



National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer 0303 444 5000
Services: EastAngliaTwo@planninginspectorate.gov.uk
e-mail:

All Interested Parties, Statutory Parties,
Proposed Provision Additional Affected
Persons and Other Persons

Your Ref:

Our Ref: EN010078

Date: 5 February 2021

Dear Sir/ Madam

**Planning Act 2008
Infrastructure Planning (Compulsory Acquisition) Regulations 2010**

**Application by East Anglia TWO Limited for the Compulsory Acquisition of
Additional Land related to an Application for an Order Granting Development
Consent for the East Anglia TWO Offshore Wind Farm**

**Initial Assessment of Issues (Regulation 11) and Examination Proposals
(Regulations 13 to 16)**

I write to you as lead member of the Examining Authority ('the ExA') appointed to carry out an examination of the above application, about a request for the compulsory acquisition of additional land that is associated with it. I am Rynd Smith and the other members of the ExA are Jonathan Hockley, Jessica Powis, Caroline Jones and Guy Rigby¹. If your land or rights are affected by this request, please read this letter carefully as it sets out how you can become involved in the Examination process should you wish to do so.

On 2 November 2020, East Anglia TWO Limited ('the Applicant') wrote to the ExA [REP1-001]² identifying that it wished to apply for the compulsory acquisition of additional land over and above the land sought in its application for development consent accepted for Examination on 22 November 2019 ('the original Application') and setting out a proposed provision for Examination [REP1-001] [REP1-037] that would enable this additional land to be acquired. The proposed provision was accepted for Examination by the ExAs on 19 November 2020 [PD-022] and the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 ('the CA Regulations') were engaged. The CA Regulations set out the procedure for Examination of the proposed provision.

¹ The ExA's instrument of appointment and a variation to it can be seen at these links:

[Notice of Appointment of Examining Authority](#) (13 December 2019)

[Notice of Appointment of Examining Authority](#) (30 June 2020)(Variation)

² All documents relating to the Examination process can be seen under the relevant reference number in the [Examination Library](#).

Following the procedure set out in Regulation 10 of the CA Regulations, an opportunity to make Relevant Representations on the proposed provision was provided between 8 December 2020 and 13 January 2021. That period has now closed. No Relevant Representations were made.

Regulation 11(1) of the CA Regulations requires the ExA to make an initial assessment of the issues raised by the proposed provision. The ExA has considered the issues raised by the proposed provision and has decided that no new issues arise from it that were not already applicable to the Examination of the original application. On the basis that there were no Relevant Representations and that no new issues were raised, the ExA has concluded that the fairest and most appropriate course of action is to adopt the initial assessment of principal issues made for the original application as the initial assessment for the purposes of Regulation 11(1) of the CA regulations. An initial assessment on that basis is set out at **Annex A** to this letter.

Examination of the Proposed Provision

Because no Relevant Representations were made on the proposed provision, there are no additional Interested Parties. However, the proposed provision does affect some people with interests in land who were not affected by the original application and so there are additional Affected Persons³.

Regulation 11(2) of the CA Regulations enables the ExA to call a meeting to discuss how the proposed provision should be examined. However, the ExA is not under a duty to hold such a meeting. In circumstances where there are no Relevant Representations relating to the proposed provision and no new issues have been identified, the ExA does not consider that it is necessary to do so. The ExA has decided to examine the proposed provision in parallel with its examination of the original application, ensuring that the effects of the proposed development on the additional land and on additional Affected Persons are considered fully and in a manner that is integrated with the examination of the original application.

Regulation 13 provides that any additional Affected Persons may make written representations. Regulations 14 to 16 enable them to request to be involved in hearings (Regulations 14 to 16), which includes an opportunity to be heard on matters considered at hearings that have already been completed, as well as an opportunity to be heard on matters that have yet to be heard.

Annex B to this letter sets out Examination Procedures for the Proposed Provision, including:

- a date in the existing examination timetable by which additional Affected Persons may make Written Representations;
- a date in the existing examination timetable by which additional Affected Persons may request to be heard at hearings;
- arrangements for the conduct of hearings, which ensure that any additional Affected Persons requesting to be heard may be heard on any important and relevant issues that have not previously been heard and on any issues that have already been heard in hearings completed up to the date of this letter.

