

# Hornsea Offshore Wind Farm

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Project Two

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## Statement of Common Ground Status Update – response to G6

**Appendix L to the Response submitted for Deadline IV  
Application Reference: EN010053**

20 October 2015

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### Statement of Common Ground Status Update

The following table has been produced in response to the Ex. A's Question G6 and provides an update on the status of Statements of Common Ground (SoCG) from that information presented at Appendix G of the Applicant's response to Deadline I.

<b>Organisation</b>	<b>Associated British Ports</b>	<b>Update as of 19.10.2015</b>
<b>Status</b>	Under discussion	
<b>Notes</b>	The Applicant is discussing a letter of comfort with ABP in relation to the Protective Provisions and DCO articles.	ABP submitted a letter on 14 <sup>th</sup> September 2015 into the examination to confirm agreement on the protective provisions and to confirm their position in relation to the disapplication of the Humber Conservancy Acts.
<b>Reference</b>	N/A	
<b>Organisation</b>	<b>Civil Aviation Authority</b>	
<b>Status</b>	Final signed SoCG	N/A
<b>Notes</b>	There are no matters subject to ongoing discussion and there are no matters of disagreement.	
<b>Reference</b>	Appendix AAA of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>Danish Fishermen PO</b>	
<b>Status</b>	Final signed SoCG	N/A
<b>Notes</b>	There are no matters subject to ongoing discussion and there are no matters of disagreement.	
<b>Reference</b>	Appendix MM of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>Environment Agency</b>	

<b>Status</b>	Final Signed SoCG	N/A
<b>Notes</b>	<p>There are no matters of disagreement, but a small number of points remain under discussion in relation to marine processes.</p> <p>The marine processes matters have since been resolved as identified by submissions from the Applicant and the EA at Deadline II.</p>	
<b>Reference</b>	Appendix NN of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>East Anglia Offshore Wind Ltd</b>	
<b>Status</b>	Signed Letter of Comfort	N/A
<b>Notes</b>	East Anglia Offshore Wind Ltd set out their broad support for the Project.	
<b>Reference</b>	Appendix II of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>East Lindsey District Council</b>	
<b>Status</b>	Final signed SoCG	N/A
<b>Notes</b>	There are no matters of disagreement. It is noted that ELDC has expressed a desire to see the inclusion of a Community Benefit Fund. The Applicant is in internal discussions about a Community Benefit Fund but considers that this is not relevant to the consideration of the current application.	
<b>Reference</b>	Appendix A of the Applicant's Response to the Rule 6 Letter	
<b>Organisation</b>	<b>Historic England</b>	
<b>Status</b>	Final Signed SoCG	

<b>Notes</b>	<p>There are two matters of disagreement. Firstly, relating to the setting impacts of the converter/substation at the end of the cable route at North Killingholme, as well as any those arising from the presence of non-designated archaeological remains along the cable route.</p> <p>Secondly, the definition of setting with respect to the individual assessments of impact on designated assets.</p>	N/A: the two points of disagreement remain as set out within the signed SoCG.
<b>Reference</b>	Appendix VV of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>Forewind</b>	
<b>Status</b>	N/A	N/A
<b>Notes</b>	Forewind confirmed (in their Relevant Representation) that they have in-principle support for the Project and therefore do not consider a SoCG to be necessary.	
<b>Reference</b>	N/A	
<b>Organisation</b>	<b>Highways England (Highways Agency)</b>	
<b>Status</b>	Final Signed SoCG	
<b>Notes</b>	There is one matter subject to ongoing discussion and there are no matters not agreed. This relates to the agreement between the Applicant and Highways England to use land in the control of Highways England on a temporary basis. This matter is currently under discussion and is expected to be resolved shortly.	N/A
<b>Reference</b>	Appendix LL of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>Lincolnshire County Council</b>	
<b>Status</b>	Final signed SoCG	

<b>Notes</b>	<p>There is one matter of disagreement. Lincolnshire County Council believes the programme of archaeological trial trenching evaluation should be completed.</p> <p>The Applicant's position on this matter is that the trenching undertaken to date combined with the various non-intrusive surveys has characterised the archaeology of the proposed cable route and is sufficient to properly assess the heritage interest of the proposed development and to propose appropriate mitigation, which would be secured through the approval of a Written Scheme of Investigation to discharge Requirement 6 of the Draft DCO.</p>	N/A: the single matter of disagreement remains and both parties position remain as set out within the existing SoCG.
<b>Reference</b>	Appendix O of the Applicant's response to Deadline II	
<b>Organisation</b>	<b>Lincolnshire Wildlife Trust &amp; The Wildlife Trusts (lincs and yorks)</b>	
<b>Status</b>	Final Signed SoCG	
<b>Notes</b>	<p>There are matters subject to ongoing discussions and disagreement.</p> <p>Matters of disagreement relate to Onshore and Offshore Biodiversity enhancement, status of TWT as a consultee for the Marine Mammal Mitigation Plan (MMMP) and matters relating to underwater noise impact on harbour porpoise.</p> <p>Matters under discussion include projects scoped into the cumulative impact assessment (CIA) and information availability to the new noise register which is an outcome of the Marine Strategy Framework Directive (MSFD).</p>	N/A: the status identified within the signed SoCG remains reflective of the position of both parties.

