out negative impacts, you will go under the 15m? Or how are you going to progress this issue of Natural England if you are set in your position?

00:47:06:05 - 00:47:23:03

Um, I think we've made our position quite clear, and it might just be a point of agree to disagree, but as I've said, we've got the requirement to do detailed hydrological risk assessment, which Natural England and the Environment Agency would be a consultation, and I think it would be a matter for post consent.

00:47:24:04 - 00:47:30:05

Okay. So this is likely going to remain as an outstanding issue at the end of the examination. Yes.

00:47:31:06 - 00:47:45:07

Not necessarily. I think we're trying to reach agreement with Natural England, and that's always the best case for us all. I think it's just I can't speak on behalf of Natural England of what their final position is going to be.

00:47:46:02 - 00:47:47:11

Okay. Thank you.

00:47:48:27 - 00:48:10:18

Moving to the stand lizards outlined stand lizard mitigation plan has been resubmitted at deadline five. And together with the plan, we now have a draft EPs license, application package and sand lizard survey. Technical note

00:48:12:05 - 00:48:22:13

I would like to ask Fylde to comment on those documents. I think they address quite a number of concerns you've raised.

00:48:25:03 - 00:48:59:01

Delivery of five borough council. Uh, yeah. Following some recent topic it. Make it in meetings. Uh, we do acknowledge and appreciate the progress that has been made on the lizard mitigation plan. However, we do have some outstanding concerns regarding that. Um, some of those some of those concerns are regarding the technical notes. Uh, with the use of our data that we provided. Um, I think it it looks like the peak count numbers have been used as a population estimate.

00:48:59:03 - 00:49:29:18

And we just want to make that clear that at no point during a sun lizard survey can you see every single lizard. So a statement within that technical note that the population consists of 17 individuals is

a massive undervalue of the data. And I think it's an underestimate of the population that is there on the mitigation plan itself. I think we have some, um, concerns around the, um, the traffic movement along the sand track.

00:49:29:23 - 00:50:06:24

The plan states that there's going to be eight movements per day. We would like some clarification if that is movements along the whole of the track, or if that also includes movements from the temporary compound onto the beach. The area around the temporary compound to the beach is actually our highest concentration of population. So if there's going to be an increased number of traffic movement from the compound to the beach above that predicted eight movements per day, then we need to have some additional mitigation around there.

00:50:07:12 - 00:50:36:03

On the mitigation, I think at this point in the process, I think we're looking for more commitments rather than some of the loose language that's being used at the moment. And an example for that is regarding the matting along the soundtrack to reduce the amount of vibration. Language and such as we will consider using matting. I think at this stage needs to be a commitment rather than a consideration.

00:50:38:10 - 00:51:26:09

Uh, we've also sort of noted that there's although we appreciate the there won't be any works along the beach between November and March, which coincides with avian mitigation. Yes. That does compensate for when the sun lives are hibernating, but there's no acknowledgement around work timings regarding to peak activity of the sun lizards. Uh, for example, uh, sort of early morning basking periods, which is sort of key period of the day, which disturbance would have the the biggest impact on the population? Uh, we'd also like to question the decision around the dismissal of using exclusion fencing, in particular around the, um, the temporary compound.

00:51:29:12 - 00:51:56:24

Um, we, um, we acknowledge that with the EPs license, there will be the the ability to capture and relocate individuals. But, um, I don't know if anybody's tried to actually physically catch a lizard by hand. Um, that's, you know, it's not successful. So we feel that having temporary fencing around the compound would again, sort of, um, help improve the mitigation.

00:51:58:09 - 00:51:59:02

Thank you.

00:52:01:07 - 00:52:06:12

Thank you. Could I ask the applicants to, uh, respond to some of those.

00:52:06:14 - 00:52:43:07

Lists done on behalf of the applicants? Um, I think we had an indication from Farber Council on Friday of some of these points, but we haven't had them in detail at this stage, and they certainly haven't been submitted. So, um, we I'm looking at the team to see if we can answer them as they are, or whether they're points that we clearly need to look at. The sand lizard mitigation package. The

comments and filed are very helpful, and I suggest that we take those offline, discuss them with Fylde, and then respond, um, at deadline six with the updated documents, which I read.

00:52:44:09 - 00:53:02:18

Uh, Joe Atkinson, on behalf of the applicants, um, I'm the ecologist dealing with the onshore ecology. Um, I can't clarify on some of the engineering points that, um, that Julie requested particularly. But I think we can provide clarification on that. And we need to as part of the license application. Um, I just made.

