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All Interested Parties, Statutory Parties
and Other Persons

Your Ref:

Our Ref: EN010078

Date: 11 March 2020

Dear Sir/ Madam

**Planning Act 2008 – Sections 91 and 93, and The Infrastructure Planning
(Examination Procedure) Rules 2010 (EPR) – Rule 9 and Rule 13(6)**

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

**Procedural Decision on Public, Site and Press Notices for Hearings to be Held
on 25 and 26 March 2020**

My letter of 21 February 2020 (the Rule 6 Letter)¹ included procedural decisions to hold certain early hearings in the first week of the Examination. Annex F to the Rule 6 Letter provided notice of these hearings to all Statutory Parties and Interested Parties. The hearings are as follows:

- **Issue Specific Hearing 1 on Project Description and Options (ISH1)** on Wednesday 25 March 2020 at The Britten Studio, The Hoffman Building, Snape Maltings, Snape, Saxmundham, Suffolk IP17 1SP to start at 10.00am;
- **Issue Specific Hearing 2 on Habitats Regulations Assessment (HRA), Mitigation, IROPI² and Examination Contingencies (ISH2)** on Wednesday 25 March 2020 at The Britten Studio, The Hoffman Building, Snape Maltings, Snape, Saxmundham, Suffolk IP17 1SP to start at 3.30pm; and
- **Open Floor Hearing 1 (OFH1)** on Thursday 26 March 2020 at The Britten Studio, The Hoffman Building, Snape Maltings, Snape, Saxmundham, Suffolk IP17 1SP to start at 10.00am.

These hearings are being held in parallel with hearings for the East Anglia ONE North Examination. For an explanation of the relationship between this Examination and that Examination, please see Annex A to the Rule 6 Letter.

¹ [https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010078/EN010078-001747-EA2%20Rule%206%20Letter%20and%20Annexes%20\(ExA%20Post%20Finalisation\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010078/EN010078-001747-EA2%20Rule%206%20Letter%20and%20Annexes%20(ExA%20Post%20Finalisation).pdf)

² IROPI – imperative reasons of overriding public interest.

EPR Rule 13(6) provides that unless the Examining authority otherwise directs, the applicant must post certain press, public and site notices of hearings, not later than 21 days before the date fixed for the commencement of hearings. It has come to the ExA's attention that that Applicant has not provided the requisite press, public and site notices to meet the specified 21-day period.

Having regard to the fact that all Statutory Parties and Interested Parties have already received notice of these hearings directly from the ExA, the ExA observes that this failure to provide notice by the Applicant has not given rise to any prospect of immediate harm to the interests of persons who might wish to participate in the hearings. However, it is important that immediate steps are taken by the Applicant to provide press, public and site notices of the hearings for the maximum available remaining time before the hearings commence. On that basis, the ExA has decided and directs as follows:

- The Applicant must publish, post and maintain all press, public and site notices of the hearings identified above that are required by EPR Rule 13(6) (a) (b) and (c), commencing as soon as reasonably practicable on receipt of this decision.
- The Applicant must write to the ExA before the Preliminary Meeting, confirming the action that it has taken, and this correspondence will be published on the project web page.

This is a procedural decision under Rule 9 and a direction under Rule 13(6) of the EPR.

A decision and direction in similar terms has also been made with respect to the Application by East Anglia ONE North Limited for an Order Granting Development Consent for the East Anglia ONE North Wind Farm.

Yours faithfully

Rynd Smith

Lead Member of the Panel of Examining Inspectors

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