



Issue Specific Hearings 9 (ISHs9): 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 9** (ISHs9) held virtually on **Friday 19 February 2021**.

Action	Party	Deadline
1. Norfolk Vanguard High Court decision (18 February 2021) Applicants and IPs who wish to make initial observations regarding the recent decision to quash the SoS' decision on the above proposed development are invited to do so to assist the ExAs' consideration of the judgement.	Applicants and all IPs	D6 ¹
2. Changes to dDCOs currently under discussion/preparation The Applicants and Interested Parties intending to submit proposed revisions to the dDCOs are reminded to adopt the process and timings set out in the ExAs Commentaries on the dDCOs. Specific proposals raised in the hearing at Agenda Item 2 included the following: <ul style="list-style-type: none"> • A new requirement providing that the National Grid Substation cannot proceed if the Offshore Wind Farms are not implemented. • A new draft Outline Onshore Preparation Works Management Plan (OOPWMP) and a relevant requirement to secure it. • An appendix on detail to be included in the updated CoCP will be provided. • R12 to be restructured. • Coastal erosion monitoring – Outline Landfall Monitoring Plan (OLMP) and method statement with relevant requirement (R) to secure it. • Article 36 Certification – to be provided as a schedule in tabular form. 	Applicants All IPs The Applicants	See [PD-031] D7 D7 D6 D7 D6 – plan D7 – R D7

¹ All references to 'D' refer to the relevant timetable Deadline – eg D6 is Deadline 6.



	Action	Party	Deadline
	<ul style="list-style-type: none"> Arbitration clause to be amended to ensure public openness and transparency where possible. Article 38 and Schedule 16 (appeal mechanism) - extensions to timescales to be proposed. Definition of 'intrusive' to be provided Observations on SCC remarks in relation to Art 16. 		<p>D7</p> <p>D7</p> <p>D7</p> <p>D6</p>
3.	<p>Sizewell B & C Nuclear Operations and Development: Protective Provisions Following discussions, submissions on the following protective provisions are planned:</p> <ul style="list-style-type: none"> Sizewell B and Sizewell C agreed protective provisions. Update on side agreement negotiations. 	Applicants	<p>D7</p> <p>D8</p>
4.	<p>Sizewell A Decommissioning: Possible Protective Provisions Applicants will engage with Magnox and Nuclear Decommissioning Authority to determine the need for Protective Provisions in relation to Sizewell A.</p> <p>A SoCG will be submitted at D7 and be accompanied by draft dDCO text – if required.</p>	Applicants	<p>D6</p> <p>D7</p>
5.	<p>Obligations and Agreements: Engagement with town and parish Councils East Suffolk Council are reminded that if they intend to engage with town and parish Councils (or any other community representatives/ civil society organisations) around the content of any obligations, agreements or MoUs, this engagement needs to have occurred at the latest and effects on drafting taken into account by D8.</p>	ESC	D8
6.	<p>Suffolk County Council: Highway matters security The Applicants are exploring how protection can be provided to SCC as highway authority via a proposed PPA and/ or Section 278 agreement or by other means. If these fail to achieve agreement by D7, the ExAs</p>	Applicants SCC	D8/D9



	Action	Party	Deadline
	request SCC and the Applicants to provide draft protective provisions by D8, for comments on both sides at D9.		
7.	<p>SASES: Adaptation provisions SASES will submit their proposed new article to require the SoS to reassess the desirability of implementing the transmission connection provided for in the current dDCOs in the light of changing policy and technology for consideration by the Applicants at D6. The Applicants will respond at D7.</p>	SASES Applicants	D6 D7
8.	<p>HRA Compensation Measures Applicant to submit revised drafting in relation to without prejudice HRA compensation measures in the dDCOs, responding to the drafting employed for kittiwake in the made Hornsea Three Offshore Wind Farm Order 2020, Art 45 and Sch 14, at D6, to enable NE to comment on the drafting principles and effectiveness at D7.</p>	Applicants NE	D6 D7
9.	<p>East Suffolk Council: Other Agreements and Obligations</p> <ul style="list-style-type: none"> A proposed draft Section 111 Agreement to be submitted at D6. An executed agreement to be in place and presented to the examination by D8. A Proposed MoU in relation to Environmental Exemplars to be submitted to the examination by D8. 	Applicants ESC	D6/D8
10.	<p>Grant of Crown consents under s135 of PA2008 ExAs requested evidence in respect of the grant of Crown consent under PA2008 s135 in respect of the proposed development on the seabed. Applicants to respond in writing.</p>	Applicants	D6
11.	<p>Other consents</p> <ul style="list-style-type: none"> Interested Parties requested to inform the ExAs in the circumstances of any difficulties between parties in negotiating necessary licenses and agreements outside of the dDCO by D7. 	Applicants SCC ESC IPs	D7/D8



Action	Party	Deadline
	<ul style="list-style-type: none">Applicants requested to submit a full and final list of 'other consents' marked with amendments in tracked changes at D8.	



ISHs8, 18 February 2021
Hearing Recording: Agenda Timings²

<u>Session 1</u>	10:00am	
Item 1	Welcome and introductions	00:00 ³ – 00:32
Item 1a	Preliminary and Procedural Matters	00:32 – end of session
<u>Session 2</u>	11:35am	
Item 2	Progress position statement	00:00 – end of session
<u>Session 3</u>	2:10pm	
Item 3	Protective provisions	00:00 – 00:10
Item 4	The changing policy environment	00:10 – 00:44
Item 5	Security for technical processes	00:44 – 00:54
Item 6	Agreements and obligations	00:54 – 01:11
Item 7	Consents of parties	01:11 – 01:15
Item 8	Other consents	01:15 – 01:19
Item 9	AoB	01:19– 01:25
Item 10	Procedural decisions, review of actions and next steps	01:25 – 01:30
Item 11	Closure	01:30 – 01:31

² [Agenda for ISHs9](#) (from EA1N website) (the EA2 Agenda is identical).

³ Livestream times in hours and minutes from the session commencement. Recording times may vary slightly.