



Meeting note

File reference	Hornsea Project Two - EN010053
Status	FINAL
Author	John Pingstone
Date	30 October 2013
Meeting with	SMart Wind Limited Liam Leahy – Consenting Project Manager Patricia Hawthorn – Legal Advisor Emily Boram – Project developer Planning Inspectorate Jessica Powis (Infrastructure Planning Lead) Sarah Green (Legal Manager) Helen Lancaster (Senior EIA Advisor) Jeffrey Penfold (EIA Advisor) John Pingstone (Case Officer)
Venue	Room 3/03, Temple Quay House, Bristol
Meeting objectives	Project update meeting
Circulation	All attendees

Summary of key points discussed and advice given:

The Planning Inspectorate (the Inspectorate) explained its openness policy and the commitment to publishing any advice under Section 51 of the Planning Act 2008 (the 2008 Act). It was confirmed that the Inspectorate is unable to give legal advice on which developers or others can rely and that developers should seek their own legal advice.

Project Design

SWL explained the nature of the project, key points were:

- Hornsea Project Two is adjacent to Hornsea Project One, which is currently a submitted application at the pre-examination stage.
- Offshore site area of approximately 462 km² and cable route to shore
- Potential generating capacity of 1,800 MW
- Grid connection point at existing Killingholme Substation which is the same connection point as for Hornsea Project One.

SWL also explained that the landfall, cable corridor and substation for Hornsea Project Two will be adjacent to that of Hornsea Project One, and that none of the infrastructure is shared.

SWL will be seeking flexibility in the project design and they set out the various possibilities for turbine foundation types. Four indicative turbine layouts have been created for the purpose of assessment within the ES. Due to a gas pipeline crossing the site, a 100m buffer zone and proximity agreements with the relevant operators are proposed.

Programme

SMart Wind Limited (SWL) discussed their programme for the remainder of the pre-application stage of the application. The current intention is to submit the application to the Inspectorate in Q3 2014. If the application is accepted and consent is granted, construction of the project is scheduled to commence in 2017. As a result it is possible that construction of Hornsea Project Two could overlap in part with construction of Hornsea Project One, if that too is consented. SWL explained that the construction scenarios presented in their Environmental Statement (ES) will take this into account. SWL has undertaken offshore and onshore geophysical and environmental surveys for Project Two which were aligned with Hornsea Project One where possible.

Consultation

Phase 1 of statutory consultation (under ss42, 47 of the 2008 Act) took place in February 2013. Phase 2 of statutory consultation, including consultation on the Preliminary Environmental Information (PEI), is due to commence in March 2014.

PEI Approach

For Hornsea Project One the approach to PEI was to include a large volume of material, which it was found yielded a relatively low number of responses. Reflecting on this experience, for Project Two the intention is to reduce the volume of material with the hope that this will result in improved engagement.

SWL explained that their approach is to send the draft ES, HRA, Works Plans and DCO to all parties. It was queried whether it would be helpful for any other application documents to be distributed, the Inspectorate suggested that the Explanatory Memorandum would assist stakeholders in understanding the draft DCO. It was also suggested that certain documents may only need to be sent to specific parties, for example Land Plans could be sent to affected persons with an interest in land subject to compulsory acquisition.

Cumulative Impact Assessment (CIA)

SW explained that they have taken a four stage approach to screening for CIA, looking at data confidence, conceptual overlap, physical overlap and temporal overlap. The Inspectorate pointed out that the identification of data confidence issues does not negate the fact that some impacts may need to be considered. SWL stated that they were aware of this issue and are taking it into account. After the screening process, projects are then broken down into two tiers, tier 1 being those projects that have been submitted, consented, or are under construction. Tier 2 includes those projects at scoping stage or likely to come forward in the future.

SWL explained that, as the application submission date approaches, it will be necessary to identify a cut off date for the assessment in order to make final preparations for the checking and printing etc of the application documents. SWL queried whether a 3 month cut-off date would be appropriate for the PEI and

Cumulative Impact Assessment (CIA), so that the state of play at 3 months prior to submission would be 'frozen' as application documents are finalised.