<b>Reference</b>	Appendix OO of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>Maritime and Coastguard Agency</b>	
<b>Status</b>	Final Signed SoCG	N/A
<b>Notes</b>	There are no matters subject to ongoing discussion and there are no matters of disagreement.	
<b>Reference</b>	Appendix PP of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>Defence Infrastructure Organisation/Ministry of Defence (MOD)</b>	
<b>Status</b>	N/A	N/A
<b>Notes</b>	The MoD confirmed that it does not have any objections to the Project and therefore, a SoCG is not being pursued.	
<b>Reference</b>	N/A	
<b>Organisation</b>	<b>MMO</b>	
<b>Status</b>	Final Signed SoCG	
<b>Notes</b>	There are no matters of disagreement but there are a small number of points remain under discussion with respect to marine processes and cooperation between projects.	As identified at Deadline IIA(Appendix K) the marine processes points have been agreed. Matters relating to cooperation remain under discussion.
<b>Reference</b>	Appendix WW of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>Natural England (Ornithology)</b>	
<b>Status</b>	Final Signed SoCG	

<b>Notes</b>	<p>There are a number of matters that remain under discussion and three matters of disagreement in relation to:</p> <ul style="list-style-type: none"> <li>• Use of site specific flight height data in collision risk modelling;</li> <li>• The use of extended Band model for calculating collision impacts on kittiwake and gannet; and</li> <li>• The summing of seasonal mortality values in the assessment of displacement effects.</li> </ul>	<p>The Applicant provided an update to this SoCG at Appendix Y to its response to Deadline III.</p> <p>Matters not agreed include:</p> <ul style="list-style-type: none"> <li>- Use of site specific flight height data</li> <li>- Avoidance rates within the extended Band model (for kittiwake and gannet)</li> <li>- Adding of seasonal displacement values</li> <li>- Apportioning birds to the Flamborough and Filey Coast pSPA during the breeding season</li> </ul> <p>There remain a number of points under discussion that are summarised within Table 4.1 of the SoCG.</p>
<b>Reference</b>	Appendix ZZ of the Applicant's response to Deadline I	Appendix Y to the Applicant's response to Deadline III
<b>Organisation</b>	<b>Natural England (All other matters)</b>	
<b>Status</b>	Final Signed SoCG	
<b>Notes</b>	<p>There are no matters of disagreement but there are a small number of points remain under discussion with respect to an in principle monitoring plan, Intertidal operation and maintenance and SSSI Consent.</p>	<p>The production of an IPMP and its inclusion in the DCO has been agreed. All matters relating to intertidal access, SSSI assent and over wintering operational restrictions have been agreed therefore the only matter that remains under discussion relates to the tidal height restriction which the Applicant believes is close to being resolved.</p>
<b>Reference</b>	Appendix XX of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>NFFO, VisNed and HFIG</b>	
<b>Status</b>	Final signed SoCG	

<p><b>Notes</b></p>	<p>There is one matter currently under discussion between the Applicant and the NFFO, VisNed and HFIG relating to the merit in a monitoring programme with environmental/ecological aims.</p> <p>In addition, there are six matters of disagreement between the Applicant and the NFFO, VisNed and HFIG:</p> <ul style="list-style-type: none"> <li>• Approach to the definition of impact significance (project alone) in relation to disruption / displacement during construction and operation of the wind farm.</li> <li>• Approach to the definition of impact significance (cumulative) in relation to disruption / displacement during construction and operation of the wind farm.</li> <li>• The merit in the establishment of a Community Fund to enable long term co-existence.</li> <li>• The merit in a post installation trawl survey where trawl/bottomed towed fisheries occur within the wind farm and along the export cable route in order to verify that fishing operations can resume safely and practically.</li> <li>• The need for a transparent process to make up for any attributable loss of earnings and/or the costs associated with relocating gear are needed.</li> <li>• The need for provisions for Fishing liaison and Coexistence plan to be secured within a bespoke marine licence condition.</li> </ul>	<p>The Applicant has since secured final SoCG with these fishing organisations and can confirm that the monitoring programme now sits as a matter of disagreement. There have been no further changes to the SoCG. A signed copy of the updated SoCG is provided at Appendix V to the Applicant's response to Deadline IV.</p>
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<b>Reference</b>	Appendix QQ of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>Norfolk County Council</b>	
<b>Status</b>	No SoCG required	N/A
<b>Notes</b>	Norfolk County Council confirmed in an email to the Ex. A (dated 23 <sup>rd</sup> June 2015) that the issues raised by the County Council had been satisfactorily addressed by the Applicant and, as such, the County Council would not be attending the Examination or submitting any further evidence.	
<b>Reference</b>	N/A of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>North East Lincolnshire Council</b>	
<b>Status</b>	Final signed SoCG	
<b>Notes</b>	There is one matter subject to ongoing discussion and there are no matters not agreed relating to the Councils response to Ex. A Q CL14. That discussion is expected to conclude shortly, but after Deadline I of the Examination.	NELC confirmed that there are no remaining matters of concern in their submission to Deadline II. Therefore, all matters now resolved.
<b>Reference</b>	Appendix UU of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>North Lincolnshire Council</b>	
<b>Status</b>	Final signed SoCG	