00:53:02:20 - 00:53:03:05

A.

00:53:03:07 - 00:53:32:22

Few notes as you were speaking there. Um, I think I just want to reassure Barbara Council and any other interested parties that we're definitely not trying to downplay the sand lizard population at this location. We're very aware that they're very sensitive and that it's a very high nature conservation value. Um, but I take on board Julie's comments regarding the technical notes. But just just for clarification on that point, um, and just with regards to the fencing, I think that remains open to discussion. Our concern was.

00:53:32:24 - 00:53:33:09

Just.

00:53:33:11 - 00:53:49:11

That that would cause more disruption to the dune habitats, both for the installation and any maintenance, because there would be a risk of windblown sand accumulating on on the side of the fence. And it may need more maintenance, but I think we would just remain open to that. Thank you.

00:53:50:16 - 00:54:28:28

Okay. Thank you. It would be really helpful if the parties could discuss that outside of the hearing as well. And if we could get an updated position on those issues by the next deadline. Are there any comments in relation to sand lizards in the room? Now, in that case, we are going to move to, um, any 17, uh, principal area of this agreement with Natural England. This is about Pete. Uh, it would be helpful if we could get rep 5026 on screen.

00:54:29:00 - 00:54:36:01

This is commitment one on 101. That would like to be put there.

00:54:49:06 - 00:55:01:23

Um. Thank you. So in relation to the Pete, though, in relation to the commitment and in relation to outstanding issues related to management.

00:55:04:18 - 00:55:20:09

First of all, does the applicant maybe have a general update? Uh, I'm sure you've read Natural England's response, um, to our questions and the request for the worst case scenario, a compensation strategy. So could you please comment?

00:55:20:25 - 00:55:58:29

Laura Martin, on behalf of the applicants, I think this is fair. We first need to put this into context. So we've now overlaid our order limits onto the, um, new peat map that Natural England have published. And we will submit that at deadline six. The mapping that it's shown shows that there is only peak for 2.91% of the overall order limits. This is around the Local Nature Reserve, which is just east of Clifton Drive north, which we're using trenches techniques and therefore the peat would not be impacted.

00:55:59:01 - 00:56:31:02

And just north of higher Balham. We have surveyed the area which is just north of Higher Balham, and we have, um, recorded shallow peat here. We note Natural England's concerns around this and what we've, um, stated and what we've said we will do is we will add a hierarchy of peak management and make further clarification within the outline soil management plan at deadline six.

00:56:34:26 - 00:56:37:02

Okay. Thank you.

00:56:39:01 - 00:56:53:25

Fylde Borough Council and also Lancashire and their um latest representations were um mentioning a requirement that could be um put in the DCO. Um,

00:56:55:18 - 00:57:06:24

is that the position you are maintaining? Would you like peat management to be managed via a requirement. That's for file.

00:57:07:03 - 00:57:12:10

Him for council. Our, um our chief engineer who.

00:57:12:12 - 00:57:12:27

Comments.

00:57:12:29 - 00:57:14:04

On peat matters isn't.

00:57:14:06 - 00:57:18:16

Available today, so we'll take it away and come back to you with a written response.

00:57:21:05 - 00:57:33:20

Okay. Thank you. Uh, Lancashire, do you have any comments? You. Lancashire were also not fully satisfied with the wording of the commitment 101. Um.

00:57:35:21 - 00:57:43:20

It was raised that, um, the wording is lax, uh, where practicable was

00:57:45:08 - 00:57:47:18

it's just not specific enough.

00:57:49:00 - 00:58:27:06

Uh, lays done on behalf of the applicant. Um, uh, we will review the the wording of the commitment 101. I think the key provisions, though, are set out in the soil management plan, and that's the important document for both of our borough council and for the, uh, for Lancashire County Council to focus on because, um, the um, the peak management plan, which is an appendix to the Soil Management Plan. Details specifically how peat will be managed. Um, Miss Martin has explained how we will be updating that to add a hierarchy of of effectively dealing with peat to, to strengthen that.

00:58:27:08 - 00:58:47:24

But the applicant's position is that we've taken an entirely appropriate approach to securing that peat management through the soil management plan. That's where the detail is set out and that's where. And we don't need a requirement of the DCO in order to do that because it's fully covered through the code of construction practice. So management plan and the peat management plan.

