

Date: 25 August 2015  
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**By Special Delivery and by email ([hornsea2@pins.gsi.gov.uk](mailto:hornsea2@pins.gsi.gov.uk))**

Dear Sirs

**Planning Act 2008 (as amended) and the Infrastructure Planning (Examination Procedure) Rules 2010**

**Application by Smart Wind Ltd for an Order Granting Development Consent for The Hornsea Offshore Wind Farm (Zone 4) – Project Two (“Project Two”)**

We are writing to you in response to your letter dated 4 August 2015, as received by our client, C.GEN, in its capacity as an Interested Party, where you requested more information from the Applicant to be provided by a new deadline set at 25 August 2015. In point 3 of your letter you requested draft Protective Provisions from the Applicant.

C.GEN considers it important to provide the following update in response to point 3 of your letter of 4 August 2015:

C.GEN wishes to clarify that no agreement on the terms of the Protective Provisions has been reached as of yet between the applicant and C.GEN.

The applicant submitted draft protective provisions to C.GEN on Friday 14 August 2015. C.GEN has responded to these proposed Protective Provisions on Wednesday 19 August 2015, whereby C.GEN made a number of important comments, which it considers of vital importance to the C.GEN Project.

C.GEN looks forward to further discussing the draft Protective Provisions with the Applicant. However, as noted above, C.GEN has some remaining serious concerns regarding the proposed draft Protective Provisions.

It is important to note that with regard to routing and more specifically regarding the potential impacts on, interactions with and implications for the C.GEN Project, there are a number of important differences between the Hornsea Project 1 and Hornsea Project 2. It is vital that this is translated into the Protective Provisions in the Hornsea 2 DCO for the benefit of C.GEN and that, although they could serve as a basis for drafting, the protective provisions given for the benefit of C.GEN in the Hornsea 1 DCO are not simply transposed into the Hornsea 2 DCO.

As noted above, C.GEN looks forward to discussing the draft Protective Provisions with the Applicant with a view to reaching agreement as soon as possible.

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Please acknowledge receipt of this letter.

Yours faithfully

**Berwin Leighton Paisner LLP**

cc (by email only):  
Iris Dhollander, C.GEN  
Tim Smith, BLP

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