

**Meeting Note**

<b>File reference</b>	EN010025 – East Anglia Offshore Windfarm (Zone 5) – East Anglia ONE
<b>Status</b>	Final
<b>Author</b>	Jolyon Wootton

<b>Meeting with</b>	Scottish Power Renewables (SPR) and Bond Pearce
<b>Meeting date</b>	27 January 2012
<b>Attendees (IPC)</b>	Mike Harris (Case Manager) Tim Hallam (Lawyer) Laura Allan (EIA and Land Rights Advisor) Jolyon Wootton (Assistant Case Officer)
<b>Attendees (non IPC)</b>	Helen Thompson (EAOW) James Donald (EAOW) Chris Collins (EAOW) John Houghton (Bond Pearce)
<b>Location</b>	IPC Offices, Temple Quay House, Bristol

<b>Meeting purpose</b>	Project update meeting
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<b>Summary of key points discussed and advice given</b>	<p>EAOW and Bond Pearce on their behalf had been previously advised on the IPC's openness policy (that any advice given will be recorded and placed on the IPC's website under s.51 of the Planning Act 2008 (the Act) and that any advice given does not constitute legal advice upon which applicants (or others) can rely.</p> <p><i>General project update and programme for 2012</i>          EAOW discussed provisional timescales for s.42 and s.47 consultations up to the submission of the application (indicated to be November 2012). EAOW confirmed to the IPC the form of the s.42 consultation material which details key aspects of the proposal. A 42 day consultation period for s.42 and s.47 is scheduled to commence on 10 February 2012: s.46 notification to the IPC would be issued on or before 9<sup>th</sup> February 2012.</p> <p>EAOW confirmed that a series of workshops with statutory consultees had taken place in 2011 preceding formal s.42 consultation.</p> <p>The IPC advised that relevant Parish Councils would need to be identified as statutory consultees under the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009.</p> <p>Consultation with relevant Parish Councils has already taken</p>
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place under phase 1 consultation. Public information days and specific councillor briefings are planned to coincide with s.42 and s.47 consultation (phase 2 consultation under the SoCC). These events start 20<sup>th</sup> February.

EAOW also plan a further phase of consultation on onshore temporary works. This is likely to occur in July and in support of this EAOW will issue local authorities and s.42 consultees with further written information and hold further parish council briefing meetings.

EAOW confirmed that a workshop is planned in mid April following receipt of s.42 responses to discuss the drafting of the deemed marine licence with the Marine Management Organisation (MMO), statutory nature conservation bodies, the RSPB, and shipping and navigation organisations. The IPC referred EAOW to IPC Advice Note 11 and the annex to this with regard to working arrangements with the MMO ([here](#)) for further reference.

#### *DCO drafting*

A further draft of the Development Consent Order (DCO) is expected to be submitted for comment to the IPC by mid-May which will incorporate the draft deemed Marine Licence. Works plans and lands plans could also be included, together with further illustrative data. It was agreed that drafts will be provided 2-3 weeks prior to the IPC providing any comments.

Bond Pearce said that the next version of the draft DCO to be provided to the IPC is expected to be more detailed than the previous draft the IPC had seen. For example in relation to definitions, both in the draft DCO and deemed Marine Licence, for matters as foundation works, substations and platforms. The IPC queried whether there were any potential changes to turbine capacity. Bond Pearce confirmed that the maximum capacity was still expected to be 1,200 MW.

Bond Pearce also said that one possible approach was to provide in the draft DCO for the option of wind turbines being grouped. For example, the option for three different types of turbine to be grouped separately with different spacing arrangements in each case dependent on, for example, turbine size/capacity. EAOW said that illustrative plans may supplement the draft DCO. Bond Pearce said that further consideration would though need to be given as to how this might be dealt with in the draft DCO.

Potential scenarios for cable ducting and onshore routes for future anticipated EAOW (Zone 5) projects continue to be discussed as SPR explore options to pursue separate applications for the onshore and offshore works.

The IPC said that DCLG are currently reviewing guidance on associated development and this is anticipated to be published in June 2012. Bond Pearce noted that such uncertainty posed a risk in terms of their overall consenting strategy. The possibility of making a separate application for ducting was discussed. If this approach was followed, any separate application would still need to be assessed as a cumulative impact in the EIA for this project. The IPC commented that the Kentish Flats application only includes offshore and connector cable works and no onshore grid connection. However, the IPC confirmed that a connection statement would still be required.

EAOW said that they would be including compulsory acquisition provisions in the draft DCO, with a further draft of the DCO together with a draft funding statement and other draft compulsory acquisition documents expected to be submitted to the IPC in due course.

#### *Transboundary Impacts*

Dutch regulatory, statutory conservation and fishing bodies and Belgian and French fishing bodies have been 'informally' consulted by SPR regarding the proposed development. EAOW had also carried out non-statutory consultation of shipping interests in several other EEA States. EAOW are to meet consenting advisors in Belgium to coincide with s.42 consultations.

EAOW said that in their view no significant transboundary issues had been identified at this stage, although HRA screening is still continuing.

The IPC explained their on-going duty under Regulation 24 of the EIA Regulations, which requires the IPC to notify and provide information to other EEA states about the application if the IPC considers that there are likely to be significant effects on the environment in these states. The process which the IPC will adopt to comply with this duty is explained in the IPC's Advice Note 12. Prior to submission of a DCO application the IPC is able to review a draft transboundary screening matrix and provide a view as to whether, based on the current information provided, the development is likely to have significant transboundary impacts.

EAOW have previously provided to the IPC a draft transboundary screening report for the proposed development. EAOW said that although further consultation had been carried out since this report was prepared their conclusions had not changed. The IPC is currently viewing this draft screening report and hopes to respond shortly.

#### *HRA*

EAOW confirmed that a draft HRA report will be provided to the

	<p>IPC for review prior to submission of the DCO application, most likely in February or March 2012, at the same time as it is sent to relevant statutory consultees. The IPC confirmed that any draft HRA report provided would not be published on the IPC's website. However, any s.51 procedural advice provided by the IPC following review of the draft HRA report, would be made available on the IPC's register of advice. EAOW said that a further draft of their HRA report will be prepared following receipt of s.42 consultation responses and a copy of that will be sent to the IPC.</p> <p><i>AOB</i>  Publication of advice on the abolition of the IPC following the relevant provisions of the Localism Act 2011 coming into force would be published to stakeholders shortly (<a href="#">link</a>). The IPC confirmed that work to integrate the IPC with the Planning Inspectorate is ongoing but that it would not affect day to day contact between IPC staff and EAOW.</p> <p>IPC advised EAOW that attendance at hearings for applications currently under examination, where EAOW have not registered as an interested party, would be at the discretion of the Examining Authority for those applications. Priority would be given to the interested parties. Audio recordings, however, are or would be made available on the IPC website.</p> <p>EAOW indicated that they are likely to request two scoping opinions for an additional two nationally significant infrastructure projects in September 2012, in connection with EAOW (Zone 5).</p> <p>Theoretical modelling of bird migrations and any transboundary impacts were still ongoing with the promoter for Hornsea and Dogger Bank zones.</p>
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<b>Specific decisions/ follow up required?</b>	<ol style="list-style-type: none"> <li>1. IPC to provide procedural comments on EAOW draft transboundary impacts report;</li> <li>2. A telephone update meeting will be arranged for the end of February (confirmed post meeting as 1<sup>st</sup> March 2012).</li> </ol>
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<b>Circulation List</b>	Attendees
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