00:58:51:00 - 00:59:01:16

Can I just ask about this requirement or request from Natural England about peat compensation strategy. You are not proposing to include that are you?

00:59:02:07 - 00:59:05:00

It's done on behalf of the applicant. No we aren't.

00:59:06:01 - 00:59:15:15

So if you are confident you are not going to be developing in areas of deep peat. Um. Why wouldn't you include the requirement.

00:59:16:19 - 01:00:04:09

Lays down on behalf of the applicant? Because it's not necessary. Requirements should only be imposed on a development consent order, where they are necessary and necessary for the purposes it we our analysis and our assessment of Peat. Is that a requirement such as the one that's being proposed is not necessary. And the measures that we have set out and secured, as I've said, through the code for construction practice, the soil management plan and the peat management plan are entirely appropriate for the level of peat that may be encountered, how that works about how peat is managed and how it is, and the sort of hierarchy that's taken forward in respect of that, and the measures that are in the outline and secured through the outline development consent order are entirely appropriate to do that, such that a requirement is not necessary.

01:00:04:20 - 01:00:18:20

Thank you. I, I don't know your position. I've, uh I've read that response from yourself. However, you need to appreciate that we've got other parties that disagree with it, which is why I'm questioning you on this.

01:00:18:22 - 01:00:59:18

So Julia Tindale, on behalf of the applicants. Yeah, clearly. Obviously we did produce a management note, uh, for Peter at, um, deadline for rep for 118, which I think is probably the document that you're referring to that went through where we found where we have addressed looking at peat resources, etc., through the cable corridor. Um, there is a slight misunderstanding when we have talked about it before, I think at other hearings that, um, that this is important peatland ecological habitat, whereas actually what the majority of the areas which there may be peat resources are actually cultivated agricultural land quite often drained, which is a totally different scenario.

01:00:59:20 - 01:01:34:10

So here we're looking much more at, um, if you like, within the hierarchy. Firstly any avoidance where we can. Obviously, the peatland mapping from natural selection is a very low percentage where there might be potential peat in any event. And our survey is showing that it's actually less than is being suggested from what work we've done so far. And then obviously then you would move to looking at basically minimising any effects, which is where the then the peat management plans would come in the outline peat management plans, and that's already secured through the outline soil management plan.

01:01:34:20 - 01:02:02:15

Um, and then obviously that would then feed into ensuring that we maintain those peat resources, mainly on agricultural areas within the construction zone. And therefore basically a compensation package is not required because there are very limited resources, which we either can um, potentially through the detailed design, create more avoidance, or we can definitely, um, ensure that we maintain those resources and restore them appropriately.

01:02:04:09 - 01:02:14:22

Thank you. That's very helpful. Are there any other comments in relation to the repeat lady at the back? Please introduce yourself.

01:02:15:13 - 01:02:16:05

Hello.

01:02:16:07 - 01:02:26:16

I'm Jennifer Frost and I'm speaking on behalf of myself. I live in the area affected. I'd like to ask the planning executive to ask the applicants how.

01:02:26:18 - 01:02:27:03

They can.

01:02:27:05 - 01:02:58:11

Guarantee, by using trench list technologies, that they will succeed in avoiding peat. Do they have a plan B? Whilst I appreciate that they have done surveys, if they are committing to doing trench list technologies, if they are committing to directional drilling, they will come across unexpected ordnance and they will come across unexpected things underneath the ground. So I must apologize that I'm speaking as a layperson, but I would like a clearer explanation of how they expect to use trench list technologies to avoid things that are underground.

01:02:58:13 - 01:02:59:06

Thank you.

01:03:01:24 - 01:03:05:05

What do applicants like to respond to this point.

01:03:16:18 - 01:03:17:27

On behalf of the applicants.

01:03:18:26 - 01:03:19:11

I think.

01:03:19:13 - 01:03:19:28

With.

01:03:20:00 - 01:03:20:15

HDD.

01:03:20:17 - 01:03:49:27

Obviously you've got to get the HDD into the ground, down to the depth and you've got to come up from that depth to the surface. Um, so there is a potential to interact with peat. Um, you have to be able to look at where you're, where your peat lenses were and have an understanding of the GI that you are going to go through with your HDD. Um, that, that, uh, detailed design for the HDD will be supported by the ground investigation information that we would garner before designing the HDD.

01:03:56:01 - 01:03:59:17

If I understand correctly, you were asking about Peter. You're asking about UXO.

