



Orsted Hornsea Project Three (UK) Limited

**Non-Material Change Application
Consultation and Publicity Statement**



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Consultation and Publicity Statement

SECTION 153 OF THE PLANNING ACT 2008

CONSULTATION AND PUBLICITY STATEMENT UNDER REGULATION 7A OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011 (“THE 2011 REGULATIONS”)

THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021 (SI 2021/599) (“THE ORDER”)

1. Orsted Hornsea Project Three (UK) Limited (“**Orsted**”) (company number 08584210) of registered office 5 Howick Place, London, England, SW1P 1WG applied to the Secretary of State for Business, Energy and Industrial Strategy (the “**SoS**”) for consent to make a non-material change to the Order under Section 153 and paragraph 2 of Schedule 6 to the Planning Act 2008 (the “**PA 2008**”), on 12 January 2023 (the “**Application**”).
2. This document constitutes Orsted's consultation and publicity statement pursuant to Regulation 7A of the 2011 Regulations.
3. A copy of the notice published under Regulation 6 of the 2011 Regulations (the “**Notice**”) is enclosed at Appendix A.
4. Orsted confirms that:
 - 4.1. As required under Regulation 6(1) of the 2011 Regulations, it published the Notice in each of the Eastern Daily Press, the Norwich Evening News, the North Norfolk News and Lloyd's List on the following dates:
 - 12 January 2023; and
 - 19 January 2023.
 - 4.2. It also published the Notice in the Fishing News on 19 January 2023.
 - 4.3. Copies of extracts from each of the Eastern Daily Press, the Norwich Evening News, the North Norfolk News, Lloyd's List and the Fishing News are enclosed at Appendix B.
5. Regulation 7(2) of the 2011 Regulations requires Orsted to notify and consult those persons specified in the 2011 Regulations, this being all those who were notified (in accordance with section 56 of the PA 2008) when the application for the Order was accepted by the SoS, as well as any other person who may be directly affected by the changes proposed in the Application. However, Regulation 7(3) of the 2011 Regulations also provides that Orsted need not consult a person or authority specified in the 2011 Regulations if they have the written consent of the SoS not to do so. Following the appropriate request from Orsted on 8 November 2022, the SoS confirmed on 21 December 2022 that the list of consultees for the Application could be narrowed to those listed in Appendix C (the “**Consultees**”).
6. Orsted sent the Notice to the Consultees by post and email on 12 January 2023. Appendix D provides the covering letters and the Notice as sent to the Consultees.
7. The deadline specified in the Notice for representations to be submitted to the Planning Inspectorate was 11.59pm on 16 February 2023. All consultees therefore had more than 28 days from date of receipt and/or final publication of the Notice to submit representations.



8. The Application documents have been made available to view on the Planning Inspectorate's website (<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three-offshore-wind-farm/?ipcsection=docs>). The Notice also invited recipients unable to access the website to request hard copies of the documents at the cost of £20 per copy.



**Appendix A Copy of the published Regulation 6
Notice**

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599)**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the “**Applicant**”) to the Secretary of State for Business, Energy and Industrial Strategy to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021) (the “**Order**”) under the Planning Act 2008 (the “**NMC Application**”).

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (“**Hornsea Three**”), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (“**HVAC**”) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid’s existing Norwich Main substation.

The Order requires the Applicant to construct four artificial nesting structures (“**ANS**”) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (“**Hornsea Three**”). Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place to allow four full kittiwake breeding seasons to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to shorten the length of time the ANS need to be in place before Hornsea Three becomes operational. Specifically, a change from four breeding seasons to three breeding seasons for two structures and two breeding seasons for the other two structures has been requested.

A copy of the NMC Application and its accompanying documents are available for inspection, free of charge, via the Planning Inspectorate’s website at the below address:

Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three-offshore-wind-farm/?ipcsection=docs>

If you require a hard copy of the NMC Application and its accompanying documents (for example because you do not have access to a computer and are unable to view the documents on PINS’

website), you can request hard copies by contacting Orsted at [REDACTED] or on: +447826663963. Each hard copy is available at the cost of £20 per copy.

