

## **Planning Act 2008**

### **Application for the Hornsea Three Offshore Wind Farm Order (EN010080)**

#### **Joint statement made by the Applicant and Spirit Energy**

1. This joint statement is made by the Applicant, Orsted Hornsea Project Three (UK) Limited, and Spirit Energy North Sea Limited, Spirit Energy Resources Limited and Spirit Energy Nedlerland B.V. and their Co-Venturers, together "Spirit Energy".
2. Parties agree that where any matter is not expressly stated within this joint statement that silence should not be taken to imply agreement between the parties on that matter.
3. The Applicant and Spirit Energy have continued discussions on the aviation and marine topics raised at Issue Specific Hearing 8 on the 7 March 2019. The parties believe that good progress has been made with regard to aligning the data sets, assumptions and criteria used in the assessment of potential impact of Hornsea Three on the assets owned/operated by Spirit Energy.
4. Without prejudice to the evidence the parties have submitted to the examination, the parties have agreed that if a sufficient separation distance is maintained between any proposed turbines and Spirit Energy's assets, there would be a manageable impact on Spirit Energy's commercial flight operations.
5. The Applicant and Spirit Energy have agreed that, based on current calculations, a distance of 2.8nm may be sufficient to carry out the majority of helicopter operations such that the impact on Spirit Energy's operations is manageable. This distance remains untested by the parties jointly at this time.
6. The Applicant has proposed a 2.8nm buffer around the existing platforms, Chiswick and Grove, and a 1nm buffer around the proposed wellheads, C6 and C7.
7. Spirit Energy has considered this offer but has noted that:
  - a. Should the helicopter operators require a greater distance in order to operate, this greater distance will be needed as an obstacle free space around each installation served by helicopters.
  - b. There is no basis for any difference in the required distance around NUIs and vessels working at or near subsea wells as both require helicopter access.

Both of these points are not agreed by the Applicant

8. Based on the assumption of turbines being sited no closer than 2.8nm, and 2.8nm being sufficient distance for the majority of helicopter manoeuvres, the Applicant has concluded there would potentially be a 3.5% reduction in flights. Spirit Energy has calculated a broadly similar figure of 5% of return crew visits that would have been possible without the wind farm present that would no longer be possible. Spirit Energy maintains that in order to validate practicably or otherwise the calculations that lead

to a separation of 2.8nm, flight simulation trials are required. The Applicant does not agree that a simulation is necessary but is willing to assist Spirit Energy in due course in carrying out joint trials if that will help resolve any outstanding issues.

9. In the interests of practicably ascertaining appropriate distances required, Spirit Energy had arranged for an appropriate simulator trial on 31 March 2019 with pilots provided by (i) Spirit Energy and the Applicant's current helicopter provider and (ii) an independent training pilot from a pilot school. It was intended that the simulator trial on the 31<sup>st</sup> March be designed by the helicopter operator, CHC, and observed by a former national aviation regulator. The simulator provider would also monitor the trials. Other helicopter operators and the Applicant were given the opportunity to attend and to assist with planning and evaluation. The trials have now taken place as proposed by Spirit Energy.
10. The Applicant's experts were not available to participate in this simulator trial. The Applicant requested that the trials be postponed to enable the Applicant to participate, but this would result in the information not being available before the conclusion of the hearing period of the Examination. If the simulator trials are to be used as a practicable verification exercise the Applicant considers that the trials would need to be run over a sufficient time period to be completed appropriately. Were further joint trials to be undertaken, then both parties would request the opportunity to review the input parameters and eventual output from the trials. Spirit Energy considers that further trials may be useful and also that helicopter operators will need time to conduct their own risk assessments prior to making any changes to their operating manuals and/or training procedures. Ultimately it is for the appropriate aviation regulator and not Spirit Energy or the Applicant to approve safe distances to carry out manoeuvres in proximity to the array.
11. The simulator tests scheduled for 31 March 2019 were intended by Spirit Energy to provide the Examining Authority with a practicable assessment of the distances that will be required in protective provisions prior to the end of the examination phase on 2 April 2019. The Applicant does not agree that the results of this trial should inform any distances in the protective provisions as it considers that it was not given sufficient notice in order to participate in the simulations. As the helicopter operators will require more time to determine definitively the limits to which they will operate, this detailed information will not become available within the examination hearing period. Therefore, the parties intend to provide updated details to the Secretary of State after the end of examination, during the 3 month determination period.
12. The Examining Authority is invited to make its recommendation on the evidence submitted with the Application and during the examination, including the two sets of protective provisions submitted by the Applicant and Spirit Energy respectively. The Examining Authority is also asked to advise the Secretary of State that further submissions in relation to the flight simulator evidence are likely to be made after its final report has been submitted to the Secretary of State, and to invite the Secretary of

State to have regard to those submissions alongside the Examining Authority's recommendation when determining the Application.

13. The parties are committed to working together to resolve this matter, in the intended nature of securing successful coexistence, and will continue to cooperate throughout the post submission period.

Signed by: Max Rowe

for and on behalf of: Spirit Energy North Sea Limited, Spirit Energy Resources Limited and Spirit Energy Nederland B.V. and their Co-Venturers



Signed by: Andrew Guyton

for and on behalf of Orsted Hornsea Project Three (UK) Limited



Dated: 1 April 2019