01:04:14:06 - 01:04:51:16

I'm sorry. Did you hear any of that? No. I'm so sorry. Jennifer Frost, speaking on behalf of Jennifer Frost. Um, I do have some awareness of, uh, HDD and trench technology. So my question is more sort of how will you succeed if you do come across something under the ground, such as peat, that you then have to change your plan for? So are you doing ducting in these areas and then continuing with cable? And what is your plan B for double jointing of your cable, and how are you going to assess those risks, and how are you going to mitigate those risks before you break the ground?

01:05:09:21 - 01:05:47:16

Yep. So that's correct. That's what I was saying earlier on. Apologies for the delay. Um, so yes you do. You're garnering, um, your geological information through a GI campaign, through boreholes, etc., which would inform your HDD design as to what strata you would be expecting to go through or not. There's also a room in the DCL corridor itself. Um, within limits to move over the location of your HDD entry and exits and the HDD profile itself. Um, with regards to UX. So, um, being one of the unexpected that you might, may or may not find that's done on the basis of UXO, uh, report for the likelihood.

01:05:47:18 - 01:06:12:15



And the risk assessment is made on the likelihood of encountering UXO plus generally UXO, um, you know, drop dropped bombs, drop munitions, that sort of thing. only generally penetrate the ground to a certain depth. Um, so again, the, the, the, the higher risk is that you're entering exit point rather than at the depth of your drill profile, because the audience normally would not have made its way through the ground to that that depth.

01:06:14:26 - 01:06:23:06

Thank you. Ordinarily being quite a strong word there. And if we're not assessing those risks then they can't be mitigated against. Thank you.

01:06:24:03 - 01:06:25:11

Thank you. Um.

01:06:26:09 - 01:06:26:27

Just sorry.

01:06:26:29 - 01:06:27:23

Yes, please.

01:06:28:15 - 01:06:36:10

That that's that's what we are doing. We are assessing those risks. Um, so we can understand what the likelihood is and what the appropriate actions need to be.

01:06:39:00 - 01:06:45:17

Thank you. That's very helpful. Uh, we've got a hand up online, Mr. Andrew Schakowsky.

01:06:46:22 - 01:07:01:16

And thank you, Andrew Schakowsky for Lancashire County Council. Just to say, unfortunately, our office on this issue couldn't be here today either because they were unwell. But I will ask him just to review what's been said today and if we have any further comment, we'll make an additional submission.

01:07:03:03 - 01:07:05:23

Thank you. That's very helpful and much appreciated.

01:07:07:29 - 01:07:41:03

We are going to move to item C, an onshore biodiversity benefits statement and Biodiversity benefits supporting statement. A biodiversity benefits supporting statement was submitted at deadline five. It would be helpful, I think, for the next part, for it to be put on screen. So that's rep five, dash one, four five, um, and table five, um, is what I think would be useful.

01:07:41:07 - 01:07:52:19

And could the applicants briefly explain their latest strategy and the approach to optionality as outlined in this document?

01:07:55:08 - 01:08:40:24

Yeah. So Andy Blythe, on behalf of the applicants. So the reason that we introduced the hierarchy into the biodiversity supporting statement was really around, um, the commitments that the applicants wanted to ensure that we were delivering a minimum of 10% biodiversity net gain. That is in the context of the uncertainties around the the aviation side of things and bird strike risks. So whilst we are confident that we will be able to deliver at the Marsh fields, it has not yet been confirmed by both Mod and Um Bee that that will be acceptable.

01:08:40:26 - 01:09:18:01

So what we wanted to do was show that we were committing to the net gain, regardless of whether the fact we could deliver at the marsh specifically. So we introduced the hierarchy, which effectively goes through a series of different steps to ensure that we still deliver that minimum of 10%. Option one is full delivery at la Marche. That is our preferred option. The reason being is that it fits within N1 and N5 MPs policy statements best.

01:09:18:03 - 01:09:56:23

So we have the market field itself creates connectivity between two DHS sites and also creates, um, greater connectivity to the substations as well. Great. Oh, sorry. Um, so in terms of meeting policy, we feel that, um, delivering at Lea marsh fields, um, meets the policy, um, in the best option as well as actually, and importantly, delivering the best biodiversity in that local area.

01:09:59:00 - 01:10:00:20

Option two. Shall I go through? Yes.

01:10:01:08 - 01:10:02:05

Just briefly.