³ Further information about the meaning of the terms Interested Party and Affected Person can be found on page 3 of this letter.

Your status in the Examination

You have received this letter because you fall within one of the groups described in the frequently asked questions (FAQ) document linked below:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2019/02/Status-faq.pdf>

You are in Group A. Group A includes the Applicant and existing Interested Parties in the Examination of the original application, together with additional Affected Persons whose land or rights are affected by the proposed provision.

If having read the FAQ document published at the link above you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

Award of costs

We draw your attention to the possibility of the award of costs against Interested Parties who behave unreasonably. You should be aware of the relevant costs guidance 'Awards of costs; examinations of applications for development consent orders' which applies to Nationally Significant Infrastructure Projects. This guidance is available at:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/>

Management of information

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project and a record of any advice which has been provided by the Planning Inspectorate, is published at:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-two-offshore-windfarm/>

All Examination Documents can be viewed electronically at the locations listed in **Annex C**.

Please note that in the interest of facilitating an effective and fair Examination of the proposed provision, we consider it necessary to publish some personal information and our approach to this has been amended to respond to the Coronavirus pandemic. To find out how we handle your personal information, please view our [Privacy Notice](#) and read **Annex D** to this letter.

Yours faithfully

Rynd Smith

Lead Member of the Panel of Examining Inspectors

Annexes

- A** Initial Assessment of Issues (Regulation 11)
- B** Examination Procedures for the Proposed Provision
- C** Availability of Examination Documents
- D** Coronavirus Response: Examination Practice Changes and Your Privacy

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

<https://infrastructure.planninginspectorate.gov.uk>



**East Anglia ONE North Offshore Wind Farm
East Anglia TWO Offshore Wind Farm
Applications for the Compulsory Acquisition of Additional Land under the
Infrastructure Planning (Compulsory Acquisition) Regulations 2010
Initial Assessment of Issues (Regulation 11)**

This is the initial assessment of issues arising from consideration by the Examining Authorities (ExAs) of application documents dated 2 November 2020 [REP1-001] for the compulsory acquisition of additional land – the ‘proposed provisions’ for the purposes of Regulation 5 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2020 (‘the CA Regulations’)¹. It has been made under Regulation 11.

Following the acceptance of the proposed provisions for examination on 19 November 2020 (Regulation 6) [PD-022], the prescribed procedure for the provision of notice (Regulation 7), publicity (Regulation 8) and the certification of compliance (Regulation 9) have been complied with. An opportunity to make Relevant Representations on the proposed provision was provided between 8 December 2020 and 13 January 2021 (Regulation 10). No Relevant Representations on the proposed provisions were received during this time period or subsequently, up to the point of making this initial assessment.

In the absence of Relevant Representations on the proposed provisions, the ExAs have given careful consideration to the application documents dated 2 November 2020 [REP1-001] and to the effects of the proposals made there in this initial assessment. They have done so having regard to the initial assessments of principal issues made for the East Anglia ONE North Offshore Wind Farm Application and the East Anglia TWO Offshore Wind Farm Application, set out in Annexes C of Rule 6 Letters dated 21 February 2020². Having undertaken that process, the ExAs have decided that the proposed provisions do not give rise to any new or additional principal issues other than those already identified. It adopts the initial assessment of principal issues made for the East Anglia ONE North Offshore Wind Farm Application as the initial assessment of principal issues for the East Anglia ONE North Offshore Wind Farm proposed provisions and the initial assessment of principal issues made for the East Anglia TWO Offshore Wind Farm Application as the initial assessment of principal issues for the East Anglia TWO Offshore Wind Farm proposed provisions.

Those initial assessments were not comprehensive or exclusive lists of all relevant matters; regard will continue be had to all important and relevant matters in reaching recommendations on the proposed provisions after the Examinations are concluded.

The policy and consenting requirements and documents associated with the Planning Act 2008 (PA2008) and/ or the CA Regulations are an integral part of

¹ All references to ‘Regulations’ are to Regulations in the Infrastructure Planning (Compulsory Acquisition) Regulations 2020 (the CA Regulations).

