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Temple Quay House  
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Bristol, BS1 6PN

Customer Services: 0303 444 5000  
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Your Ref:

Our Ref: EN010056

Date: 24 May 2016

Dear Sir/Madam

**Planning Act 2008 (as amended) and the Infrastructure Planning  
(Examination Procedure) Rules 2010 (as amended) – Rule 6**

**Application by East Anglia Three Limited for an Order Granting Development  
Consent for the East Anglia Three Offshore Wind Farm project**

**Notice of Preliminary Meeting, Issue Specific Hearing on the draft  
Development Consent Order, draft examination timetable and other matters**

I write to you following my appointment by the Secretary of State as the lead member of the panel forming the Examining Authority (ExA) for this application for a Development Consent Order (DCO). The panel, appointed on 31 March 2016, consists of: Philip Asquith; Peter Braithwaite; Gavin Jones; and Rynd Smith. A copy of the [appointment letter](#) can be viewed on our website.

This letter is an invitation to the Preliminary Meeting to discuss the examination procedure and is also the formal notification of an Issue Specific Hearing (ISH) on the definition of the project and draft DCO. Please take the time to read this letter and all of its annexes as they contain notifications about hearings, procedural decisions and other important information.

<b>Date and Time</b>	<b>Details</b>	<b>Venue</b>	<b>Access and Parking</b>
<b>Tuesday 28 June 2016</b>  <b>9.30 am arrival 10.00am start</b>	<b>Preliminary Meeting</b>	<b>Novotel Ipswich Centre Hotel, Gainsborough Suite, Grey Friars Road, Ipswich IP1 1UP</b>	<b>There are pay and display car parks nearby in Grafton Way and Cardinal Park. The hotel is a 10 minute walk from Ipswich Railway Station</b>

<p><b>Wednesday 29 June 2016</b></p> <p><b>9.30am arrival 10.00am start</b></p>	<p><b>Issue Specific Hearing into the definition of the project and the Draft Development Consent Order (DCO)</b></p>	<p><b>Novotel Ipswich Centre Hotel, Gainsborough Suite, Grey Friars Road, Ipswich IP1 1UP</b></p>	<p><b>There are pay and display car parks nearby in Grafton Way and Cardinal Park. The hotel is a 10 minute walk from Ipswich Railway Station</b></p>
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The purpose of the Preliminary Meeting is to enable views to be put to us about the way in which the application is to be examined. It is important to appreciate that this meeting deals only with procedure, and not the merits of the application. The merits of the application will only be considered once the Examination starts after the Preliminary Meeting has closed. Further information is given in Advice Note 8.4, which is available on the Planning Inspectorate website at:

<http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

We wish to run a fair, efficient and effective meeting so that all relevant views can be heard. The agenda for the meeting is in **Annex A**. This has been set following our initial assessment of the principal issues arising on the application. That assessment is set out in **Annex B**. As a result of this assessment we wish to hear at the meeting from the Applicant, interested parties, statutory parties and local authorities where they consider changes may be needed to the proposed timetable set out in **Annex C**.

### **Attending the Preliminary Meeting**

If you wish to attend the Preliminary Meeting please write, email or telephone the Planning Inspectorate, using the address and contact details set out at the front of this letter marking correspondence for the attention of Kay Sully, Case Manager. We need to receive your confirmation **by Monday 13 June 2016**.

It will help the management of the meeting and benefit everyone if you also:

- Tell us whether you wish to speak at the meeting and on which agenda items, listing points you wish to make; and
- Notify us of any special requirements you may have (e.g. disabled access, hearing loop, etc.).

If you wish to make any submissions on matters not set out in the agenda, please write to Kay Sully, Case Manager, setting out the submissions that you wish to make **by Monday 13 June 2016**. We will attempt to accommodate reasonable requests and will alter the agenda on opening the Preliminary Meeting if we consider this will assist the discussion of the procedure for the Examination.

We will cover the main features of the examination process at the Preliminary Meeting, which provides you with an opportunity to have your say about procedural issues, particularly the proposed timetable, before these decisions are finalised. If you intend to play an active part in the Examination, or you have questions about procedure, it is useful therefore to attend the meeting.

However, please note that you are not required to attend the Preliminary Meeting in order to participate in the Examination. If you are an interested party you will still be able to make written representations and participate in any hearings that are arranged. Should you no longer wish to be an interested party and do not wish to be involved in the examination process, you can notify the case manager of this in writing.