01:10:02:07 - 01:10:38:06

Yeah. So option two, effectively, um, commits us to delivering only 10% at the Marshfield. And so the benefit of that is that we would not need the full, the full area at the marsh. That would allow us flexibility to deliver, um, our biodiversity with the potential of reducing the impacts or, um, concerns in relation to bird strike risk. It would also mean, in terms of compulsory acquisition, which was seeking over the area, that we wouldn't need the full, full footprint.

01:10:38:14 - 01:11:21:11

So in terms of how we would deliver that, we would still deliver what we can at the substation. And then the difference would be, um, delivered in consultation with stakeholders, landowners, etc. to make sure that we were maximizing the benefit of biodiversity in the area, as well as minimizing the footprint and impacts on any farming operations. Option three. So if all all else fails at Lea marsh, um, we would then look to fund, um, um, uh, fund projects that were happening within the area and that would be anything that was happening within the local councils.

01:11:21:13 - 01:11:36:29

That would be the difference between what we can achieve at the substation to meet 10%. And then finally, um, and the, the last option, which we hope we would need to get to, is that we would look to deliver that through credits.

01:11:39:04 - 01:11:51:20

Thank you. That's very helpful. Uh, I would invite parties, uh, to comment on this new proposal. Are there any specific comments?

01:11:52:23 - 01:12:29:14

Just before you do that. Can I just make a point? Um, we recognize that this is a change from where we were obviously at the last hearings, and we've taken on board the comments that were made. And given this kind of greater thought in terms of how how it's pulled together. Alongside this, I think we said in the, um, in the supporting statement, um, at paragraph 7.2.1.1 that we were reviewing requirement 26, which is we'd offered up at deadline five, I think it was on a without prejudice basis, a requirement that would secure that biodiversity benefit.

01:12:29:16 - 01:13:03:10

We have come up with a revised approach to that requirement, and some changes to the drafting on the compulsory acquisition articles that tie those things together. We appreciate none of that is in front of the examination at the moment. Um, I'm very happy to talk through the approach that we're taking. Uh, I'd also be very happy, given we've got potentially got this on the agenda for maybe tomorrow in terms of the requirement or also for the compulsory acquisition hearing on Thursday to submit that material.

01:13:03:12 - 01:13:35:27

So people have had a chance to look at it. Before we get on to that discussion, I'm completely in the examining authority's hands about that. But we have moved on that drafting, which will secure this not as a, um, which which will involve a change to the biodiversity benefit statement to make it a plan which is then secured by the requirement, which includes this detail and the sort of cascade of, of of how that would be delivered. Uh, and, and is secure and it wouldn't be a without prejudice requirement.

01:13:35:29 - 01:13:59:28

It would be a requirement that that's effectively part of the development consent order. So appreciate that's quite a lot of information to take on board. But I just wanted it to be clear that it isn't just that we're setting this out here. We've actually been through and and work through the mechanism of how we think this would work or how we're proposing it would work from a requirements perspective, but also from a CA perspective.

01:14:01:21 - 01:14:21:00

Thank you, I do. I actually had a question about delivery mechanisms, but I think we can have this discussion tomorrow. Um, during the DCO um section, I would still like the council's or interested parties to comment on the new proposal.

01:14:22:17 - 01:14:23:02

Uh.

01:14:23:04 - 01:15:00:01

Thank you. My name is Derek Richardson. I'm an ecologist for Fylde Council. Um, very much welcome. What's been said here? It was mostly addressing what my first question was, which is that

tension between the wildlife hazard management plans and the ecological management plans, and how that tension is managed. Um, so it's really good stuff to hear this, but that there's a level of detail there that needs to. I just need to understand how that is actually secured, how those mechanisms are actually secured. So I think if that could be part of the ongoing discussions about, um, um, how those mechanisms will actually work in practice.

01:15:00:16 - 01:15:31:10

Um, for if the quite rightly, the, the wildlife hazard management plan takes precedence over the ecological management. Um, so on that point, um, that's welcome that submission. Um, but I just have there's another point as well, which is we've raised it previously. Um, I'm just not entirely clear. We've had comprehensive answers to it, which is that the 10% commitment, um, it seems to be predicated on, um, what is classed as permanent habitat losses to the scheme.