The Inspectorate advised that given the practical challenges of finalising and printing application documents this seemed a reasonable approach, but that if other projects or relevant data was identified within that 3 month period, SWL should have a mechanism for making the Inspectorate aware of it as part of the application documents, even if it remains unassessed. The Examining Authority, when appointed, may then wish to ask questions on this information during the examination. In addition, the Inspectorate recommended that SWL be well advised of the risks if the application submission date was to slip during the final 3 months.

Transboundary Consultation

Responses have been received from Belgium and the Netherlands. SWL have produced an updated Transboundary Screening matrix to inform the Transboundary assessment in the draft ES. The Inspectorate noted that this seems a reasonable approach, however SWL should be aware that the application will be subject to further Transboundary screening by the Inspectorate when the application is submitted. It was agreed that SWL will submit an updated screening note to the Inspectorate for information alongside the information from the phase 2 consultation.

Habitats Regulations Assessment Evidence Plan

Three meetings have been held with the Major Infrastructure Environment Unit (MIEU) at Defra and Statutory Nature Conservation Bodies (SNCBs). A draft of the Evidence Plan has been produced and agreement is currently being sought. SWL indicated that they hope to be in a position to provide the Inspectorate with a draft HRA report in March 2014. The Inspectorate will endeavour to review this report and provide advice if resources allow.

Consent Service Unit Update

A Consents Management Plan is under discussion with the Consents Service Unit (CSU). A first draft has now been produced and a meeting has been held to discuss the Plan.

EPS Licensing approach

SWL explained that an offshore draft EPS licence application is to be submitted before submission of the DCO application. A letter of no impediment will be provided by Natural England, and SWL asked the Inspectorate whether the same could be expected to be obtained from the Marine Management Organisation (MMO). The Inspectorate had not previously seen a letter of comfort regarding EPS licensing from the MMO but would look into whether this had been provided on other cases.

Development Consent Order (DCO) Structure

SWL explained the proposed structure of the draft DCO. It is likely that the DCO will seek consent for two offshore wind arrays and supporting electrical infrastructure for each. Two undertakers (Optimus Wind Limited and Breesea Limited) are defined in relation to different works. There are also shared works that relate to both undertakers.

SWL explained that it was considering emerging practice on other offshore wind farm applications to inform the drafting of this DCO, one such area being the likely inclusion of an article relating to the right to enter into agreements between undertakers.

It is currently thought that four Deemed Marine Licenses will be submitted in order to apportion the liabilities and benefits associated with the generation and transmission assets of the two arrays, allowing for a future Offshore Transmission Operator.

The Inspectorate asked SWL when a draft DCO might be available for review. SWL indicated that a draft DCO, Explanatory Memorandum and some plans were likely to be available in early 2014.

Cable Statement

SWL discussed issues surrounding the Cable Statement, which it is intended will be a separate statement within the application documents. The statement will include information about the interface with Hornsea Project One and an update on the status of the grid connection agreement with National Grid. The Inspectorate offered to review a draft of the Cable Statement prior to submission if SWL would find that helpful.

AOB

It was agreed that it would be helpful to reinstate a monthly teleconference between SWL and the Inspectorate to discuss progress with the project.

SWL suggested that the next face-to-face meeting should be in early 2014 and that the draft DCO and Explanatory Memorandum will be provided at least two weeks before in order that the Inspectorate can provide comments at the meeting.

Specific decisions / follow up required?

- SWL stated that they will keep the Inspectorate informed of any changes in submission date.
- SWL to schedule monthly teleconferences with the ability to cancel if not required in any given month.
- SWL to provide draft DCO, Explanatory Memorandum and where possible plans for Inspectorate review in early 2014. A face to face meeting to follow.
- SWL to provide draft HRA report for Inspectorate review when it is available (currently thought to be March 2014).