

East Anglia THREE
Offshore Windfarm

East Anglia THREE

Written Summary of Oral Submissions CA ISH

Document Reference – Deadline 6/CA ISH/Written
Summary of Oral Submissions

Applicant's reference for Examining Authority Question	Question	
	Applicant's Response	
Agenda Item: Applicant's update on negotiations with parties with relevant interests in plots covered by the draft Development Consent Order (DCO), including statutory undertakers		
CAHQ1	Applicant's response	<p>Discussions have been ongoing with the landowner of plots 454B and 454C for some time but it is unlikely that an agreement will be reached by the end of the examination. The landowners are not willing to enter into an Option Agreement for the land preferring that the Applicant acquire the land outright. However, the Applicant is not in a position to purchase the land outright at this stage in the project. The Option Agreement proposed is in the same form of as those offered to and agreed by other landowners relating to the East Anglia ONE and East Anglia THREE projects. It is expected that an agreement will be reached with the landowner in the future, however this is unlikely to occur until there is further certainty over the project.</p> <p>In respect of the other landowners, heads of terms have been signed with all landowners and approximately two thirds of East Anglia ONE and East Anglia THREE landowners have entered into agreements with ScottishPower Renewables. Negotiations are continuing with the remaining landowners. In addition, the majority of the substation site has been acquired (with the exception of plots 454B and 454C as discussed above). In this respect it should be noted that the property cost estimate included within the Funding Statement relates to all property interests required for the project, but following purchase of the converter station site, the remaining land that is potentially subject to compulsory acquisition is much less, and the Funding Statement is therefore now in surplus. Notwithstanding this, the Applicant proposes to continue to rely on the Funding Statement as submitted.</p> <p>The Applicant has prepared an updated Plot by Plot analysis which includes third party discussions, and that analysis will be submitted at Deadline 6 together with schematics which show progress made to date. A further update of the Plot by Plot analysis can also be provided at Deadline 8.</p> <p>In relation to statutory undertakers and protective provisions, agreement has been reached with Network Rail and the withdrawal of their representation is expected imminently. The Applicant also understands that Galloper has confirmed to the Examining Authority that it has no objection to the East Anglia THREE project. In relation to Anglian Water, a minor point remains under discussion and it is anticipated that agreement will be reached prior to the close of the Examination. The position in respect of National Grid is that negotiations relating to the protective provisions</p>

		are ongoing. The Applicant's position is that the protective provisions should remain the same as those included in the East Anglia ONE Order. However, National Grid has updated their standard form protective provisions and the Applicant is currently reviewing these. Notwithstanding this, the Applicant anticipates that it will be possible to reach agreement with National Grid before the close of the Examination.
Agenda Item: Applicant's update on ongoing discussions with the Crown Estate in relation to Crown land.		
CAHQ2	Applicant's response	<p>In relation to land agreements, some progress has been made with the Crown Estate (TCE) and therefore the potential for exercising compulsory acquisition powers over interests in Crown land has reduced. An agreement for lease has been entered into in respect of the foreshore. Negotiations on the two river crossings have recently concluded and it is expected that documents will be entered into in this respect shortly.</p> <p>Negotiations in relation to the Crown Rights article continue with TCE, but it is anticipated that agreement will be reached on the drafting of the Crown Rights article prior to the close of the Examination.</p>
Agenda Item: 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.		
CAHQ3	Applicant's response	<p>The Applicant proposes the following updates to the Book of Reference:</p> <ol style="list-style-type: none"> 1. Any updates which result from a title refresh and land registry update; 2. Updates to correct the reference to plot 454A as a plot for freehold acquisition. As set out above, the landowner of plot 454A is aware that the freehold of the land will be acquired and, in fact, agreements for freehold acquisition have been completed; 3. Updates to add plot 440 to be added to the temporary possession of the draft Order; 4. Updates to Schedule 5 (Schedule of New Rights) to correct a typing error; and 5. Updates to Article 23 to exclude freehold plots from temporary powers. <p>No new persons are expected to be added to the Book of Reference at this stage. The Applicant also proposes to update the Statement of Reasons and Explanatory Memorandum.</p>
Agenda Item: Applicant's proposed changes to Article 23 in relation to the acquisition and creation of rights in respect of land identified in Schedule 7.		

CAHQ4	Applicant's response	<p>Further to the Applicant's response to Written Question CA18, the Applicant proposes to amend Article 23(1)(a)(ii) to identify the plots subject to freehold acquisition, and therefore to exclude them from the temporary possession power. The Applicant proposes to retain the wording of Article 23(1)(a)(ii), as has been included in other DCOs, as this provides for certainty in the event that a plot has been incorrectly omitted from Schedule 7.</p> <p>It is the intention that land which is not to be acquired as freehold, will be subject to temporary possession powers for construction purposes. This is required to allow for flexibility in locating infrastructure within the Order limits. Once the construction period has completed, the Applicant will seek permanent rights for <i>in situ</i> infrastructure throughout the lifetime of the project. This applies to plots where infrastructure will be installed, or where the plot is utilised to allow access to infrastructure. These plots are identified in Schedule 5. All plots listed in Schedule 5 are also listed in Schedule 7, although Schedule 7 includes additional plots beyond those listed in Schedule 5.</p>
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