01:15:31:24 - 01:16:03:00

Um, whereas the, the temporary so-called temporary losses, um, when all the cabling works are underway. And whether you can really call that temporary works that don't need to be to have the gain attached to them. Because temporary. Could be years and years. And if you look at it from a biodiversity net gain perspective, um, what the net gain, um, process talks about is two years would be a clusters.

01:16:03:02 - 01:16:33:00

Um, anything over two years of an impact on habitat losses would be classed as more permanent impacts. And would he'd look for a gain on that really. So that's a it's perhaps a question about timing that. So because if the whole route is developed all at once it may be unlikely, but it's a worst case scenario. You've got quite a lot of habitat losses for quite a lot of time, and ecologically you could look at those as potentially permanent habitat losses. And the gain would be attached to that, to that bigger number, really.

01:16:33:02 - 01:16:40:15

So it's a question really about, um, how that, um, temporary permanent issue might be dealt with in the game terms.

01:16:42:00 - 01:16:44:02

Thank you miss.

01:16:46:00 - 01:16:48:26

I will take the comments and then come back.

01:16:51:00 - 01:16:53:08

Let's turn on behalf of the applicants. Can we respond to.

01:16:53:13 - 01:16:53:28

Okay.

01:16:54:00 - 01:16:58:00

And then before we go to before we go to wider comments.

01:16:58:03 - 01:17:04:15

Just briefly because there are a lot of points. So let the applicant address those. And then we are going to take the comments from the room.

01:17:04:17 - 01:17:35:25

Um, I think just lays down on behalf of the applicants, just picking up on a couple of the points Fylde have raised, and I think we've made it clear we're very happy to have a meeting to discuss this further and to work it through. Um, we completely recognize the way that the, um, the Wildlife Hazard Management plan, the biodiversity benefit plan, as well be the outline landscape plan and the Outline Ecology plan, all need to sit together and talk together. Um, and that they will be there will be interdependencies between those plans.

01:17:35:27 - 01:18:07:21

We're going to provide something again at deadline six. That really explains how all of those will work together, and ensure that the drafting within each of those plans creates the necessary references between them all. And I think they do. They do and will all need to speak to each other. Uh, on the point on, um, temporary, uh, impacts. Uh, I think we've made our position very clear on that. We're not offering, um, biodiversity benefit or gain for any land that isn't being taken temporarily.

01:18:07:23 - 01:18:35:15

This is something that was discussed with we've rehearsed it in in responses. There is no statutory requirement for BNG at the moment. The Defra approach has not yet been settled in terms of how temporary impacts are being dealt with. So the offer up from the applicants is for those areas where there is permanent loss as a result of that, and that's what effectively we would be securing. But we can we can go through all those details Hours later. Thank you.

01:18:36:06 - 01:18:47:21

Thank you very much. We'll take comments, but I would first like to take comments from the councils before we move to the other interested parties. So, uh, miss Mr. Walker.

01:18:48:25 - 01:18:57:23

Um, thank you madam. Um, do you want me just to talk about table five at the moment or the by the supporting statement more generally?

01:18:58:09 - 01:18:59:09

More generally, please.

01:18:59:11 - 01:19:37:18

More generally. Okay. Well, I have a number of comments on it. I'll, um, just give you the headlines because of time and put the more detail in the, in our, um, statement of case. So we for the first time, we do see what the true picture is in terms of being, if the whole of the land within the order limits is included and they lead to a significant biodiversity loss. You can see on table three. So for the whole for both projects together, that's a 17% area loss, 15% hedgerow loss and 50% watercourse loss.

01:19:37:20 - 01:20:10:17

Now, I do recognize that the corridor within which the pipelines will actually be, other cables will actually be, um, constructed will be narrower than the order limits. And so the ultimate figure will be a bit lower. But I think that gives you an idea that we're not talking about biodiversity net gain here. We're talking about biodiversity loss. If done as I think it should have been done. Um, second point is drilling into the use of the metric that we've seen for the first time.

01:20:10:19 - 01:20:48:26

So for example, rep 5151 I think that's the Morgan metric. There is a joint metric that it seems to have lots of empty cells in it. So it's probably just giving the headline figures on the detail. So I'll take that one as an example. So there are 2020 hectares of irreplaceable habitat are listed in there, and five and a half hectares of the very highest distinctiveness habitat. Um, now, it may be that those are all going to be drilled underneath, um, and so won't be particularly affected, but we have already heard that at either end of the direct drilling there might be impacts.