Any representation about the NMC Application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk, or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **16th February 2023**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

12 January 2023



Appendix B Copies of the published Regulation 6 Notice in the various newspapers

Eastern Daily Press (12 January 2023)

Eastern Daily Press

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Trading places?

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Sport

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REGION BEST GOING OUT GUIDE

Pages 22-25

Page 30




'We will not waste time on woke policing'

Pledge from force to stick to priorities

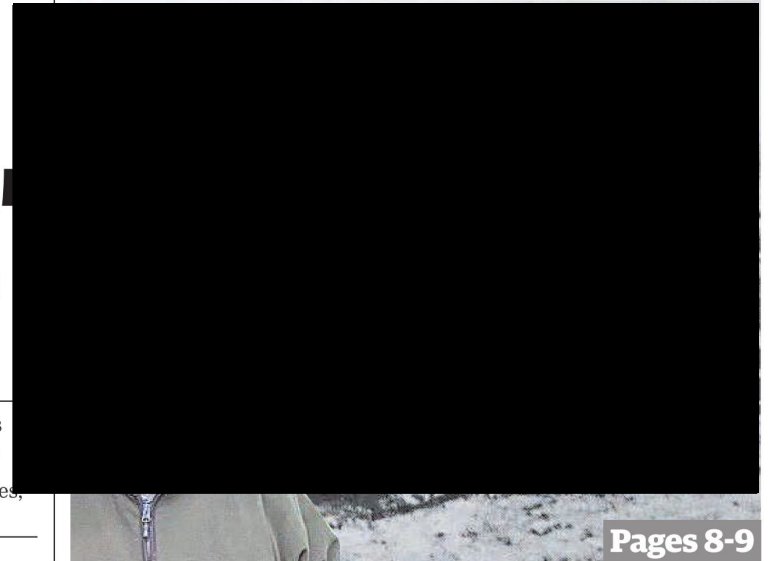
Norfolk's crime commissioner has vowed that his force will not waste time on so-called 'woke policing'. Giles Orpen-Smellie has pledged to ensure officers remain focused on crimes such as burglary and resist being drawn into policing arguments on social media. It comes amid

SIMON PARKIN
simon.parkin@newsquest.co.uk

accusations that some forces have become too involved in pursuing people engaged in controversial political debates, such as trans issues.

Full story: Page 4

On the track of lost 'sugar beet' railway



Pages 8-9



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Eastern Daily Press (19 January 2023)

Eastern Daily Press

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Seven quirky cafes

What's On inside



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Carnage

Police plea as grim toll on road rises

CHRIS BISHOP
chris.bishop@newsquest.co.uk

Norfolk's roads suffered another horrific day yesterday with serious traffic smashes across the region.

Today people are fighting for their lives after crashes in Hockering, Downham Market and Stradsett.

The grim day comes after six people died in several crashes on the region's roads at the weekend.

Full story: Page 4



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Norwich Evening News (12 January 2023)



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port

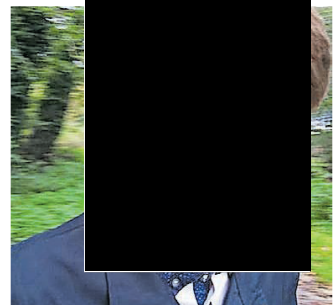
Don't miss chance to win BIG! Buy this paper to bag £1,000

Page 27



Mum's torture at death of her 'beautiful' son

Kurtis must not have died in vain'



A heartbroken city mum has vowed her 21-year-old son's death must prompt significant changes in mental health care.

Kurtis Ward, left, was described as a "beautiful soul" by his mother, Rachel Spinney, after yesterday's pre-inquest review.

He had autism, anxiety and a pre-cancerous condition as well as being a carer for his sister.

Kurtis was found dead last July.

SOPHIE WYLLIE
sophie.wyllie@newsquest.co.uk

Miss Spinney said: "This isn't a blame game. It is about organisations collaborating and understanding the holistic family situation, particularly for carers. It's about what can be done to prevent future deaths and support complex needs."

Full story: Page 6

Page 5



Panto record breaker (Oh YES it is!)



