

**Application by East Anglia Three Limited for an Order granting
Development Consent for the East Anglia THREE Offshore Wind Farm
Development Consent Order (DCO)**

**Agendas for Hearings to be held on Tuesday 25 and Wednesday
26 October 2016**

**Planning Act 2008 (PA 2008) and Infrastructure Planning
(Examination Procedure) Rules 2010**

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Please read the following notes carefully before attending a hearing.

Hearing arrangements

Agendas which set out the date and time of each hearing and the matters to be discussed are annexed to this note as follows:

- **Annex A:** Issue Specific Hearing on Environmental Matters
- **Annex B:** Compulsory Acquisition Hearing
- **Annex C:** Issue Specific Hearing on the draft Development Consent Order

Participation in hearings

All Interested Parties are invited to attend hearings but it would assist the running of the hearings if notice could be given to the Inspectorate's Case Team of a wish to participate prior to the hearing. Each Interested Party is entitled to make oral representations at hearings. However, this is subject to the Examining Authority's (ExA's) power to control hearings.

A notification of hearings was published and issued to all Interested Parties on 22 September 2016. This included the date, time and place of each hearing. The hearing venue will be open 30 minutes prior to the start of each hearing to enable a prompt start. Hearings will finish as soon as the ExA deems that all those present have had their say and all matters have been covered.

Every effort will be made to ensure that the issues will be discussed on the days that they are scheduled for. This may mean that the hearings continue after 5pm. The ExA reserves the right to rearrange the agendas for these hearings at short notice if necessary or, if they take longer than anticipated, certain issues may have to be adjourned to a later date.

There is public transport and parking available within walking distance of the venue. Information regarding this can be sought from the Case Team. Should any Interested Party require assistance in getting to or around the venue they

should contact the Inspectorate's Case Team EastAngliaThree@pins.gsi.gov.uk to discuss options available.

Conduct of the hearings

Guidance under the Planning Act 2008 (PA 2008) and the Infrastructure Planning (Examination Procedure) Rules 2010 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 hearings will therefore be led by a member of the ExA.

Cross-examination of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested, or that a person has had a fair chance to put their case.

The Applicant, Statutory Nature Conservation Bodies, Local Authorities and other bodies seeking to present and rely on expert evidence are advised to ensure that their appropriate expert advisers are present on each day of the hearings and available to give evidence and to be questioned. All relevant experts should be available to be brought to the hearings at short notice, to ensure efficient management of the process.

Participants should note that after each set of hearings there are deadlines in the Examination timetable for the submission of written summaries of oral evidence and any other requested information.

Annex A

Issue Specific Hearing on Environmental Matters

Tuesday 25 October 2016

Novotel Ipswich Centre, Grey Friars Road, Ipswich IP1 1UP

Doors open at 9.00am and the Hearing will commence at 9.30am.

Breaks will be taken during the Hearing as directed by the Examining Authority (ExA).

Agenda

1. Welcome and Introductions
2. Purpose of the Issue Specific Hearing
3. Onshore Ornithology
 - Skylark mitigation plan; whether there is a need for this to be secured through the DCO.
 - Restrictions on winter working in relation to mitigation of any potential impacts on wintering Brent Geese on the Deben Estuary SPA and Ramsar.
4. Offshore Ornithology
 - Changes to the East Anglia ONE number of turbines and implications for East Anglia THREE collision modelling.
 - Proposed changes in turbine draught height.
5. Marine Mammals
 - Ground-truthing/monitoring of noise during pile installation.
 - Contribution of acoustic data to the Noise Registry.
6. Habitats Regulations Assessment (HRA)

Accepting that discussions are continuing between the Applicant and Natural England regarding the Southern North Sea possible Special Area of Conservation (pSAC), there are a number of issues raised in Deadline 5 representations that the ExA would like to investigate in relation to:

 - The Southern North Sea pSAC HRA report.
 - The draft Site Integrity Plan.
7. Fishing and Navigation
 - Exploration of the MMO's view that the requirement for a cable burial risk assessment should be carried through to a post-consent requirement.

- Cable exposure and provision of a distributed temperature sensing system.

8. Technological Issues

- Existing examples of the use of Low Frequency Alternating Current technology and any implications for the East Anglia THREE proposal.

9. Noise Issues

- The views of the relevant local authorities and any other Interested Parties in regard to the Applicant's response to the ExA's Second Written Questions on noise.
- Update on the position regarding the Operational Noise and Vibration Plan relating to the East Anglia ONE project.

10. Socio-Economic Issues

- Explanation of the current situation regarding the relationship between the EA ONE Skills Strategy and the EA THREE proposal and how the skills agenda principles will be accounted for.
- Consideration of the views expressed in regard to the ExA's Second Written Question SE10 (changes in the labour market).