<b>Notes</b>	<p>There remains one matter subject to ongoing discussion, relating to whether offsite mitigation, which would consist of landscaping, would counter the effects of the Project on the setting of Thornton Abbey and of Manor Farm Moated Site, East Halton.</p> <p>There remains one matter of disagreement relating to the merit in a detailed archaeological mitigation strategy being available to the local authority to comment on in their Local Impact Report and for Examination by the Inspector prior to determination. The Council also consider that the evaluation of the cable route and works area should be completed during the examination period.</p>	N/A: the positions of both parties remain as set out within the submitted SoCG.
<b>Reference</b>	Appendix Q of the Applicant's response to Deadline II	
<b>Organisation</b>	<b>Project One (Heron Wind Ltd, Njord Ltd &amp; Vi Aura Ltd)</b>	
<b>Status</b>	Final signed SoCG	
<b>Notes</b>	A final signed SoCG between the parties was submitted to PINS on 10 September 2015.	The Applicant and Project One have agreed that all matters under discussion have been agreed.
<b>Reference</b>	Signed SoCG submitted to PINS on 10 September 2015.	
<b>Organisation</b>	<b>Rederscentrale</b>	
<b>Status</b>	Final signed SoCG	N/A
<b>Notes</b>	There are no matters subject to ongoing discussion and there are no matters of disagreement.	
<b>Reference</b>	Appendix RR of the Applicant's response to Deadline I	

<b>Organisation</b>	<b>Royal Yachting Association</b>	
<b>Status</b>	Final Signed SoCG	N/A
<b>Notes</b>	There are no matters subject to ongoing discussion and there are no matters of disagreement.	
<b>Reference</b>	Appendix SS of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>RSPB</b>	
<b>Status</b>	Draft SoCG (offshore ornithology)	
<b>Notes</b>	A draft SoCG between the parties on matters relating to offshore ornithology was submitted at Appendix Z to the Applicant's response to Deadline III.	N/A: there has been no further update to the SoCG as submitted at Deadline III.
<b>Reference</b>	Appendix Z of the Applicant's response to Deadline III	
<b>Organisation</b>	<b>Trinity House</b>	
<b>Status</b>	Final Signed SoCG	
<b>Notes</b>	There is one matter not agreed between the parties with regard to the procedure of agreeing navigation conditions. Notwithstanding this all navigation conditions have been agreed.	N/A: the positions of both parties remains as set out within the SoCG.
<b>Reference</b>	Appendix TT of the Applicant's response to Deadline I	
<b>Organisation</b>	<b>VPI</b>	
<b>Status</b>	Under discussion	
<b>Notes</b>	The Applicant and VPI remain under discussion regarding the content of a SoCG.	The Applicant held a meeting with VPI on 02 September. The SoCG has been amended and has been returned to VPI for comment.
<b>Reference</b>	N/A	
<b>Organisation</b>	<b>Whale &amp; Dolphin Conservation</b>	

<b>Status</b>	Final signed SoCG	
<b>Notes</b>	<p>The following points remain under discussion:</p> <ul style="list-style-type: none"> <li>- CIA (the inclusion or not of Scottish Projects)</li> <li>- The study area (the appropriateness of a 10km buffer around characterization surveys, as oppose to a 15km buffer)</li> <li>- The need to rely on non-piled foundation options as a result of the impending pSAC for harbor porpoise</li> </ul> <p>The following points represent areas of disagreement between the parties:</p> <ul style="list-style-type: none"> <li>- The need to remove piled foundation options from the consent envelope to ensure significant effects do not occur</li> <li>- The commitment to engage with WDC during the drafting of the MMMP.</li> </ul>	N/A: the positions of both parties remain as set out within the submitted SoCG.
<b>Reference</b>	Appendix P of the Applicant's response to Deadline II	