## **After the Preliminary Meeting**

Shortly after the end of the Preliminary Meeting you will be sent a letter setting out the timetable for the Examination. An audio recording and a note of the meeting will also be published on our website as soon as practicable after the meeting.

The examination of the application will primarily be a consideration of written representations about the application, along with any oral representations made at the hearings. All relevant and important matters will be taken into account when we make a recommendation to the Secretary of State for Energy and Climate Change, who will take the final decision in this case.

Interested parties have the right to request an Open Floor Hearing and those persons affected by any request for compulsory acquisition or temporary possession of their land or rights may request a Compulsory Acquisition Hearing. Any other Issue Specific Hearings are at the discretion of the ExA and will be arranged if we feel that consideration of oral representations would ensure an issue is adequately considered.

## **Procedural decisions made by the ExA under s89(3) and 93(1) of the Planning act 2008 (as amended)**

The Panel hereby notifies all interested parties that it has made procedural decisions relating to Statements of Common Ground, the holding of an early Issue Specific Hearing on the definition of the project and draft Development Consent Order, and acceptance of material received outside of the pre-examination period. These procedural decisions are set out in full in **Annexes D and E**.

## **Relevant Representations**

The Panel would like to thank those of you who submitted relevant representations. The representations have assisted the ExA in preparing our proposals for the examination of this application. Details of locations where the application documents and relevant representations can be viewed are provided at **Annex G**. Documents are also available on-line at:

<http://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-three-offshore-wind-farm/?ipcsection=docs>

## **Your status in the Examination**

This letter has been sent to you because you (or the body you represent) fall within one of the categories in s88(3) of the Planning Act 2008 (as amended) (PA2008).

If you have made a relevant representation, have a legal interest in the land affected by the proposal, or are a relevant local authority, you have formal status as an interested party in the Examination.

Interested parties will receive notifications from the Planning Inspectorate about the Examination throughout the process and may make written and oral submissions regarding the proposal.

If you are a prescribed consultee (i.e. a body specified in the relevant regulations supporting PA2008) but have not made a relevant representation (reference number beginning EAST-SP) you will not automatically be an interested party. However, following the Preliminary Meeting, you will have a further opportunity to notify the Planning Inspectorate that you wish to be treated as an interested party.

If you are not an interested party or a prescribed consultee, you have received this letter because we wish to invite you to the Preliminary Meeting as an 'Other person' because it appeared to us that the Examination could be informed by your participation. 'Other persons' have a reference number beginning with EAST-OP).

If you are not sure whether you are an interested party, please contact the case team using the details at the top of this letter. Information regarding the formal status of interested parties and how you can get involved in the process is set out in the Planning Inspectorate Advice Note 8 on the National Infrastructure Planning website:

<http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

### **Award of costs**

We also draw your attention to the possibility of the award of costs against interested parties who behave unreasonably. You should be aware of the relevant costs guidance that applies to National Infrastructure projects. The "Awards of costs; examinations of applications for development consent orders" is available on the National Infrastructure Planning website:

<http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/>

### **Management of information**

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.

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted formally by the ExA) and any record of advice which has been provided is recorded on the National Infrastructure Planning website together with the name of the person or organisation who asked for the advice. The privacy of any personal information has been protected in accordance with the Planning Inspectorate's Information Charter.

We look forward to working with all parties in the examination of this application.

Yours faithfully

*Philip Asquith*

**Philip Asquith**  
**Lead Member of the Panel of Examining Inspectors**

**Annexes**

- A** Agenda for the Preliminary Meeting
- B** Initial assessment of principal issues
- C** Draft timetable for examination of the application
- D** Procedural decisions made by the ExA
- E** Hearing notification
- F** Hearing agenda/schedule
- G** Availability of relevant representations and application documents