² The Initial Assessment of Principal Issues for the East Anglia ONE North Offshore Windfarm Application can be found [here](#) in Annex C to the Rule 6 Letter dated 21 February 2020. The Initial Assessment of Principal Issues for the East Anglia TWO Offshore Windfarm Application can be found [here](#) in Annex C to the Rule 6 Letter of the same date, but is identical to that for the East Anglia ONE North Offshore Windfarm Application and does not need to be separately read.



the Examinations and do not form principal issues. In addition, it should be noted that a number of the principal issues have an interrelationship and overlap, and these have been and will continue to be reflected in the Examinations.



**East Anglia ONE North Offshore Wind Farm
East Anglia TWO Offshore Wind Farm
Applications for the Compulsory Acquisition of Additional Land under the
Infrastructure Planning (Compulsory Acquisition) Regulations 2010
Examination Procedures for the Proposed Provision**

The following table sets out the procedures required under the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 ('the CA Regulations') to examine the proposed provision, enabling participation in the Examinations by additional Affected Persons³ should they wish.

Purpose	Arrangements
Date in the existing examinations timetables by which additional Affected Persons may make Written Representations – Regulation 13	<p>4 March 2021 (Deadline 7). Interested Parties and Other Persons may respond to additional Affected Persons' Written Representations (if any) by 25 March 2021 (Deadline 8). The Applicant must respond to all such submissions by 6 April 2021 (Deadline 9).</p>
Date in the existing examinations timetables by which additional Affected Persons may request to be heard at hearings – Regulations 14, 15 and 16.	<p>In relation to Compulsory Acquisition Hearing 2 (CAH2) on 9 February 2021.</p> <p>In relation to any other hearings, 4 March 2021 (Deadline 7).</p>
Arrangements for the conduct of hearings, which ensure that any additional Affected Persons requesting to be heard may be heard on any important and relevant issues that have not previously been heard and on any issues that have already been heard in hearings completed up to the date of this letter - Regulations 14, 15 and 16.	<p>Compulsory Acquisition Hearing 2 (CAH2) is to be held on 16 February 2021 and provides a place at which individual objections to compulsory acquisition and/or temporary possession requests may be heard. Notice for this hearing was provided to additional Affected Persons on 25 January 2021 [PD-027]. Additional Affected Persons may agree to be heard at CAH2 and if they do so will not need to be heard at any CAH to be held later in the Examinations.</p> <p>Weeks commencing 8 and 15 March 2021 are reserved for hearing events including Issue Specific Hearings (Regulation 14), Compulsory Acquisition Hearings (Regulation 15) and Open Floor Hearings (Regulation 16)⁴. Formal notice</p>

³ Additional Affected Persons are persons whose land or rights are affected by an application for the compulsory acquisition of additional land made on 2 November 2020 [REP1-001] [REP1-037].

⁴ Open Floor Hearings held under Regulation 16 will only proceed if they are required to address requests to be heard from additional Affected Persons, as there are no other matters remaining to be heard at such hearings in the existing Examinations.



Purpose	Arrangements
	<p>of these events will be provided to additional Affected Persons in due course. The Agendas for these events will provide an opportunity to any additional Affected Person requesting to be heard to be heard in respect of matters addressed at all hearings held in the Examinations to date and in respect of all new important and relevant matters arising from the proposed provisions.</p> <p>Hearings for additional Affected Persons will only proceed in weeks commencing 8 or 15 March if such persons request to be heard by Deadline 7.</p>

Additional Affected Persons who make Written Representations or who request to be heard will find information relevant to their participation in the Examinations at the following addresses:

- <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-one-north-offshore-windfarm/>
- <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-two-offshore-windfarm/>

The Examinations timetables and all examination documents are published there.

Guidance and advice about participation in Examinations for Nationally Significant Infrastructure Projects (NSIPs) can be found here:

<https://www.gov.uk/government/publications/planning-act-2008-examination-of-applications-for-development-consent>

<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/04/Advice-note-8.0.pdf>

Given the current public health position in relation to the Coronavirus pandemic, hearings are being conducted virtually. Additional information can be found in the Planning Inspectorates' advice note 8.6 on virtual examination events, and in a Frequently Asked Questions (FAQ) document prepared for this examination by the ExA:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-6-virtual-examination-events/>

[https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-003099-FINAL FAQs v3 0 \(post%20AN8~6\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-003099-FINAL FAQs v3 0 (post%20AN8~6).pdf)



Availability of Examinations Documents

The National Infrastructure Planning website

The application documents and Relevant Representations for East Anglia ONE North and East Anglia TWO are available on the following project webpages on the National Infrastructure Planning website:

East Anglia ONE North

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-one-north-offshore-windfarm/>

East Anglia TWO

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-two-offshore-windfarm/>

All further documents submitted in the course of the Examinations will also be published at the above locations.

