



Norfolk Vanguard Case Team
Planning Inspectorate
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(Email only)

MMO Reference: DCO/2016/00002
Planning Inspectorate Reference: EN010079
Identification Number: 20012773

19 November 2021

Dear Gareth Leigh,

Planning Act 2008, Norfolk Vanguard Limited, Proposed Norfolk Vanguard Offshore Wind Farm Order

MMO comments on the request for information by the Secretary of State's (SoS) letter date 11 October 2021

The MMO received a letter from the SoS dated 11 October 2021 that requested further information on a number of issues. The MMO has provided comments on the additional environmental information requested below.

The Applicant's Responses to the Secretary of State's Previous Requests for Information

The MMO has reviewed the documents provided by the Applicant in response to the SoS's letters and the consultation responses from other parties.

EN010079-004383-Applicant's Response to the Requests for Additional Information

Comment 11

The MMO would like to highlight that the comment regarding the MMO's approach to assessing whether a project gives rise to an adverse effect on site integrity originates from an internal document written in 2018 which was inadvertently disclosed. This document has not been submitted to the Examination by the MMO and has since been superseded as the MMO's position has evolved since.

For Marine Licences the MMO reviews habitat loss on a case by case basis taking into account the conservation objectives for the site and considering a wide range of factors, including consultation advice, to determine the significance of effect.

The MMO defers to Natural England on matters of ornithological compensation and on matters of compensation for the Haisborough, Hammond and Winterton (HHW) Special Area of Conservation (SAC). However, the MMO has been party to the discussions between the Applicant and Natural England.

Other Documents

The MMO has reviewed the DCO conditions within the Derogation packages and has provided comments on these to the Applicant. The MMO defers to Natural England in relation to the detail on the compensation that should be secured within each compensation requirement, however, the MMO considers that the conditions should include timescales.

In particular the MMO believes that there needs to be a timescale defined for the consultation set out within each part of the Compensation Schedule and any requirement for consultation with the



MMO should be clearly stated. The MMO believes that a timescale is required to ensure that the length of the consultation period is clear to the consultee and has proposed a 6-week timescale to the applicant.

The MMO notes this detail was not within The Hornsea Three Offshore Wind Farm Order 2020, however the MMO would highlight that it was not consulted on the final wording of Schedule 14 of this order.

The MMO understands the Applicant does not believe that it is necessary or appropriate to include a timescale in their Schedule as timescales are not specified elsewhere in the Schedule.

The MMO considers that, notwithstanding the Applicant's position, the compensation measures are a key aspect of the DCO. Therefore, the inclusion of consultation timescales will aid clarity and assist the SoS when determining the security of such measures.

General Comments on Compensation Schedules

If the SoS believes there is a requirement for licenced activities to be part of the compensation package then this should be included in a new Deemed Marine Licence (DML) not as part of the Schedule. If this approach is taken the MMO would request to be consulted on the proposed wording of the DML.

Other Comments on Norfolk Vanguard Redetermination

As set out within the MMO's response dated 20 May 2021, the MMO requests that the SoS takes the DML corrections into consideration when redetermining the Norfolk Vanguard project.

This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Yours Sincerely



Rebecca Reed
Marine Licensing Case Officer



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