**Agenda for the Preliminary Meeting**

**Date:** **Tuesday 28 June 2016**

**Meeting Start Time:** **10:00am**

**Venue:** **Novotel Ipswich Centre Hotel, Gainsborough Suite,  
Grey Friars Road, Ipswich IP1 1UP**

09:30am	Registration
10:00am	Welcome and Introductions
	Examining Authority's (ExA's) remarks about the examination process
	Initial Assessment of Principal Issues – see Annex B
	Draft timetable for the Examination – see Annex C
	<p>Deadlines for submission of:</p> <ul style="list-style-type: none"> <li>• All written representations</li> <li>• Local Impact Reports</li> <li>• Responses to ExA's written questions</li> <li>• Statements of Common Ground</li> <li>• Notifications relating to hearings</li> </ul>
	<p>Procedural decisions – See Annex D</p> <ul style="list-style-type: none"> <li>• The acceptance of material submitted by the Applicant and other parties during pre-examination</li> <li>• Statements of Common Ground</li> </ul>

	<p>Hearings and accompanied site visits:</p> <ul style="list-style-type: none"> <li>• Date reserved for an accompanied site visit</li> <li>• Dates reserved for an Open Floor Hearing</li> <li>• Date of Issue Specific Hearing on draft Development Consent Order</li> <li>• Dates of Issue Specific Hearings on other topics</li> <li>• Dates of Compulsory Acquisition Hearings (including statutory undertaker and special category land)</li> </ul>
	<p>Close of the Preliminary Meeting</p>

**Please note:** Please register and be available from the start and throughout the meeting. The ExA will conclude the meeting as soon as all relevant contributions have been made.

## Initial Assessment of Principal Issues

This is the initial assessment of the principal issues arising from consideration by the Examining Authority (ExA) of the application documents and relevant representations received. It is not a comprehensive or exclusive list of all relevant matters; regard will be had to all important and relevant matters in reaching a recommendation after the Examination is concluded.

The policy and consenting requirements and documentation associated with the Planning Act 2008 (as amended) are an integral part of the Examination and are therefore not necessarily set out as separate principal issues. In addition, it should be noted that a number of these principal issues set out below have an interrelationship and overlap and these will be reflected in the Examination.

The list is not presented in any implied order of importance of the topics referred to.

Principal issue	Brief amplification
Nature of development and relationship with East Anglia ONE and other projects	Onshore and offshore: relationship between East Anglia ONE and THREE, including timetabling, sequencing and possible phasing/splitting of development; scope of proposals in terms of the Rochdale Envelope approach; construction techniques; relationship, timetabling and co-existence with other possible projects.
Construction impacts	Onshore and offshore: onshore construction and temporary construction compounds (Construction Consolidation Sites), traffic, dust, noise and disturbance, flood risk, drainage, National Grid connection; temporal and sequencing relationship with East Anglia ONE and reinstatement/restoration; implications of coastal retreat; offshore cable routes, cable cover and turbine layout.
Ecology - offshore	Ornithology and marine mammals: baseline data, various elements of methodology and guidance, HRA, cumulative and in-combination issues, mitigation and post-construction monitoring, trans-boundary issues.

Ecology - onshore	Timing and relationship of works with East Anglia ONE in terms of mitigation measures.
Aviation	Mitigation of the offshore wind farm in relation to Ministry of Defence radar and operations.
Marine processes	Marine processes and cable burial; marine water and sediment quality.
Navigation and marine	Shipping routes, marine safety issues, marine archaeology, oil, gas and dredging interests and trans-boundary issues.
Fish and fisheries	Impacts on fishing practices and activities including cumulatively with other projects, appropriate management measures, co-existence planning and trans-boundary issues.
Socio-economic	Impact on the local labour market and availability of local skills, relationship with the Skills Strategy for East Anglia ONE.
Visual, Landscape and Heritage	Onshore cable route impact issues and mitigation measures, particularly in relation to timing/phasing and relationship with East Anglia ONE, archaeology and heritage assets, and impact of and mitigation for the onshore substation at Bramford.
Content of DCO	Relevant definitions, application and modification of legislative provisions, relationship with the East Anglia ONE DCO, discharging requirements, nature of requirements, detailing of management plans, position on agreements on protective provisions, audit trail for DCO revisions and elements of project, and structure and content of Deemed Marine Licences.

Monitoring, mitigation and management plans

Operation of monitoring, mitigation and management plans throughout the life of the project (e.g. ornithological and marine mammal monitoring during project operation) and assessment of impacts of mitigation measures.

Compulsory Acquisition (CA)

Nature, extent and scope of land, rights and powers sought by CA, temporary possession powers, project funding and guarantees for compensation, human rights and consideration of alternatives.  
Sections 122/123/127/135/138 tests of the Planning Act 2008.  
Book of Reference.