11. Archaeology

- Update on the further archaeological works.

12. Construction

- Update on the proposed layouts for the EA ONE Primary Construction Consolidation Sites.

13. Discharge of East Anglia ONE DCO Requirements and DML Conditions, and relevance to the EA THREE proposal

14. Any other matters arising

15. Review of issues and action arising

16. Next steps

17. Closure of the Hearing

Annex B

Compulsory Acquisition Hearing

Tuesday 25 October 2016

Novotel Ipswich Centre, Grey Friars Road, Ipswich IP1 1UP

The Hearing will commence at 2.30pm

Breaks will be taken during the Hearing as directed by the ExA.

Agenda

1. Welcome and Introductions.
2. Purpose of the Hearing.
3. Applicant's update on negotiations with parties with relevant interests in plots covered by the draft Development Consent Order (DCO), including statutory undertakers
4. Applicant's update on ongoing discussions with the Crown Estate in relation to Crown land.
5. Consideration of the updated Statement of Reasons and Book of Reference, whether further updating or revision is needed and implications for the drafting of the DCO.
6. Applicant's proposed changes to Article 23 in relation to the acquisition and creation of rights in respect of land identified in Schedule 7.
7. Any other Compulsory Acquisition issues.
8. Review of issues and action arising.
9. Next steps.
10. Closure of the Hearing.

Annex C

Issue Specific Hearing on the draft Development Consent Order (dDCO)

Wednesday 26 October 2016

Novotel Ipswich Centre, Grey Friars Road, Ipswich IP1 1UP

Doors open at 9.00am. The Hearing will commence at 9.30am.

Breaks will be taken during the Hearing as directed by the Examining Authority (ExA).

Agenda

1. Welcome and Introductions
2. Purpose of the Issue Specific Hearing
3. Revisions and drafting changes to the latest version of the East Anglia THREE dDCO (Version 3)[REP4-003 - 5], arising from the Applicant.
 - Applicant's review of the substantive changes made in Version 3 of the dDCO, and the ExA's questions arising.
 - Discussion of proposed changes.
4. Revisions and drafting changes to Version 3 of the dDCO, arising from other Hearing participants.
 - Proposal and discussion of any additional substantive provisions considered to be necessary, but not addressed elsewhere in this agenda. (This item is intended to enable Hearing participants to comment in regard to their own requests for changes to the dDCO and the reasons for these.)
5. Deemed Marine Licence (DML) provisions (Schedules 10 – 15).
 - A review of proposed changes to the draft DMLs.
 - Implications for drafting arising from the review of consents.
 - Proposal and discussion of any additional substantive provisions considered to be necessary, but not addressed elsewhere in this agenda. (This item is intended to enable Hearing participants to comment in regard to their own requests for changes to the DMLs and the reasons for these.)
6. Compulsory acquisition and temporary possession provisions (Part 5 and Schedules 5 -7).
 - Drafting consequences of any matters raised in the Compulsory Acquisition Hearing.
 - Proposal and discussion of any other technical changes to compulsory acquisition and temporary possession provisions.

7. Protective Provisions (Schedule 8).

- Applicant's review of all requests for protective provisions and progress made in settling these.
- Matters arising from drafting in Parts 1 – 6.
- Update on discussions between the Applicant and Eni UK Ltd [REP2-022], [REP4-031] and [REP5-020].
(The ExA notes the proposal that a document recording the latest position in negotiations could be prepared by 19 October 2016 [REP5-020 at para 11]. The ExA will welcome the presentation of an agreed documented position at the Hearing. However, if there are remaining matters that cannot be agreed by 19 October 2016, the ExA requests that the Applicant and Eni UK Ltd present a statement or statements of reservation, making clear those matters that remain in contention). The ExA will also be assisted by the availability of either a projected or hard copy plan or plans showing the location and extent of UK Licence area P1965 (indicating the extent of overlap with the proposed Order limits in the application), as previously provided in REP2-022, Annexure A)).
- Proposal and discussion of any additional substantive provisions considered to be necessary, not addressed elsewhere in this agenda. (This item is intended to enable Hearing participants to comment in regard to their own requests for changes to the dDCO and the reasons for these.)

8. Plans and documents proposed to be certified.

- To the extent necessary arising from the Environmental Issue Specific Hearing and the Compulsory Acquisition Hearing and from the 'Plan of Plans' [REP5-015], is the referencing to and security for any plans and documents proposed to be certified provided for sufficiently clearly?
- Details of the draft Site Integrity Plan remain under discussion between the Applicant and relevant Interested Parties. Are any draft changes to the dDCO likely to emerge as a consequence of this work?

9. Any other matters arising.

10. Review of issues and action arising.

11. Next steps.

12. Closure of the Hearing.