



Anglian Water Services Ltd

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Professor John Glasson
Lead Member of Examining Inspectors Panel
C/O Hornsea 2 Case Team
The Planning Inspectorate
3/8 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN
[sent by e-mail]

15 July 2015

Dear Professor Glasson,

Application by Smartwind Ltd for an order granting Development Consent for Hornsea Offshore Wind Farm (Zone 4) Project Two

Thank you for the opportunity to comment on the Examining Authority's first round of written questions and make further submissions relating to the Hornsea Offshore Wind Farm Project Two.

Summary of relevant representations

Anglian Water has previously submitted representations relating to the Draft Development Consent Order (DCO) dated 21st April 2015. The following is a summary of the representations previously submitted:

Anglian Water is in principle supportive of this development.

There are a number of assets that may be affected by the proposed route of the onshore cables and associated works. Anglian Water would require the standard protected easement widths for these assets and for any requests for alteration or removal to be conducted in accordance with the Water Industry Act 1991.

Any attempt to obtain rights over these assets as a result of their location within the boundary of the development would be opposed by Anglian Water.

It is noted that the Draft DCO includes the same wording as the Hornsea Offshore Wind Farm Order 2014. The following wording is of relevance to Anglian Water:

- Discharge of water (Articles 15 and 16 of the Draft Order);
- Statutory undertakers (Article 28 of the Draft Order);
- For the protection of utility undertakers (Schedule L, Part 4 of the Draft Order) ; and
- For the protection of Anglian Water Services Ltd (Schedule L, Part 6 of the Draft Order).

As water and sewerage undertaker, we are satisfied that the above wording is appropriate and is consistent with our statutory responsibilities under the Water Industry Act 1991.

Written representations

Anglian Water wishes to rely upon our representations previously submitted in April 2015 and does not intend to make any further written representations at this stage.

Examining Authority's first round of questions

Please find enclosed a response to question CA9 (compulsory acquisition) which is of relevance to Anglian Water as a water and sewerage undertaker.

Attendance at examination

Anglian Water would wish to attend the compulsory acquisition hearing and issue specific hearings relating to both the Draft DCO and construction impacts.

Should you have any queries relating to this letter and the attached response please let me know.

Yours sincerely



Stewart Patience

Planning Liaison Manager

Hornsea Offshore Wind Farm (Zone 4) Round 2 Examination
First round of examiner's questions: response on behalf of Anglian
Water Services Ltd

CA9 Do any SU's wish to comment on Article 28 'Statutory undertakers' or Article 29 'Recovery of costs of new connections' of the draft DCO [APP-010] and on the comment in the Explanatory Memorandum (EM) [APP-011] in para.29.2 that 'in practice it is impracticable to show and describe all such apparatus'?

- 1.1 Anglian Water is the water and sewerage undertaker for the project and has existing water and wastewater assets which are expected to be affected by the proposed route of the on shore cable and associated works.
- 1.2 Article 28 (Statutory Undertakers) states that the ability of the applicant to exercise powers relating to compulsory acquisition and the removal or reposition of apparatus in the ownership of statutory undertakers is subject to the protective provisions in Schedule L of the Draft Development Consent Order (Examination Document APP-010). The applicant has included specific protective provisions relating to Anglian Water Services Ltd (as outlined in Part 6 of Schedule L) which is based on the wording included in the approved Hornsea Offshore Wind Farm Project Order 2014¹. Given that the powers are subject to the protective provisions including those specifically relating to Anglian Water we are satisfied that the wording of Article 28 as proposed is appropriate.
- 1.3 Article 29 states the circumstances in which compensation may be payable by statutory undertakers in the event that an existing connection is removed. This wording is the same as Model Provision 33 for Development Consent Orders. Therefore Anglian Water is satisfied that the wording of Article 29 as proposed is appropriate.
- 1.4 We note that the applicant has stated that 'in practice it is impractical to show and describe [on the land plans] all such apparatus'. Information relating to the location of existing water and wastewater infrastructure in the ownership of Anglian Water is available to applicants through the digdat website (www.digdat.co.uk). Therefore the applicant has access to information relating to Anglian Water's assets which could be illustrated on the land plans. However applicants are normally required to undertake site inspection(s) for

¹ <http://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/hornsea-offshore-wind-farm-zone-4-project-one/?ipcsection=overview>

developments (regardless of scale) to establish the exact location of existing infrastructure owned by Anglian Water.

- 1.5 In addition we acknowledge that the exact location of privately owned assets which are to be added to Anglian Water's infrastructure network under the Private Sewer Transfer Regulations 2010 may not be currently known. Therefore we would expect the applicant to notify Anglian Water in the event that such assets are identified during the course of the development.