## Draft Rule 6 timetable

Item	Matters	Due Dates
1	Preliminary Meeting	<b>Tuesday 28 June 2016</b>
2	Issue Specific Hearing relating to the definition of the project and draft Development Consent Order (DCO) matters	<b>Wednesday 29 June 2016</b>
3	Issue by ExA of: <ul style="list-style-type: none"> <li>• Examination timetable</li> <li>• ExA first written questions</li> </ul>	As soon as practicable following the Preliminary Meeting
4	<b>Deadline 1</b> <ul style="list-style-type: none"> <li>• Post-hearing documents including any written summary of an oral case put at the DCO hearing and any documents/amendments requested by the ExA</li> <li>• Applicant's revised draft DCO</li> <li>• Any other information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (the Exam Rules)</li> </ul>	<b>Wednesday 13 July 2016</b>

5	<p><b>Deadline 2</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on relevant representations (RRs)</li> <li>• Summaries of all RRs exceeding 1500 words</li> <li>• Written representations (WRs) by all interested parties</li> <li>• Summaries of all WRs exceeding 1500 words</li> <li>• Comments on any additional representations and submissions received as outlined in Annex D</li> <li>• Responses to Applicant’s revised draft DCO</li> <li>• Local Impact Reports (LIRs) from any local authorities</li> <li>• Statements of Common Ground requested by the ExA – see Annex D</li> <li>• Responses to the ExA’s first written questions</li> <li>• Notification of wish to speak at a Compulsory Acquisition Hearing</li> <li>• Notification of wish to make oral representations at any further Issue Specific Hearings</li> <li>• Notification of wish to speak at an Open Floor Hearing</li> <li>• Representations relating to locations to view at the site or in the surrounding area which are considered to be relevant for the ExA during unaccompanied site inspections</li> <li>• Representations relating to locations to view at the site or in the surrounding area which are considered to be relevant for the ExA during an accompanied site inspection to better understand representations made or to see land and interests where there is no opportunity to gain public access</li> <li>• Notification from statutory parties, or a local authority without direct responsibility in the proposed development area, of a wish to be considered as an interested party</li> <li>• Any other information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<p><b>Wednesday 27 July 2016</b></p>
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6	<p><b>Issue by the ExA of:</b></p> <ul style="list-style-type: none"> <li>Notification of the date, time and place for further Issue Specific Hearings, an Open Floor Hearing (if required) and a Compulsory Acquisition Hearing (if required)</li> </ul>	<p><b>Wednesday 3 August 2016</b></p>
7	<p><b>Deadline 3</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>Comments on WRs and responses to comments on RRs</li> <li>Comments on LIRs</li> <li>Comments on responses to the ExA's first written questions</li> <li>Comments on responses to the Applicant's revised draft DCO</li> <li>Responses to comments on any additional representations and submissions received as outlined in Annex D</li> </ul>	<p><b>Wednesday 10 August 2016</b></p>
8	Time reserved for an accompanied site inspection	<p><b>Tuesday 6 September 2016</b></p>
9	Time reserved for Issue Specific Hearing on environmental or other matters	<p><b>Wednesday 7 September 2016</b></p>
10	Time reserved for Open Floor Hearing (if required)	<p><b>Wednesday 7 September 2016 (Evening)</b></p>
11	Time reserved for a Compulsory Acquisition Hearing	<p><b>Thursday 8 September 2016</b></p>
12	Time reserved for an Issue Specific Hearing on the draft DCO	<p><b>Friday 9 September 2016 (Morning)</b></p>

13	<p><b>Deadline 4</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post-hearing documents including any written summary of an oral case put at any hearing and any documents/amendments requested by the ExA</li> <li>• Applicant's revised draft DCO</li> <li>• Any other information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<p><b>Thursday 15 September 2016</b></p>
14	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> <li>• Second written questions</li> </ul>	<p><b>Thursday 22 September 2016</b></p>
15	<p><b>Deadline 5</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Responses to the ExA's second written questions</li> <li>• Comments on the Applicant's revised draft DCO</li> <li>• Any other information requested by the ExA under Rule 17 of the Exam Rules</li> <li>•</li> </ul>	<p><b>Thursday 6 October 2016</b></p>
16	<p>Time reserved for Issue Specific Hearing on environmental or other matters</p>	<p><b>Tuesday 25 October 2016</b></p>
17	<p>Time reserved for Issue Specific Hearing on environmental matters or other matters</p>	<p><b>Wednesday 26 October 2016</b></p>
18	<p>Time reserved for Issue Specific Hearing on the draft DCO</p>	<p><b>Thursday 27 October 2016</b></p>
19	<p>Time reserved for a Compulsory Acquisition Hearing</p>	<p><b>Friday 28 October 2016 (Morning)</b></p>

