

14 May 2019

Sian Evans
The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Womble Bond Dickinson (UK) LLP

3 Temple Quay
Temple Back East
Bristol
BS1 6DZ

Tel: 0345 415 0000
Fax: 0345 415 6900
DX: 200561 Bristol Temple Meads

josh.taylor@wbd-uk.com
Direct: +44 (0)117 989 6838

Our ref:
VJR2/JT8/47583.46
Your ref:

Dear Sirs

Norfolk Vanguard Offshore Wind Farm Development Consent Order (DCO) (the Project)
Case reference no: EN010079
The Applicant: Norfolk Vanguard Limited

Additional Submission

We write further to the Applicant's Deadline 7 submissions dated 2 May 2019, and we enclose the following:

1. Collision Risk Modelling Update for increase in draught height (document reference: ExA;AS;10.D7.5.2)
2. Offshore Ornithology Cumulative and In-combination Collision Risk Assessment, version 2 (document reference: ExA; AS; 10.D7.21)
3. Technical note on Norfolk County Council's request for Trenchless Crossings of the A1067 and B1149 (document reference: ExA;AS;10.D7.5.1).

Whilst we note that this submission is not made in accordance with a formal Deadline as set out in the Examination Timetable contained within the Rule 8 letter, the Applicant considers that it would be beneficial for the Examining Authority (ExA), and stakeholders such as Natural England and Norfolk County Council, to be made aware of the most up-to-date positions with respect to these documents as soon as possible and to account for progress made in these areas since Issue Specific Hearings 6 and 7, and Deadline 7. By providing these submissions at this time, it is hoped that stakeholders will be able to consider these updated positions as part of their Deadline 8 responses. The Applicant will also share these documents directly with relevant stakeholders.

Offshore ornithology

As a result of continued engagement with Natural England (NE) throughout the Examination process, and following NE's Deadline 7 submission, the Applicant has made the decision to increase draught height by 5 metres from 22 metres to 27 metres. This will be secured in the revised version of the draft DCO due to be submitted at Deadline 8.

Womble Bond Dickinson (UK) LLP is a limited liability partnership registered in England and Wales under number OC317661. VAT registration number is GB123393627. Registered office: 4 More London Riverside, London, SE1 2AU, where a list of members' names is open to inspection. We use the term partner to refer to a member of the LLP, or an employee or consultant who is of equivalent standing. Womble Bond Dickinson (UK) LLP is authorised and regulated by the Solicitors Regulation Authority.
Womble Bond Dickinson (UK) LLP is a member of Womble Bond Dickinson (International) Limited, which consists of independent and autonomous law firms providing services in the US, the UK, and elsewhere around the world. Each Womble Bond Dickinson entity is a separate legal entity and is not responsible for the acts or omissions of, nor can bind or obligate, another Womble Bond Dickinson entity. Womble Bond Dickinson (International) Limited does not practise law. Please see www.womblebonddickinson.com/legal notices for further details.

The Applicant has made this commitment in order to address NE's and the RSPB's, concerns and further reduce the bird collision risk predictions for the Project. The results of the updated assessments are included within this submission.

The Applicant considers that this change in design parameters, together with the previous commitment of additional mitigation to alter the wind turbine layout between Norfolk Vanguard East and Norfolk Vanguard West (as submitted on 16 April 2019 (ExA; CRM; 10.D.6.5.1) and secured through Requirement 3 of the dDCO (document reference 3.1), offers further mitigation and represents a significant step forward in considerably reducing the potential collision impacts associated with the Project.

The Applicant has produced these documents at this stage in order to provide NE and RSPB with the opportunity to review and comment on them as part of their Deadline 8 submissions.

Additional Traffic Surveys and Trenchless Crossings

The Applicant has produced a technical note in response to concerns raised by Norfolk County Council (NCC) in relation to the proposed 'open cut' method for duct installation when crossing the A1067 Fakenham Road (Sparham) and the B1149 Holt Rd (north of Cawston). Further to NCC's requests, the Applicant commissioned further survey work during the examination at both the A1067 and the B1149. The results of the survey work have now been received, and assessed, by the Applicant. The note examines NCC's specific points of concern raised for the proposed open cut method at both the A1067 and the B1149, and presents the latest traffic and engineering survey data to set out the Applicant's position with regards to the suitability and appropriateness of open cut crossing methods at these locations.

Funding Statement and Funding Agreement

In finalising arrangements for the Funding Agreement and the associated Funding Statement, the Applicant has decided to provide security for any potential compulsory acquisition liabilities through the Applicant's ultimate parent company, Vattenfall AB. Vattenfall AB is the parent company of Vattenfall Wind Power Limited which in turn is the sole shareholder in the Applicant.

Vattenfall AB is owned by the Swedish state and will provide security for the Applicant under the terms of the Funding Agreement. The Applicant will submit a revised Funding Statement and a revised and completed Funding Agreement at Deadline 8 accordingly. The only changes to be made to the Funding Agreement relate to the party providing the security. Whilst Vattenfall Wind Power Limited has sufficient assets to be able to perform this function, the Vattenfall Group's governance provisions now mean that Vattenfall AB will provide this function. Vattenfall AB has an even stronger financial covenant than Vattenfall Wind Power Limited.

We would be grateful if you could kindly confirm safe receipt.

Yours faithfully

Womble Bond Dickinson (UK) LLP