01:20:48:28 - 01:21:23:00

And if it's there's a disagreement of how deep you go and that might cause an impact. So I think we need more information on what they're going, what how this project is going to affect irreplaceable habitat. Um, third point at paragraph 3214, it says other dsos have adopted a similar approach. And then later on there's a table with some comparative dsos. Well, they don't adopt a similar approach at all. The first one, as it says, includes all the temporary land take as well, not just the permanent land take.

01:21:23:02 - 01:21:54:24

And the other ones, it seems, do include temporary land, except where it is drilled underneath and so unaffected. So I disagree that this is similar to anything else. Then we look at the length of the temporary impact. So normally you have to assess if it's not fully restored within two years. But having now seen all the different habitats in the metric and the condition they are currently in, we can look up and see how long it takes to restore them to that condition.

01:21:55:00 - 01:22:51:05

And there are at least eight in there that take 30 years to restore them. So if the project itself takes ten years, that's the sort of potential maximum with the biggest gap between them as possible. Assuming they're not late, um, plus 30 years and that's 40 years. We're without this habitat, which is longer than the commitment to replace habitat of 30 years under the BMG legislation. So we're not talking about just a trivial minor impact, which is the impression the applicants seem to be trying to give us, um, in fifth out of six points in, um, talking about how much, how extensive the amount of habitat they'd have to provide if they did do the whole lot and did 10%, I presume they're just this is paragraph 4.1.1.4.

01:22:51:07 - 01:23:37:19

Presumably they are just giving an example of if they just replace the whole lot with a single habitat type, was they couldn't really do that under the rule that you have to, the more distinctive a habitat is, closer to that type of habitat you have to replace it with. So I assume that is just just as an example rather than what would actually happen. Um, and finally on table five, the hierarchy options. Um, well, it's a matter of for the applicants whether They deliver more than 10% on their reduced permanent land, take only calculations or exactly 10%, but obviously more would be more beneficial.

01:23:37:21 - 01:24:09:29

Generally option for about buying credits will that's available. Um, the only one I would object to is option three because it just says pay for equivalent biodiversity projects. That is in no way comparable with, um, off site biodiversity net gain as it currently stands. You don't just pay some money to some vague project, you have to identify which land and which units and all that. So it's much more specific. So I would think options three ought to be tightened up.

01:24:10:13 - 01:24:12:28

Okay. That'll be it for now. Thank you very much.

01:24:13:24 - 01:24:22:11

Thank you. That's very helpful. I will take a comment from Mr. Schakowsky. Lancashire.

01:24:25:00 - 01:24:35:07

Thank you. Yes, Andrew for Lancashire County Council. Again just to say we'll we'll pass this back to our ecologist again because he can't be here today. So we may as well make additional comments on this.

01:24:37:07 - 01:24:42:14

Thank you. Now the lady in the room at the back, please.

01:24:42:16 - 01:24:49:24

Thank you. It's Jennifer Frost. Um, it's option three. That particularly sounds absolutely. Um.

01:24:52:18 - 01:25:27:00

Inconceivable. Whilst I appreciate that these hearings are intense and that the days feel long. I don't think that it's within the applicant's, um, jurisdiction to decide when they end. I have to leave soon. Um, and I am speaking on behalf of myself and my family. I just want to make it clear my children attend school in this area. It would be remiss of me not to try and speak for them, as if this project goes on for 10 to 11 years, and the biodiversity of the area is affected for as long as I have been living.

01:25:29:03 - 01:25:38:22

Then I'd like to make it clear that there is no amount of money or time spent in private meetings that will compensate for my children's childhood. Thank you.

01:25:41:14 - 01:25:47:24

Thank you. Would the applicants like to come back on some of those issues that have been raised?

01:25:51:06 - 01:26:41:28

Andy Blythe, on behalf of the applicants, if I just take the commentary around option three. Um, so option three, the reason that we introduced this into the hierarchy was really to ensure that, um, we considered local biodiversity projects. So this is key that we listening to listening to what everybody is saying, that we wanted to make sure that the money, if we couldn't deliver it through Marshfield, and the difference between between the 10% would go to these local projects to maximise the biodiversity

within the area and be in keeping with the local planning authorities in other projects and existing projects to maximise the biodiversity.

01:26:42:00 - 01:26:45:08

So that was the reason that we introduced option three.

01:26:50:06 - 01:27:03:17

Joe Atkinson speaking on behalf of the applicants. I would just like to pick up on the point regarding irreplaceable habitat loss. Um, the the whole order limits being assessment was.