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Legal and Public Notices

ORSTED HORNSEA PROJECT THREE (UK) LIMITED SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING DEVELOPMENT CONSENT ORDER: THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021 (SI 2021/599)

NOTICE IS HEREBY GIVEN that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the "Applicant") to the Secretary of State for Business, Energy and Industrial Strategy to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021) (the "Order") under the Planning Act 2008 (the "NMC Application").

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ORSTED HORNSEA PROJECT THREE (UK) LIMITED
12 January 2023

KATHLEEN MARY MEAZEY
(Maiden name: Whittle
Previous name: Walker-Smith)
(Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the above named, late of 10 Dunkley Court, Stalham, Norwich, Norfolk NR12 9EW, who died on 27/01/2022, are required to send written particulars thereof to the undersigned on or before 06/04/2023, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.

Lisa Margaret Halls,
The London Gazette (30146),
PO Box 3584, Norwich NR7 7WD

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Norwich Evening News (19 January 2023)



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Time to reboot



Will Wagner help Pukki return to top form?



Picture: PA

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Accused: 'Joe Dix attacked my pal'

Claims of fight before teenager stabbed to death

A teenager accused of murdering an 18-year-old man claims the victim attacked one of his friends before he died. Hans Beeharry, 19, told Norwich Crown Court Mr Dix "attacked" fellow defendant Benjamin Gil, also 19.

PETER WALSH peter.walsh@newsquest.co.uk

Giving evidence yesterday, Beeharry said: "I had seen a fight between Mr Gil and Mr Dix with Mr Dix on top of Mr Gil.

"Mr Dix got up and picked up a large sword

that was nearby.

"He turned and walked away."

Along with Beeharry and Gil, Cameron Palmer, 18, also stands accused of murder on January 28 in Mile Cross last year.

Full story: Page 6

Time almost up to win a bag of cash

Page 13

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Legal and Public Notices

national highways
ROAD TRAFFIC REGULATION ACT 1984 – SECTION 14(1)(a) AND 15(2) THE A47 TRUNK ROAD (HONINGHAM TO EASTON, NORFOLK) (TEMPORARY RESTRICTION AND PROHIBITION OF TRAFFIC) ORDER 2022
NOTICE IS HEREBY GIVEN that National Highways Limited(a) intends to make an Order on the A47 Trunk Road in the County of Norfolk to enable nearby carriageway improvement works to be carried out in safety.
The works are expected to last until 2026 commencing on, or after, Monday 20 February 2023.
The effect of the Order on the A47 would be to –
1. Impose for 24 hours daily, a 30 miles per hour speed restriction on the eastbound and westbound carriageways between Honingham Roundabout, Honingham and Church Lane Roundabout, Easton, and
2. prohibit for 24 hours daily, right turn movements from the westbound carriageway of the A47 at Honingham into Taverham Road.
Traffic would be diverted via the A47 westbound to Honingham Roundabout, then return via the A47 eastbound to turn left into Taverham Road and continue.
The temporary mandatory speed limit (which would not apply to emergency service or special force vehicles), closure (which would not apply to emergency service, traffic officer, works or winter maintenance vehicles) and diversion route would be clearly indicated by traffic signs.
The Order would come into force on 20 February 2023 and may continue in force until the works detailed above have been completed.
Mrs D Mainstone, National Highways Limited.
(a) Registered in England and Wales under company no. 9346363. Registered office: Bridge House, Walnut Tree Close, Guildford, Surrey GU1 4LZ.
General Enquiries relating to this notice may be made in writing to Andrew Rosamond at National Highways Limited, Manton Lane, Bedford, MK41 7LW, by email andrew.rosamond@nationalhighways.co.uk or by telephoning 07484 767056.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED
SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011
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ORSTED HORNSEA PROJECT THREE (UK) LIMITED
19 January 2023

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North Norfolk News (12 January 2023)

