

**From:** [Tabrizi, Lydia](#)  
**To:** [East Anglia ONE North](#); [East Anglia Two](#)  
**Cc:** [Hopewell, Caroline](#)  
**Subject:** NE's response to requested attendance at ISH 1 and 2  
**Date:** 26 November 2020 11:59:05  
**Attachments:** [10571\\_10572\\_Natural\\_England's\\_Response\\_to\\_Requested\\_Attendance\\_at\\_ISH\\_1\\_and\\_2.pdf](#)


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Dear Sir/Madam,

Please see attached Natural England's response to our requested attendance at ISH 1 and 2.

Kind regards

Lydia Tabrizi  
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**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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Date: 26 November 2020  
Our ref: Case: 10571, 10572 Consultation: 333118, 333119  
Your ref: EA1N/ EA2 ISH



**BY EMAIL ONLY**

Dear Sir/Madam,

**East Anglia One North (EA1N) and East Anglia Two (EA2) Issue Specific Hearings (ISHs) on 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> December 2020**

On reviewing the agendas for the ISHs, especially in relation to the first ISH on the 1<sup>st</sup> December 2020; Natural England notes that there is insufficient time in the hours allowed to get into the detail of the issues and concerns, in particular for offshore matters relating to Ornithology, Marine Mammals, Benthic and deemed Marine Licences.

From our experience at previous ISHs, where there have been significant outstanding concerns both Marine Mammals and Ornithology sections have taken at least half a day each to work through the issues and give all parties and their specialists the necessary time to set out to the Examining Authority why there are disagreements.

In addition, until further information from the Applicant is provided at Deadline 3 and we have had full opportunity to review those additional documents submitted last week for Deadline 2; it is our view that there is no added value to Natural England participating in the ISHs, beyond what we have already set out in writing within our Relevant/Written Rep [RR-059] and our updated advice provided at Deadlines 1 and 2. Please also note, as set out in our Deadline 2 covering letter, that we have identified a potential new fundamental concern in relation to marine mammals which we our specialists are still reviewing. Therefore we won't be able to provide advice on this until Deadline 3.

In relation to Natural England's current position and outstanding concerns, these are set out in the Statement of Common Ground with the Applicant [REP1-056] and our Risks and Issues log [REP1-162]. Prior to the hearing we are happy to work with the Applicant to agree their summary of the outstanding concerns on the matters for discussion. However, if the Examining Authority has residual post-hearing queries for which they would like NE's input, we suggest these could be asked through the next set of written questions. However, please be advised that Hornsea Project 3 is yet to be determined and we understand that the decision is expected to be announced by on 31<sup>st</sup> December 2020 and this therefore has relevance to the implications of any decision making in relation to Kittiwake compensation .

We will review attendance at subsequent hearings in the New Year based on progress of issues and outstanding concerns. However, it should be noted that given the precedent setting issues and complexities of the concerns, if a similar agenda is provided for subsequent hearings without clearly defined questions, it would reduce the likelihood of us attending. This is because Natural England wouldn't be able to fully prepare as an organisation (and not just at the case team level) beforehand, and we would therefore have to default to a written process and take away questions to provide a fully

considered response at a later date.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours sincerely,

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