20	<p><b>Deadline 6</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Post-hearing documents including any written summary of an oral case put at any hearing and any documents/amendments requested by the ExA</li> <li>• Applicant's revised draft DCO</li> <li>• Comments on responses to the ExA's second written questions</li> <li>• Any other information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<b>Tuesday 8 November 2016</b>
21	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> <li>• The ExA's draft DCO (if required to facilitate examination)</li> <li>• Report on the Implications for European Sites (RIES)</li> </ul>	<b>Thursday 17 November 2016</b>
22	<p><b>Deadline 7</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on the ExA's RIES</li> <li>• Comments on the ExA's draft DCO</li> <li>• Any other information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<b>Thursday 8 December 2016</b>
23	<p><b>Deadline 8</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Responses to comments on the ExA's draft DCO</li> <li>• Responses to comments on the ExA's RIES</li> <li>• Any other information requested by the ExA under Rule 17 of the Exam Rules</li> </ul>	<b>Thursday 15 December 2016</b>
24	<p>The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.</p>	<b>Wednesday 28 December 2016</b>

## **Publication Dates**

All information received will be published on the project website as soon as practicable after the deadline for submissions. Please note on the project webpage, you can sign up using your email address to receive updates.

## **Hearing Agendas**

Please note we will aim to publish a detailed draft agenda for each hearing on the project website approximately 5 working days in advance of the hearing date; but the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

## Procedural decisions made by the Examining Authority

The Examining Authority (ExA) has made the following procedural decisions under Section 89(3) of the Planning Act 2008:

### 1. The acceptance of material submitted by the Applicant and other parties during pre-examination

- a) Ipswich Borough Council submitted a letter dated 11 March 2016 confirming it had no comments to make. As this was submitted before the relevant representations (RR) period had opened, it was not accepted as a RR.
- b) Trinity House submitted material dated 18 April which was in addition to its RR and provides comments on the DCO.
- c) A request to be an interested party was received by Wightman Fishing Co Ltd on 23 April 2016, which the ExA has exercised discretion to accept. However, as this was outside of the RR period they will be treated as an 'other person'.
- d) The Applicant submitted supplementary information dated 27 April 2016 in response to advice given pursuant to s51 PA2008 in relation to the Book of Reference.
- e) The Applicant submitted an Erratum on 13 May 2016 correcting a typing error in respect of Kittiwake numbers contained in the Report to Inform the Habitats Regulation Assessment.
- f) The Applicant submitted supplementary information dated 19 May 2016 in response to advice given pursuant to s51 PA2008 in relation to the Book of Reference.

The documentation above has been published on the East Anglia Three project page of our website and has been formally accepted by the ExA into the Examination. Interested parties are asked to submit any comments they may have on any of the above documents as part of their representations to **Deadline 2** in the draft timetable which is **Wednesday 27 July 2016**.

### 2. Statements of Common Ground (SoCG)

In relation to some of the principal issues identified in **Annex B**, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain interested parties. The draft timetable for the Examination therefore provides a deadline for submission of SoCGs (see below).

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. The reasons for the differences

and interpretation of the implications of a difference can then be expanded in the evidence. Unless otherwise stated or agreed, the SoCG should be agreed between the Applicant and the other relevant interested party or parties listed, and submitted by the Applicant.

SoCGs should identify clearly, where relevant, the matters of fact, methodology, assumptions, assessment of impacts and agreed mitigation or compensation measures<sup>1</sup> on which there is agreement between the Applicant and the party or parties concerned. SoCGs involving more than two parties can be helpful but the Panel does not wish to create barriers to agreement.

The parties with whom the Panel would wish to see SoCGs concluded with the Applicant are set out below. This list is not exclusive or exhaustive, and the Examination may benefit from SoCGs between the Applicant and other parties, and on other issues, as it proceeds.