NORTH NORFOLK NEWS

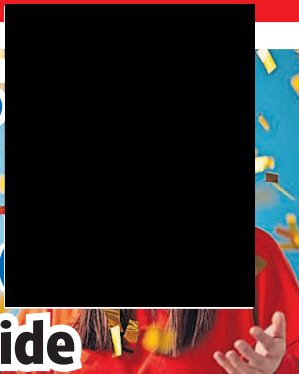


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Thursday, January 12, 2023

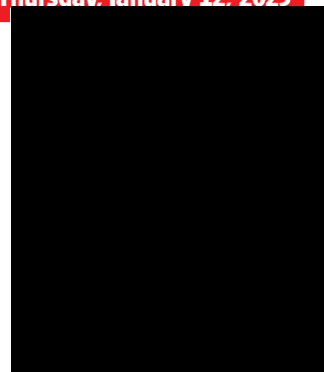
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sale of
Holt Hall
nears**
Page 5



**Boost
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Page 17



Sadness as couple's death pact revealed

Husband cared for wife as her health worsened



age
8

Man and wife whose bodies found at their home had died they wanted to die together, an inquest heard.

Alexander and Helen Lawrie, who were both aged 83 and had been married for more than 60 years, were found dead in their home in April last year at their home near Cromer's Happy Valley. A hearing into their deaths was held in Norwich, area. The coroner, Yvonne Blake, concluded that Helen Lawrie was unlawfully killed and Alexander Lawrie took his own life.

Picture: NEWSQUEST The couple had been childhood

SIMON PARKIN
simon.parkin@newsquest.co.uk

sweethearts and had three sons. The inquest heard that Mrs Lawrie's health had been deteriorating in recent years. Detective Inspector Chris Burgess, who led the inquiry, said: "This is an incredibly sad incident and my thoughts are with the family and friends of Helen and Alexander."

Full story: Page 4



Family's sidestep to crab café

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Legal and Public Notices

ARTHUR JOHN BLAKE (Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the above named, late of Atherstone, 10A High Bursary Road, Loddon, Norwich, Norfolk, NR14 6JT, who died on 22/11/2022, are required to send written particulars thereof to the undersigned on or before 13/03/2023, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.

ALLEN GADGE & GILBERT,
9 High Street, Loddon Norwich
Norfolk, NR14 6EU

MARGARET EILEEN BROWN (Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the above named, late of 28 Louis Arthur Court, New Road, North Walsham NR28 9FJ, who died on 27/06/2022, are required to send written particulars thereof to the undersigned on or before 13/03/2023, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.

Christine Anne Emings,
The London Gazette (30104),
PO Box 3584, Norwich NR7 7WD

find
something!

01603 660101

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Holidays

Reader Travel

ORSTED HORNSEA PROJECT THREE (UK) LIMITED SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE
FOLLOWING DEVELOPMENT CONSENT ORDER:

THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI
2020/1656) AS CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM
(CORRECTION) ORDER 2021 (SI 2021/599)

NOTICE IS HEREBY GIVEN that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the "Applicant") to the Secretary of State for Business, Energy and Industrial Strategy to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021) (the "Order") under the Planning Act 2008 (the "NMC Application").

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("Hornsea Three"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("HVAC") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Order requires the Applicant to construct four artificial nesting structures ("ANS") for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm ("Hornsea Three"). Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place to allow four full kittiwake breeding seasons to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to shorten the length of time the ANS need to be in place before Hornsea Three becomes operational. Specifically, a change from four breeding seasons to three breeding seasons for two structures and two breeding seasons for the other two structures has been requested.

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Planning Inspectorate website:
<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three-offshore-wind-farm/?ipsection=docs>

If you require a hard copy of the NMC Application and its accompanying documents (for example because you do not have access to a computer and are unable to view the documents on PINS' website), you can request hard copies by contacting Orsted at HornseaProjectThree@orsted.com or on: +447826663963. Each hard copy is available at the cost of £20 per copy.

Any representation about the NMC Application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk, or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm on 16th February 2023**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED
12 January 2023

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Your break includes

- ✓ Return coach travel and ferry crossings from **Norwich, Wymondham & Thetford**
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- ✓ Ticket to André Rieu concert at the 3Arena, Dublin (Category 4, Block P)
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Bletchley & Churchill War Rooms

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Step into the world of wartime Britain as we descend beneath Westminster to Churchill's War Rooms, the underground nerve centre during World War Two, and follow in the footsteps of the top-secret Codebreakers who changed the course of the war from Bletchley Park.

