



Issue Specific Hearings 6 (ISHs6): Hearings Action Points

- Application by East Anglia ONE North Limited for an Order Granting Development Consent for the East Anglia ONE North Offshore Wind Farm.
- Application by East Anglia TWO Limited for an Order Granting Development Consent for the East Anglia TWO Offshore Wind Farm.

Actions arising from the **Issue Specific Hearings 6** (ISHs6) held virtually on **Friday 29 January 2021**.

Action	Party	Deadline
1. Revised dDCOs Under Agenda Item 2, the Applicants committed to submitting revised dDCO provisions to include a range of proposed changes: <ul style="list-style-type: none"> • Commencement period for construction to be brought forward (to 2024) and reduced from 7 to 5 years. • Operational noise conditions – a new receptor and lower maximum limits. • Responding to submissions from Trinity House, Historic England and SASES in relation to, inter alia, number of cable ducts, design, footprint and approval of cable sealing-end compounds, including amendments to R12. • Draft PPs currently in discussion with Sizewell B and C. • DML in relation to multi-piling policy and UXO provisions. 	Applicants	D5
2. Overarching dDCO issues Do the dDCOs authorise the NG grid connection works taking place in isolation from the generating stations works?	Applicants	D5
3. Commencement and on-shore preparation works The Applicants are asked to respond in relation to: <ul style="list-style-type: none"> • Definition of 'onshore preparation works' and its relationship with 'commencement'. • Whether any further definition or clarification of the limits of deviation might be needed on the face of the DCOs. 	Applicants	D5



	Action	Party	Deadline
	<ul style="list-style-type: none"> • Definition of 'maintain' - especially of the meanings and relationship between the terms 'adjust' and 'alter'. • Absence of a Code of Construction Practice (CoCP) for the pre-commencement works and suggestion from ESC for a 'mini' dedicated pre-commencement CoCP, or alternatively provision for the CoCP to be approved in parts, enabling a pre-commencement component to be formed. • Insertion of 'archaeology' into title of 'outline written scheme of investigation' 		
4.	<p>Article 6 (2) Respond to questions raised by ExAs in relation to Neighbourhood Planning Act 2017 insofar as it relates to proposals for the temporary possession of land, particularly in respect of notice periods.</p>	Applicants IPs	D5
5.	<p>Article 7 Respond to issues raised by SASES in relation to:</p> <ul style="list-style-type: none"> • Regulatory threshold to revert to statutory definition of 'best practicable means'. • Insertion of a Section 61 procedure to enable nuisances to be better controlled. 	Applicant	D5
6.	<p>DML Conditions 20 and 24 Further comments to be provided in relation to offshore pre-construction monitoring and scour protection following further discussion with Natural England.</p>	MMO	D6
7.	<p>Update on EDF concerns in relation to protective provisions and consultation on requirements The Applicants and EDF are both requested to put in a latest position paper on their approach to protective provisions and changes to requirements, enabling progress to be reviewed by the ExAs in ISHS9 on 19 February 2021.</p>	Applicants EDF	D5
8.	<p>Article 11 Consideration of timing of submission and approval of PRoW strategy in Requirement</p>	Applicants	D5



	Action	Party	Deadline
	32 to address the issues of (a) closures in relation to pre-commencement works; and (b) sequential delivery of the projects.		
9.	<p>Articles 12,13,14,15 Respond to concerns raised by SCC in relation to:</p> <ul style="list-style-type: none"> the adequacy of a 28-day limit for deciding applications for consent to temporarily stop up streets (A12 (7)) and highway alterations (A15 (3)) Whether it is appropriate to provide for Section 278 (or equivalent) agreements relating to the access management plan in R14. 	Applicants	D5
10.	<p>Article 33 Consideration of revised wording to restrict potential permitted development rights in relation to operational land.</p>	ESC Applicants	D5
11.	<p>Article 36 Respond to various proposals* to amend this article to ensure proper reference to revisions and clarifications to the ES and other documents during the Examinations processes.</p> <p>Consider (amongst other options) the introduction of a new schedule tabulating all documents by version and date (the Boreas method).</p> <p>* MMO proposal to amend Article 36 Certification of plans to include documents clarifying the ES, particularly in relation to ornithology and fish, submitted during the examination.</p>	Applicants with reference to the MMO and LPA	D5
12.	<p>Article 37 Consideration of whether the range of organisations included in A37 (2) should be extended in the light of current considerations.</p>	Applicants	D5
13.	<p>Schedule 1 Part 1 To respond to a series of propositions:</p> <ul style="list-style-type: none"> That drainage be separate Work and be taken out of Work No. 33. 	Applicants	D5