The following SoCGs are requested to be prepared:

### **Offshore ecology (ornithology)**

Natural England /Joint Nature Conservation Committee  
Royal Society for the Protection of Birds  
Marine Management Organisation

Including: data, methodology, in-combination and project-alone impacts, monitoring and mitigation.

### **Offshore Ecology (marine mammals)**

Natural England/Joint Nature Conservation Committee  
Whale and Dolphin Conservation  
The Wildlife Trusts

Including: data, methodology, in-combination and project-alone impacts, monitoring and mitigation and approach to the potential Special Area of Conservation for harbour porpoise.

### **Onshore ecology**

Natural England  
Environment Agency  
Relevant local authorities  
Royal Society for the Protection of Birds  
Suffolk Wildlife Trust

Including: data appropriateness and construction impacts including those associated with the sequencing of work between East Anglia ONE and East Anglia THREE.

### **Marine and coastal physical processes**

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<sup>1</sup> Including Requirements and Conditions in the draft DCO, other agreements such as s.106 and s.278 Agreements, or provisions to be included in other specified consents or licences.

Natural England/Joint Nature Conservation Committee  
Marine Management Organisation  
Environment Agency

**Including:** dredging and disposal, water and sediment quality.

### **Water Framework Directive**

Environment Agency

Including: any implications for the project, data, drainage and flood risk.

### **Marine and onshore archaeology, heritage and built environment**

Historic England  
Relevant local authorities  
Suffolk Preservation Society

Including: methodology and data, impact on designated heritage assets, adequacy of assessment and mitigation.

### **Landscape, seascape, visual impact**

Historic England  
Relevant local authorities  
Suffolk Preservation Society

Including: visual impact of the proposed Bramford substation, elements connected with cable installation and impact of temporary construction works.

### **Shipping and navigation**

Maritime and Coastguard Agency  
Marine Management Organisation  
Royal Yachting Association  
Trinity House  
Rijkswaterstaat

Including: safety, mitigation and monitoring.

### **Aviation and radar**

Civil Aviation Authority  
Defence Infrastructure Organisation/ Ministry of Defence

Including: interference with civil and military aviation and radar, mitigation.

### **Fishing**

National Federation of Fishermen's Organisation

Harwich Fishermen's Association  
VisNed

Including: data, management and monitoring, impact of the wind farm and cable route on offshore and inshore fishing.

**Local socio-economic impacts**

Relevant local authorities

Including: data, employment scenarios, relationship with the Skills Strategy for East Anglia One, traffic and transport implications including those relating to construction.

The Applicant must submit the SoCGs at **Deadline 2** in the draft timetable which is **Wednesday 27 July 2016**.

## Hearing notification

The Examining Authority (ExA) will be holding an early Issue-Specific hearing into the definition of the project and the draft Development Consent Order (DCO). This annex advises of the date, time and place of, and arrangements for, this forthcoming hearing.

Date and Time	Details	Venue	Access and Parking
<b>Wednesday 29 June 2016</b>  <b>9.30am arrival</b> <b>10:00am start</b>	<b>Issue Specific Hearing into the definition of the project and the draft DCO</b>	<b>Novotel Ipswich Centre Hotel, Gainsborough Suite, Grey Friars Road, Ipswich IP1 1UP</b>	<b>There are pay and display car parks nearby in Grafton Way and Cardinal Park. The hotel is a 10 minute walk from Ipswich Railway Station</b>

The hearing has been scheduled on the day after the Preliminary Meeting in response to significant questions about the form and content of the draft DCO that have arisen from the ExA's consideration of the submitted application documents. The ExA considers that it will assist the Examination to review these questions with the applicant and relevant interested parties at the outset of the Examination period.

An agenda for the hearing is attached to this letter at **Annex F** and sets out the invited persons, detailed timings, arrangements for the day, and the topics to be discussed.

Each interested party is entitled to make oral representations at the hearing (subject to the ExA's powers of control over the hearing). Guidance under the Planning Act 2008 provides that at hearings it is the ExA that will probe, test and assess the evidence through direct questioning of persons making oral representations. Questioning at the hearing therefore will be led by the ExA. The time allocated is estimated, based on the matters identified for consideration. The ExA may conclude the hearing as soon as all relevant contributions have been made and all questions asked and responded to. Equally, if there are additional matters to be dealt with, or there are submissions that take a considerable amount of time at any hearing, there may be a need to continue the session at a later scheduled hearing.