Your break includes

- ✓ Return coach travel from **Norwich, Diss, Great Yarmouth, Lowestoft, Gorleston, Wymondham, Beccles & more**
- ✓ 2 nights at the Jurys Inn, Milton Keynes with dinner & breakfast
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Isle of Wight by Hovercraft

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- ✓ Return hovercraft journey to Ryde, Isle of Wight
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North Norfolk News (19 January 2023)

NORTH NORFOLK NEWS

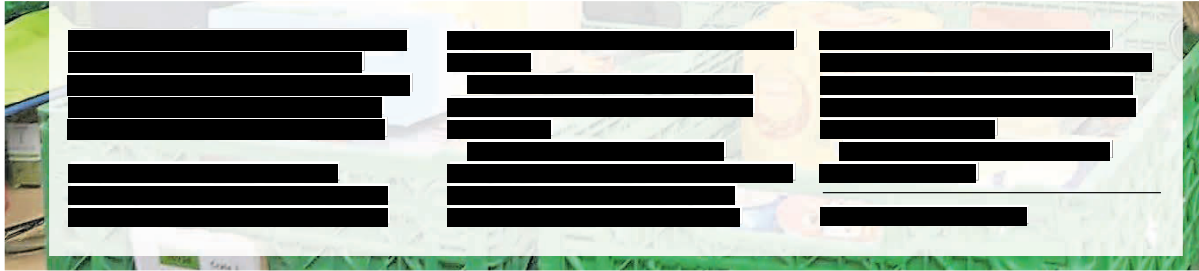
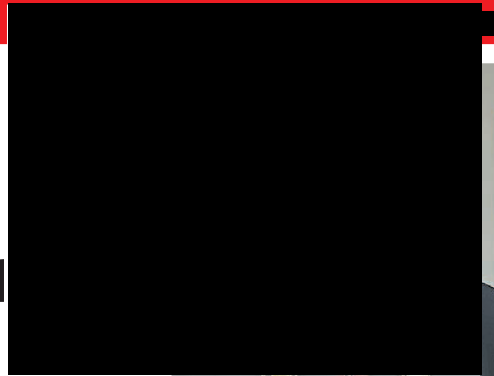
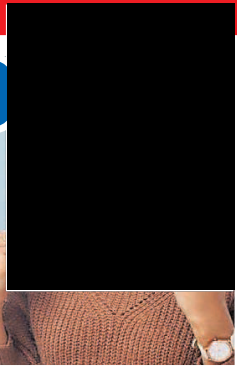


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for more details.

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Legal and Public Notices

ORSTED HORNSEA PROJECT THREE (UK) LIMITED
SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011
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Please note that representations must be received by the Planning Inspectorate by 11.59pm on 16th February 2023.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED
19 January 2023

Goods Vehicle Operator's Licence

STEPHEN RUSSELL

S BUSH trading as Imperial

Car Breakers Limited of Wellys

Yard, Long Common Lane,

Swanton Abbott, Norwich

NR10 5DS is applying for a

licence to use Wellys Yard,

Long Common Lane, Swanton

Abbott, Norwich NR10 5DS as

an operating centre for 1 goods

vehicles and 0 trailers

Owners or occupiers of

land (including buildings)

near the operating centre(s)

who believe that their use or

enjoyment of that land would

be affected, should make

written representations to

the Traffic Commissioner at

Hillcrest House, 386 Harchills

Lane, Leeds, LS9 6NF, stating

their reasons, within 21 days of

this notice. Representatives must

at the same time send a copy

of their representations to the

applicant at the address given at

the top of this notice. A Guide

to Making Representations is

available from the Traffic

Commissioner's office.

JOYCE PERRYMAN (Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the above named, late of 9 Cradle Wood Road, North Walsham, Norfolk, NR28 5JG, who died on 11/09/2022, are required to send written particulars thereof to the undersigned on or before 20/03/2023, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.

