

**From:** [Dale Rodmell](#)  
**To:** [Hornsea Project Three](#)  
**Cc:** [Opel, Laura \(MMO\)](#); [West, Richard \(MMO\)](#); [Joanna Lenehan](#)  
**Subject:** Submission deadline 3 - Alerting of exposed cables  
**Date:** 13 December 2018 14:27:43  
**Attachments:** [181213 Deadline 3 response - NFFO.pdf](#)

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Good afternoon,

Please find attached letter.

Kind regards,

Dale

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Chairman: Andrew Pascoe

Our ref: NFFO/3726/DR  
Your ref: EN010080

Hornsea Project Three Case Team  
National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

13<sup>th</sup> December 2018

Dear David Prentis,

**Application by Orsted Hornsea Project Three (UK) Ltd for an Order Granting Development Consent for the Hornsea Project Three Offshore Wind Farm: Deadline 3 submission**

In light of our attendance at the issue specific hearing on 4th December, the following is offered in support of our concerns over provisions to report seabed hazards with respect to exposed cables and with view to identifying a preferred legal approach.

A clear, unequivocal and legally secure protocol that places an obligation on the offshore renewable energy sector to report seabed hazards, and in particular the exposure of cables (there is already an accepted procedure for reporting dropped objects) is vital to ensuring a safe operating environment for the fishing industry and other mariners. It also provides the clearest of means to ensuring cable asset integrity.

While Orsted has committed to reporting seabed hazards within its drafted Fisheries Coexistence and Liaison Plan (FCLP), there still exists a level of ambiguity over what constitutes a seabed hazard with respect to cables in the plan. Furthermore, such provisions to alert are also relevant to other mariners (e.g. in the case of anchoring). Presently there is no standard format or accepted approach to what a FCLP should comprise and therefore this approach taken in isolation in the case of Hornsea 3 would be difficult to replicate as a standard approach to FCLPs for other projects. In the absence of standardisation emerging across the industry, enforcement provisions will be less certain and consequently safety provision risks being compromised.

In order to avoid ambiguity and project to project inconsistency in approach, we consider it is necessary to introduce a specific provision within the Deemed Marine Licence to report cable exposures that may subsequently be adopted as a standard

licence condition for other projects. We suggest this would be best placed under the provisions for notifications DML Schedule 11, Part II, Article 5 and DML Schedule 12, Part II, Article 6, as follows:

*In case of exposure of cables on or above the seabed or due to damage to, destruction of or decay of cable protection, the undertaker must within five days following the undertaker becoming aware of the exposure notify mariners by issuing a notice to mariners and by informing Kingfisher Information Service of the location and extent of exposure.*

We believe this would place the issue beyond doubt for this project and other projects moving forward and place what is a safety critical matter on a firm foundation.

Yours sincerely,



Dale Rodmell  
**Assistant Chief Executive**

Cc: Laura Opel (MMO); Richard West (MMO)