Interested parties who wish to speak at the DCO hearing should notify Kay Sully, Case Manager, at the postal or email address detailed in the letter above **by Monday 13 June 2016**. Please inform us if you plan to attend the hearing even if you do not wish to speak. If you represent an organisation it is helpful for us to know the name of the organisation and of the individual(s) attending. It would also assist us if you could notify us of any special needs you may have (e.g. disabled access, hearing loop etc.)

## Issue Specific Hearing Agenda and Schedule

**Schedule of Issues arising from the Draft Development Consent Order can be accessed here:** <http://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2016/05/Schedule-of-issues-arising-from-the-Draft-Development-Consent-Order.docx.pdf>

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### Agenda for the Issue-Specific Hearing on the Definition of the Project and the Draft Development Consent Order (DCO)

**Novotel Ipswich Centre Hotel, Gainsborough Suite  
Grey Friars Road, Ipswich, IP1 1UP**

**Wednesday 29 June 2016**

**Hearing to start at 10:00  
(Arrival at 9:30)**

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A lunch recess will be provided from 13:00 until 14:00.

#### List of requested attendees:

- East Anglia THREE Ltd (the applicant)
- East Anglia ONE Ltd
- Environment Agency
- Marine Management Organisation
- Trinity House
- Maritime and Coastguard Agency
- Natural England
- Suffolk County Council
- Babergh, Mid Suffolk, Suffolk Coastal and Waveney District Councils
- Any other interested parties with an interest in the drafting of the DCO, seeking protective provisions or any related side agreements

## AGENDA

### 1. Introductions

### 2. Purpose of the hearing

An early hearing on the project definition and the draft DCO is being held to address matters, issues and questions identified by the Examining Authority (ExA) during its initial assessment of preliminary issues, before its consideration of written representations. The ExA considers that it is necessary to examine these matters, issues and questions orally at the outset of the examination, providing the maximum time for interested parties to respond to them in their own subsequent written representations and for the applicant, where necessary, to programme actions to address issues raised.

The ExA will examine the draft DCO within the framework of the matters set out below to consider:

- how the draft responds to the project definition and addresses the relationship

- between this project and the East Anglia ONE offshore wind farm project, including the adequacy of provisions for phased delivery, the possible use of more than one delivery vehicle and transfer(s) of benefit;
- the applicant's response to guidance in PINS' Advice Notes, particularly AN13 and AN15;
  - whether the draft secures delivery of the proposed project within the parameters assessed for environmental impact assessment (EIA), habitat regulations assessment (HRA) and other purposes – the 'Rochdale envelope';
  - the justification for innovative approaches and changes from established practice, including the proposal to amend the made East Anglia ONE Order and an examination of whether the currently proposed approach to that amendment is effective;
  - the need for changes to other legislative provisions, ensuring that these are clear and are not unduly reductive of other persons' rights;
  - whether the policy tests for planning conditions set out at paragraph 204 of the National Planning Policy Framework (NPPF) and which are relevant to requirements are met;
  - the need for protective provisions and the scope for changes to the current draft to respond to negotiations in progress;
  - the need for any commercial agreements, planning obligations or equivalent side provisions and progress towards these; and
  - the need for Crown, statutory undertaker and any other consents.

In addition to the matters identified in this agenda, the ExA will review detailed issues and questions about individual DCO provisions that it has identified in the attached schedule. Additional issues and questions arising from interested parties that have not been identified in the schedule will not be discussed at this time. These should be set out in written representations and will be considered as the examination progresses, in writing or orally as required.

This hearing will not examine the detailed content of provisions relating to the compulsory acquisition of land or rights, or temporary possession of land, although the attached schedule does contain a number of comments and questions on these issues. Responses to these should also be set out in written representations. The draft examination timetable proposes that separate compulsory acquisition hearing(s) will be held.

### **3. The function and structure of the draft DCO**

The ExA will ask the applicant about:

- a) the proposed articles;
- b) the proposed project description (Sch 1 Parts 1 and 2) and its relationship with the East Anglia ONE made Order and project;
- c) the proposed requirements (Sch 1 Part 3);
- d) the number, purpose and content of the proposed Deemed Marine Licences (DMLs) (Schs 10 – 15);
- e) the need for and progress on protective provisions (Sch 8);
- f) the need for and progress on any planning obligations and /or side agreements;
- g) the need for and progress on any related consents; and
- h) ongoing negotiations and statements of common ground.