Heritage Limited, 13 Helleston Park Road, Drayton High Road, Norwich, Norfolk NR6 5DR (Ref:P2373)

JANET CHRISTINE BRANDON-COX

Deceased

Pursuant to the Trustee Act 1925 anyone having a claim against or an interest in the Estate of the deceased, late of Garden House, The Green, Aldborough, Norwich, Norfolk, NR11 7AA, who died on 09/12/2022, must send written particulars to the address below by 20/03/2023, after which date the Estate will be distributed having regard only to claims and interests notified.

Jane Stockings and Kathryn Hirst c/o Hansells Solicitors, 1 Norwich Road, Aylsham, NR11 6BN. Ref: CVP/126439/012

find something!



Lloyd's List (12 January 2023)

LEAD STORY:

Cargill kickstarts methanol bulkers with first kamsarmax order

WHAT TO WATCH:

Euronav 'considering options' after Frontline scraps merger agreement

Ship brokerages complete mega merger

ANALYSIS:

Record global petroleum consumption expected in 2024, says EIA

US maritime regulator becoming 'much more aggressive'

MARKETS:

Boxship charter rates seen normalising after 80% drop over five months

Dry bulk spot rates slump to near operating costs

Shanghai reports second-lowest container growth in decade

IN OTHER NEWS:

Operators warned to allow more time for crew changes

NYK trials satellite communication service on vessel

Port of Antwerp-Bruges stable in first year of joint operation

Sanctioned ship denied access to Bangladesh port

Separate collisions involving boxships on same day at Japanese ports

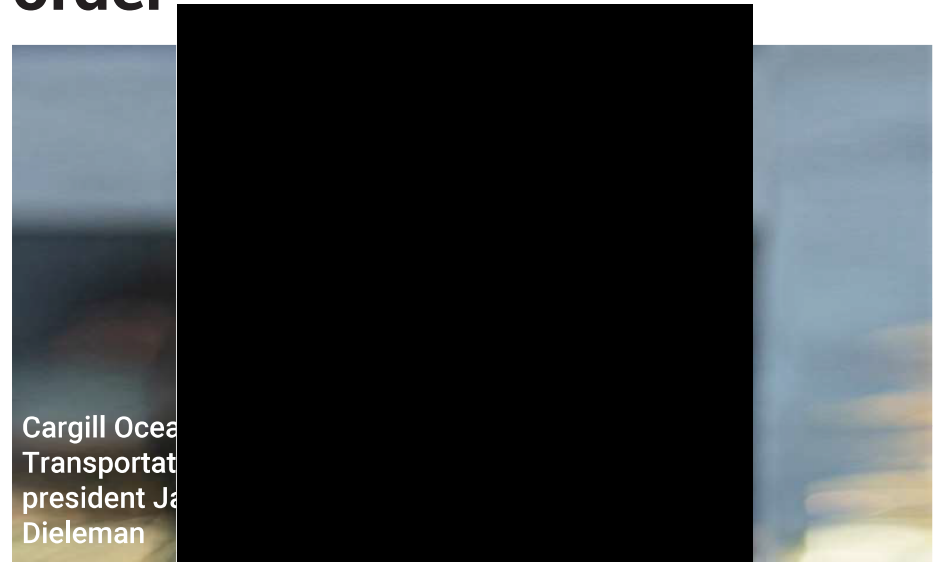
Tsakos swaps boxship brace for suezmax tanker

Zim invests in Israeli fintech start-up

Arrest made following MSC boxship terror threat

Ceva to create own automotive division from Gefco acquisition

Cargill kickstarts methanol bulkers with first kamsarmax order



Cargill Ocean Transportation president Jan Dieleman

CHARTERING Cargill has ordered Mitsui & Co to order the world's first methanol dual-fuelled bulk carriers at Japan's Tsuneishi yard.

The order for an initial series of two kamsarmaxes was signed last month with the first ship scheduled to be delivered by the end of 2025 and the second by early 2026.

While the landmark order has been placed with the intention of kickstarting a wider programme of methanol-fuelled ships in the bulker sector, the deal is smaller than initially planned.

Cargill had been planning to plump for an initial series of between four to six kamsarmaxes in order to send a strong signal to the market that methanol orders were a viable option for the dry bulk sector, which so far has eschewed the trend for methanol seen in recent container orders.