Action	Party	Deadline
<ul style="list-style-type: none"> That the National Grid (NG) substation should not be proposed in both applications and the access road should not be proposed in both applications and for both the onshore substations and the NG substation. Gross electrical output capacity (Work No 1) be defined in relation to maximum output possible and minimum required - in order to assess the balance of benefits. Provision be made in the dDCO to addresses circumstances where, for example, (a) only one project is built, (b) the projects 'merge', and (c) land originally required for one or both projects is no longer required. 		
<p>14. Schedule 1 Part 1 Aldeburgh Town Council to submit a question to the Applicants to explain the implications for land take if only one project is built, including the National Grid substation.</p>	Aldeburgh Town Council	D5
<p>15. Requirement 2 ExAs ask if there is any further refinement to be made to the detailed offshore design parameters.</p>	Applicants	D5
<p>16. Requirement 12</p> <ul style="list-style-type: none"> ExAs propose that the Requirement be restructured to simplify its structure and content in order to be more useful to parties during implementation and that it references relevant certified documents such as the Design and Access Statements and Onshore Landscape and Environmental Management Strategies. ExAs ask for clarification of the approach to design review and a more detailed approach to possible design solutions. Revised dDCOs to be submitted including reference to the Substations Design Principles Statements. 	Applicants	D5
<p>17. Requirement 13</p> <ul style="list-style-type: none"> Consideration to be given to strengthen monitoring and remediation mechanisms 	Applicants	D6



	Action	Party	Deadline
	at the landfall. Consultations taking place with ESC. <ul style="list-style-type: none"> • Consideration to be given to Natural England being a named consultee. • Revised wording to be submitted. 		
18.	Requirement 15 Consider proposals that period of planting replacement and landscape retention be reconsidered and extended.	Applicants	D5
19.	Requirement 21 Consideration to be given to amendments to clarify pre-commencement and other surveys.	Applicants	D5
20.	Requirements 23 and 24 Consideration of and response to points made by IPs: <ul style="list-style-type: none"> • Clarification of the word 'essential' in R23(2) and the range of work that might be permitted for work outside of the specified hours. • That the proposed weekday working hours of 7.00am to 7.00pm be changed for a later start and earlier finish (08:00-18:00 was proposed). [was anything said about weekends???] • That work be managed around the peak holiday season as, according to evidence to be submitted by SEAS, is the practice elsewhere. 	Applicants SEAS	D5
21.	Requirements 26 and 27 Consider and respond to submissions that noise levels be lowered and controls on noise from the National Grid Substation be included in the dDCO.	Applicants ESC SASES	D5
22.	Requirement 32 Respond to proposal that there needs to be public consultation in relation to proposals to stop-up PRoW in to consultation with the local planning authority.	Applicants	D5
23.	Requirement 37 Respond to suggestion that Work No. 6 be included in the scope of the requirement.	Applicants	D5



Action	Party	Deadline
24.	Requirement 41 <ul style="list-style-type: none"> Respond to changes proposed by SCC. Address possible mechanisms to ensure operational drainage system is maintained throughout the life of the project on the face of the Order. Clarify maintenance responsibility for National Grid infrastructure. 	Applicants D5
25.	Requirement 41 Respond to ExAs question in relation to the appropriate drainage adoption authority.	SCC D5
26.	Requirement 42 Further discussion on the detailed drafting and appropriate response.	Applicants ESC D5
27.	Schedules 2-15 ExAs invite detailed technical comments.	IPs D5
28.	Schedule 10 Please respond to SCC request for PPs in relation to highways.	Applicants
29.	Schedule 15 Respond to concerns that arbitration proceedings be confidential and more broadly consider how the public interest is addressed in arbitration processes. The ExAs draw parties' attention to Chapter 11 (from para 11.4.4) in the Thanet Offshore Windfarm Extension Recommendation Report .	Applicants SASES D5 ISH9
30.	Schedule 16 Respond to proposals that <ul style="list-style-type: none"> The response time for discharge be extended to 56 days and possibility of a prior notification arrangement be instituted. The discharge arrangements be changed from a 'deemed approval' in the event of no decision to an appeal procedure. The ten-day requirement for requesting additional information in 2(2) be extended. An obligation for public engagement be imposed prior to a decision being made. 	Applicant D5



	Action	Party	Deadline
31.	Memorandum of Understanding ExAs request consideration of drafting a new requirement to secure production of an MoU for purposes of economic development.	Applicants SCC ESC	D5

ISHs6, 29 January 2021

Hearing Recording: Agenda Timings¹

Session 1 10:00am

- Item 1 Welcome and introductions 00:00² – 00:30
- Item 2 Introduction by the Applicant 00.30 – end of session

Session 2 11:25am

- Item 3 Provisions for Projects Definitions and Elements
 - Articles 00:00 – end of session

Session 3 2:10pm

- Item 3 cont. Schedule 1 Parts 1 to 2 00:00 – 00:40
- Item 3 cont. Schedule 1 Part 3 Requirements 1 to 15 inclusive
 - 00:40 – end of session

Session 4 3:50pm

- Item 3 Schedule 1 Part 3 Requirements 16 to 42
 - 00:00 – 00:57
 - Schedules 3 to 16 00:57 – 01:22
- Item 9³ AoB 01:22 – 01:31
- Item 10 Procedural decisions, review of actions and next steps
 - 01:31 – 01:34
- Item 11 Closure 01:34 – 01:36

Please note that the timings given are an approximate guide, taken from a review of the livestream.

¹ [Agenda for ISHs6](#) (from EA1N website) (the EA2 Agenda is identical).
² Livestream/ recording times in hours and minutes from the session commencement.
³ Agenda Items 4 to 8 inclusive reserved for future considerations.