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To all interested parties

Your Ref:

Our Ref: EN010032

Date: 03 October 2013

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Dear Sir / Madam

## **Application by E.ON Climate and Renewables for an Order Granting Development Consent for the Rampion Offshore Wind Farm**

### **Notification of topics for Issue Specific Hearings**

Further to our letter to you of 21 August 2013, this letter sets out the topics to be dealt with at the Issue Specific hearings to be held on Wednesday 30 October 2013, Thursday 31 October 2013, and Friday 1 November 2013. The hearings will be held at The Brighton Centre Syndicate Wing, Russell Road entrance, Brighton BN1 2GR and will commence at 9.30am (Registration from 9.00 am)

30 October 2013 – Biodiversity, biological environment and ecology including Habitats Regulation Assessment

31 October 2013- Landscape / seascape and visual impact

1 November 2013 – Socio-economic impacts including commercial fishing

A full agenda will be published on our website one week before the hearings.

### ***Participation in hearings***

- All interested parties are invited<sup>1</sup> to attend the hearings.
- Each interested party is entitled to make oral representations at the hearings<sup>2</sup> (subject to the Examining authority's power to control the hearings).
- The ExA may decide to allow oral cross-questioning of one party by another where there is clear continued disagreement to ensure adequate testing of the evidence being presented<sup>3</sup>. The ExA is considering this approach for the hearing on Biodiversity, biological environment and ecology including Habitats Regulation Assessment.

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<sup>1</sup> Guidance for the examination of applications for development consent for Nationally Significant Infrastructure Projects, DCLG, 2010

<sup>2</sup> S91 & S93 Planning Act 2008 (PA2008)

<sup>3</sup> Rule 14 (5) The Infrastructure Planning (Examination Procedures) Rules 2010 (EPR).

Parties who have a particular role in the topics identified are specifically invited to attend. They include:

#### Biodiversity, biological environment and ecology including Habitats Regulation Assessment

- E.ON Climate and Renewables (the applicant)
- Marine Management Organisation
- Natural England
- West Sussex County Council
- South Downs National Park Authority
- Environment Agency
- Royal Society for the Protection of Birds

#### Landscape/seascape and visual impact

- E.ON Climate and Renewables (the applicant)
- West Sussex County Council
- South Downs National Park Authority
- English Heritage
- National Trust
- Natural England

#### Socio-economic impacts including commercial fishing

- E.ON Climate and Renewables (the applicant)
- West Sussex County Council
- Lewes District Council and East Sussex County Council
- South Downs National Park Authority
- Adur District Council and Worthing Borough Council
- Brighton & Hove City Council
- Shoreham Port Authority
- National Federation of Fisherman's Organisations
- Commercial Fisheries Working Group
- Montem Ltd
- Marine South East

#### ***Conduct and management of hearings***

- The Planning Act 2008 (PA2008) provides that the Examining authority (ExA) will probe, test and assess evidence through direct questioning of persons making oral representations at hearings. Except where identified in these agendas, questioning will be by the Examining authority, who will ensure participants have a fair chance to put their case and benefit from their entitlement to make oral representations<sup>4</sup>.
- The ExA will identify the matters to be considered at the start of each hearing<sup>5</sup>.
- Any future agenda is indicative and may be amended by the ExA.

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<sup>4</sup> S91 & 93 PA2008. Entitlement to participate is subject to the Examining authority's powers of control over the hearing.

<sup>5</sup> Rule 14(2) The Infrastructure Planning (Examination Procedure) Rules

- Oral representations (including those made in response to questions) must be based on the relevant or written representations made by the person by whom (or on whose behalf) the oral representations are made<sup>6</sup>.
- Where an agenda item includes matters, such as new amendments to the draft Development Consent Order (DCO), which have not been the subject of any written representation to date and an interested party wishes to respond (including for example to provide an alternative wording), oral representations on new evidence may be made, but the interested party is requested<sup>7</sup> to bring **six written copies of their intended representation**, for the benefit of the ExA and others taking part in the hearing.
- Where an agenda item refers to an amendment to the draft DCO, this is without prejudice to the Secretary of State's decision on whether or not an Order should be made.

Yours faithfully

*Lorna Walker*

**Lorna Walker**  
**Lead Member of the Panel of Examining Inspectors**

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.

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<sup>6</sup> Rule 14(3) EPR

<sup>7</sup> Rule 17 EPR