For ease of navigation, please refer to the Examination Library (EL) for the relevant application which is accessible via a blue button under the 'Documents' tab on both webpages. The ELs will be updated regularly throughout the Examinations.

The ELs each record and provide hyperlinks to:

- each application document;
- each representation made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference which will be fixed for the duration of the Examinations. A hyperlink to each document on the project webpage is also provided. Please use the unique reference numbers applied in the EL when referring to any Examination Documents in any future submissions that you make.

Electronic Deposit Locations

Documents can be viewed electronically, free of charge, at the electronic deposit locations overleaf. Please note that you will need to bring a form of identification and register as a library member in order to use a computer at these locations. Opening hours and the availability of information technology is set out in the tables overleaf but may be subject to local changes or additional limitations to address Coronavirus public health requirements. Bearing in mind the availability of the documents on the National Infrastructure Planning website and the effect of public health restrictions, please consider your need to attend these locations with care. Please check the current circumstances with the relevant locations before you attend.



Electronic deposit locations

Local authority	Library/ address	Opening hours
Suffolk County Council	Beccles Library Blyburgate, Beccles NR34 9TB Tel: 01502 442820 Email: help@suffolklibraries.co.uk	Monday: 9.30am – 5.00pm Tuesday: 9.30am – 5.00pm Wednesday: 9.30am – 5.00pm Thursday: 9.30am – 5.00pm Friday: 9.30am – 7.30pm Saturday: 9.30am – 5.00pm Sunday: 10.00am – 4.00pm Free Computer Access to library members only.
Suffolk County Council	Felixstowe Library Crescent Road, Felixstowe IP11 7BY Tel: 01394 330850 Email: help@suffolklibraries.co.uk	Monday: 10.00am – 4.00pm Tuesday: 9.00am – 5.30pm Wednesday: 9.00am – 7.30pm Thursday: 9.00am – 5.30pm Friday: 9.00am – 5.30pm Saturday: 9.00am – 5.00pm Sunday: 10.00am – 4.00pm Free Computer Access to library members only.



Local authority	Library/ address	Opening hours
Suffolk County Council	Woodbridge Library New Street, Woodbridge IP12 1DT Tel: 01394 330855 Email: help@suffolklibraries.co.uk	Monday: 10.00am – 4.00pm Tuesday: 9.30am – 7.30pm Wednesday: 9.00am – 5.30pm Thursday: 9.00am – 5.30pm Friday: 9.30am – 7.30pm Saturday: 9.00am – 5.00pm Sunday: 10.00am – 4.00pm Free Computer Access to library members only.
Printing costs	Black and white	Colour
A4	Single-sided: 10p Double-sided:	Single-sided: 40p Double-sided:
A3	Single-sided: 20p Double-sided:	Single-sided: 80p Double-sided:
Link to all council library locations		
Beccles Library – https://www.suffolklibraries.co.uk/libraries/beccles-library/ Felixstowe Library - https://www.suffolklibraries.co.uk/libraries/felixstowe-library/ Woodbridge Library - https://www.suffolklibraries.co.uk/libraries/woodbridge-library/		



Coronavirus Response: Examination Practice Changes and Your Privacy

This Annex explains the approach taken to privacy in Examination practice where virtual or blended events are used. It sets out changes to the National Infrastructure Planning Website privacy notice necessary to respond to the Coronavirus (COVID-19) pandemic. Please read it carefully.

Changes due to COVID-19

Due to the Coronavirus (COVID-19) measures introduced by the Government (see <https://www.gov.uk/coronavirus>), social distancing and related requirements are still in place. It is important to recognise that we are in dynamic circumstances and that the controls in force both nationally and locally are likely to vary during a 6-month Examination. The Examination method and timetable have been designed with the following principles in mind:

- To respond flexibly to changing public health controls, minimising the need for later changes to the Examination timetable and additional correspondence.
- To fit selected Examination methods and procedures to the controls in force at the time when notice for any particular events is given.
- To provide processes that are accessible to people who are shielding or isolating.
- To retain the potential to provide physical hearings and site inspections with appropriate social distancing measures in place, where it is possible to do so.
- To ensure that you can protect your privacy and understand the privacy policy that we are applying, whatever Examination methods are used.