### **4. Managing project relationships: East Anglia ONE and East Anglia THREE**

The ExA will ask the applicant, East Anglia ONE, agencies, local authorities and other interested parties about:

- a) proposals which have the effect of amending the made East Anglia ONE Offshore Wind Farm Order 2014 (SI No 1599) as amended by the made East Anglia ONE Offshore Wind Farm (Corrections and Amendments) Order 2016 (SI No 447);
- b) engagement with East Anglia ONE Ltd;
- c) engagement with interested parties and affected persons relevant to the East Anglia ONE project; and
- d) arrangements for the examination of environmental impact assessment (EIA) and habitats regulations assessment (HRA) issues, taking account of the project definition (including potential phasing) and relationships between East Anglia ONE and East Anglia THREE, particularly seeking a better understanding of the factors taken into account in assessing the effect of the project on the lifetime of landfall works consented for EA1.

#### **5. Delivery in phases and transfer of benefit**

The ExA will ask the applicant, East Anglia ONE, agencies, local authorities and other interested parties about:

- a) the current drafting approach to phased delivery;
- b) approaches to phased delivery or multiple delivery vehicles in made Orders for offshore wind farms other than the East Anglia projects (particularly Dogger Bank Creyke Beck, Dogger Bank Teesside A&B, Hornsea Project 1);
- c) whether the current approach to phased delivery and transfer of benefit in the draft DCO provides sufficient certainty about the relationship between and powers to be exercised by more than one delivery vehicle; and
- d) arrangements for the examination of environmental impact assessment (EIA) and habitats regulations assessment (HRA) issues, taking account of phased delivery, particularly seeking to clarify the worst case form of phased delivery for assessment purposes.

#### **6. Specific issues and questions bearing on the DCO, raised by the Examining authority**

A schedule of issues and questions is attached to this agenda. Questions will be put to the applicant and views will be sought from interested parties present. Where they are relevant to the discussions under matters 3, 4 and 5 above, the questions may be drawn out within those matters. Any remaining questions that have not been addressed there will be examined individually here.

#### **7. Discharge of requirements and conditions, appeals and disputes**

The ExA will ask the agencies and local authorities whether they have any significant concerns in principle with the proposed approaches taken to the discharge of requirements and DML conditions, or for managing appeals or disputes arising from these.

#### **8. Review of issues and actions arising**

#### **9. Next steps**

#### **10. Closure of the hearing**

## Availability of relevant representations and application documents

All application documents including relevant representations are available on the National Infrastructure Planning website:

<http://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-three-offshore-wind-farm/?ipcsection=docs>

Documents can be viewed electronically at the following locations. Please note that you will need to sign up for a library card for free internet access.

### Woodbridge Library

New Street  
Woodbridge  
IP12 1DT

Opening times:

Monday	1000 – 1600
Tuesday	0930 – 1930
Wednesday	0900 – 1730
Thursday	0900 – 1730
Friday	0900 – 1930
Saturday	0900 – 1700
Sunday	1000 – 1600

### Printing & photocopying costs

- Black & white: 10p per sheet
- Black & white 2 sided: 15p per sheet
- Colour: 30p per sheet

### Felixstowe Library

Crescent Road  
Felixstowe  
IP11 7BY

Opening times:

Monday	1000 – 1600
Tuesday	0900 – 1730
Wednesday	0900 – 1930
Thursday	0900 – 1730
Friday	0900 – 1730
Saturday	0900 – 1700
Sunday	1000 – 1600

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### **Lowestoft Library**

Clapham Road South  
Lowestoft  
NR32 1DR

Opening times:

Monday	0900 – 1800
Tuesday	0900 – 1900
Wednesday	0900 – 1800
Thursday	0900 – 1900
Friday	0900 – 1800
Saturday	0900 – 1700
Sunday	1000 – 1600

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### **Ipswich County Library**

County Library  
Northgate Street  
Ipswich  
IP1 3DE

Opening times:

Monday	0900 – 1800
Tuesday	0900 – 1900
Wednesday	0900 – 1800
Thursday	0900 – 1800
Friday	0900 – 1900
Saturday	0830 – 1700
Sunday	1000 – 1600

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