01:27:03:19 - 01:27:04:04

Just.

01:27:04:06 - 01:27:15:05

An indication. It's a very complicated calculation. So we made it as simple as possible just to give the examining authority an indication as to what the magnitude would be. Um, but there are no.

01:27:15:07 - 01:27:16:03

Irreplaceable.

01:27:16:05 - 01:27:32:03

Habitats lost from this scheme. So I just want to reiterate that because the metric drives you to include all of the habitats if you do it in that way. So that includes all of the saltmarsh, for example, at the landfall, which wouldn't be impacted because of the trench crossing.

01:27:35:03 - 01:27:42:29

Okay. Thank you. I've got one hand up. Uh, Miss Abbott, please make your point.

01:27:50:03 - 01:27:58:07

Sorry. Can I just correct myself? Apologies. Um, Joe Atkinson of the applicant, I said salt marsh. I meant sand dunes. The landfall.

01:27:59:03 - 01:28:03:04

Thank you. Um, I think you're on mute. Mr. Abbott.

01:28:06:07 - 01:28:44:01

Christine Abbott, resident. Uh, for mitigation to take over even more areas of land. It just isn't isn't adequate for me personally. Um, also, the potential effects of successful mitigation will take years to evolve. As previously said, um, the noise and vibration, air pollution, land and habitat loss will be immediate, massive and ongoing. And I don't believe that can be mitigated, that immediate loss, um, that will be substantial.

01:28:44:13 - 01:28:56:17

Um, the land would be extremely difficult to reinstate. Um, just it's just horrendous. Like the lady said before, it's inconceivable. Thank you.



01:28:58:07 - 01:29:01:07

Thank you. Um, we take the point. Just.

01:29:01:29 - 01:29:36:07

Uh, it's done on behalf of the applicant. So I think, um, I think everybody recognizes that, um, biodiversity benefit is a is a complex area and it's an evolving area. I think it's also very important that we are clear about this is not mitigation. This is biodiversity gain. So this is not a statutory requirement currently. It's something that the applicants are offering voluntarily. The applicants have fully considered the mitigation hierarchy and in and in respect of mitigating impacts on the land that is being affected by the cables.

01:29:36:09 - 01:30:18:28

Full mitigation is being provided and the land will be reinstated. And as Miss Atkinson said, where there is irreplaceable habitat like the sand dunes, the applicants are hiding underneath that. So there is no there is no sorry treacherous techniques under that. So there is no impact on those dunes. Um, so I think we need to consider it in that context. The applicants have put together a revised package. We've explained the justification for that. I think it's also a very important point that Miss Abbott makes about getting that balance right between the taking of additional land for biodiversity benefit and and where that's outside of necessary mitigation requirements.

01:30:19:00 - 01:30:28:08

And the applicants have had due regard to that in terms of the proposal that's put forward and those options that are now being put forward to to the examination. Thank you.

01:30:29:06 - 01:30:30:04

Thank you.

01:30:30:29 - 01:30:40:21

Mr.. Further on, did you say that I think is it requirement 26, the biodiversity 1 or 27? Did you say there was actually a revised draft?

01:30:42:29 - 01:30:56:06

List done on behalf of the applicants? Yes. It's requirement 26 which at deadline five was a without prejudice requirement. We've revised the drafting of that. So there is a new but we haven't submitted the examination.

01:30:56:08 - 01:31:04:08

I don't think in fairness for everybody, we can accept sort of last minute additions to examination library, let alone proceeding. We can get that in the examination library. But obviously if you can talk.

01:31:04:10 - 01:31:04:25

We.

01:31:04:27 - 01:31:22:01

Can talk to you tomorrow, tomorrow, and obviously you may I don't know, other parties might not have a chance to consider it overnight. So I'm not saying it's suggesting you could, but if you could, if you could share that with the relevant parties who have obviously shown an interest in this as far as you can. That might help too. But I think we can't really accept information for examination.

01:31:22:03 - 01:31:40:29

Thanks, sir. We will explain it as simply and step by step as we can in the hearing tomorrow. And if anybody would like to see a copy of that drafting, then if you contact whoever your contact is in the team, then we can circulate that after the hearing today. Thank you.

01:31:43:06 - 01:32:02:06

Okay. Thank you. That concludes the onshore biodiversity benefit discussions. We are going to take this opportunity to adjourn. Uh, so it's 3:41. Will be back at 4:00.