We will not be conducting the Preliminary Meetings and initial Open Floor Hearings face to face. Instead, we will be conducting these processes virtually (over the internet, or by telephone link). You will be able to take part at home or from a safe place. Later hearings may be held using a blend of face to face (physical) and virtual processes and additional information will be provided to enable you to participate in those events and protect your privacy closer to the time of the events concerned.

How to Protect your Privacy in Virtual Meetings and Hearings

The (FAQs) for these Examinations have been updated to provide you with information about the following topics relevant to virtual meetings and hearings practice:

- what will happen in a virtual meeting or hearing, how to prepare for one and the help available from the Planning Inspectorate (*'Participating in Meetings and Hearings'*);
- how to participate in virtual meetings and hearings using a computer, laptop, tablet, smartphone (*'Joining a Virtual Meeting or Hearing on the Internet'*);
- how to participate in virtual meetings and hearings using a mobile phone or land-line telephone (*'Joining a Virtual Meeting or Hearing by Telephone'*);



- what to do if a virtual event does not work as you'd expected (*'What if things go Wrong'*); and
- Protecting your privacy (*'How do I Protect my Privacy in Virtual Events'*).

The FAQs are kept under constant review. If it is proposed to hold blended hearings, information about how to participate in these events will be added to the FAQs and the Examination banners on the National Infrastructure Planning website will flag this change.

Please note that when joining a meeting or hearing on certain digital devices or by phone, other parties may be able to see the email address or phone number that you use to join the event. There are some well-established methods that you can use to avoid the un-intended disclosure of your personal information and the FAQs provide advice on these (*'How do I Protect my Privacy in Virtual Events'*). Please read this advice before you join the hearing and take the steps that you feel necessary to protect your privacy.

Privacy Notice Amendment: Handling your Personal Information

Your privacy is important to us. The privacy notice amendment in this Annex explains the personal data that we will be processing specifically for virtual meeting and hearing events. The current [National Infrastructure Privacy Notice](#) should be read in conjunction with this amendment before sending information to the Planning Inspectorate. The amendment sets out how we have changed our data collection and the processing of that data in order to run virtual meetings and hearings.

What will be collected?

- E-mail address
- Phone number (if a participant joins by mobile)
- IP address
- Display Name
- Self-Image – If video is shared
- A livestream and a video or audio recording of the event

How is it collected?

- E-mail address requested in event invite.
- Phone numbers - If the participant joins by phone, then your phone number would be visible to all participants (this can be masked by the individual by turning off Caller ID, generally known as dialling 141) in which case a random number is displayed.
- IP address – Connections to Microsoft Teams will capture the IP address of the participant.
- Display Name – This is collected from the participants joining details
- Self-Image – This is collected when the participant activates their camera
- A video or audio livestream and recording of the event – This is collected when the participant activates their microphone and/ or camera

What metadata will be taken from joining?



- IP Address, joining account information (Email address), Browser Type (If browser is used instead of Teams App)

Where will it be stored?

- E-mail addresses, Phone numbers, Display Name and Self-Image will be stored in the virtual meeting room, within Exchange Online, MS Stream (Video Recording) and as appropriate will be transferred to an internal case management system.
- A video or audio recording of the event forms a document in the case record for all National Infrastructure casework and will be held within Exchange Online, MS Stream (Video Recording) and as appropriate will be transferred to an internal case management system and will also be published (for streaming access or download) on the project page of the National Infrastructure Planning website:
<https://infrastructure.planninginspectorate.gov.uk/>.
- A livestream may be captured by an external provider for the purposes of providing a livestream link, but this process will not involve the transfer of any IP address or metadata, or data other than that which is already visible in the public domain to attendees of the virtual event and/or on the National Infrastructure Planning website to the provider.
- IP Address and Metadata will be stored in the Audit Log.

Cookies

- The Planning Inspectorate does not use any of our own technology or storage for the creation and presentation, or collection of cookies or web-beacon analytics.
- Cookies are collected by Microsoft, which is covered in their Privacy Statement [here](#).