According to Cargill Ocean Transportation president Jan Dieleman, the scaled back ambition reflected current market conditions and yard prices rather than any wider concerns regarding the future viability of methanol supply. Further orders are expected to follow once Cargill has had the opportunity to assess the market response to the initial tranche.

"This was the deal that made most sense to us right now," he told Lloyd's List. "If you look at asset prices versus forward curves and all the uncertainties around at the moment, we just felt it was prudent to start with two, but we still have the ambition to make this a bigger programme as we go."

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

12 January 2023



Lloyd's List (19 January 2023)

LEAD STORY:

Tanker damaged in fatal explosion is linked to vessel identity laundering fraud

WHAT TO WATCH:

Shipping demands greater accountability from bunkering sector

NorthStandard chiefs say merger 'now unstoppable'

Euronav requests emergency arbitration with Frontline over failed merger

ANALYSIS:

Investor appetite in dry bulk increases driven by attractive supply side

Tonnage backflow builds pressure on intra-Asia trade

MARKETS:

Carriers cut a quarter of Asia-Europe capacity as demand falls

Falling container spot rates offer shippers hope in contract negotiations

VLCCs to benefit from China-dominated global oil demand growth

IN OTHER NEWS:

Over half of all Ukraine's exported cargo moved by sea

Dynagas confirms \$780m LNG trio at Hyundai

Piracy incidents in Singapore Strait at seven-year high

Blockchain-enabled guarantee of origin and marking can address well-to-wake

Erik Thun boosts orderbook with eight ships

MOL secures \$71m loan for FSRU in Senegal

Eurochem hires Cofcos La Rosa to run freight desk

One dead, seven missing after explosions on product tanker in Thailand

Tanker damaged in fatal explosions is linked to vessel identity laundering fraud



A TANKER THAT exploded while at dock in Thailand with the loss of as many as eight people, was at the centre of a suspected vessel identity laundering fraud.

The incident on January 17 presents a dilemma for the Shipowners' Club, which has confirmed the vessel is entered with the club, one of 13 that form the International Group.

The Thailand-flagged *Smooth Sea 22* (IMO: 9870991) was formerly the 1986-built *Smooth Sea 28* (IMO: 8514045), but as part of an elaborate hoax outlined by the US-based Center for Advanced Defense Studies (C4ADS), the International Maritime Organization was tricked into assigning a fresh IMO number for the tanker in 2019.

"After passing off as a brand-new ship it then sailed back to Thailand to sail a domestic route until this morning's explosion," said Andrew Boling, a maritime analyst at C4ADS told Lloyd's List.

At least one person was killed and seven people remain missing following two explosions on *Smooth Sea 22*, which was at the Ruammitr Dockyard, on the Mae Klong river, for maintenance, according to reports.

Mr Boling, who was one of the authors of a 2021 report which uncovered the vessel identity laundering scam involving *Smooth Sea 22* and other ships linked to North Korean trades, said the information was passed on to both Thailand maritime authorities and the IMO in 2021.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

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The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (“**Hornsea Three**”), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (“**HVAC**”) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid’s existing Norwich Main substation.

The Order requires the Applicant to construct four artificial nesting structures (“**ANS**”) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (“**Hornsea Three**”). Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place to allow four full kittiwake breeding seasons to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to shorten the length of time the ANS need to be in place before Hornsea Three becomes operational. Specifically, a change from four breeding seasons to three breeding seasons for two structures and two breeding seasons for the other two structures has been requested.

A copy of the NMC Application and its accompanying documents are available for inspection, free of charge, via the Planning Inspectorate’s website at the below address:

Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three-offshore-wind-farm/?ipcsection=docs>

If you require a hard copy of the NMC Application and its accompanying documents (for example because you do not have access to a computer and are unable to view the documents on PINS’

website), you can request hard copies by contacting Orsted a [REDACTED] or
on: +447826663963. Each hard copy is available at the cost of £20 per copy.

Any representation about the NMC Application must be made by email to:
HornseaProjectThree@planninginspectorate.gov.uk, or in writing to:

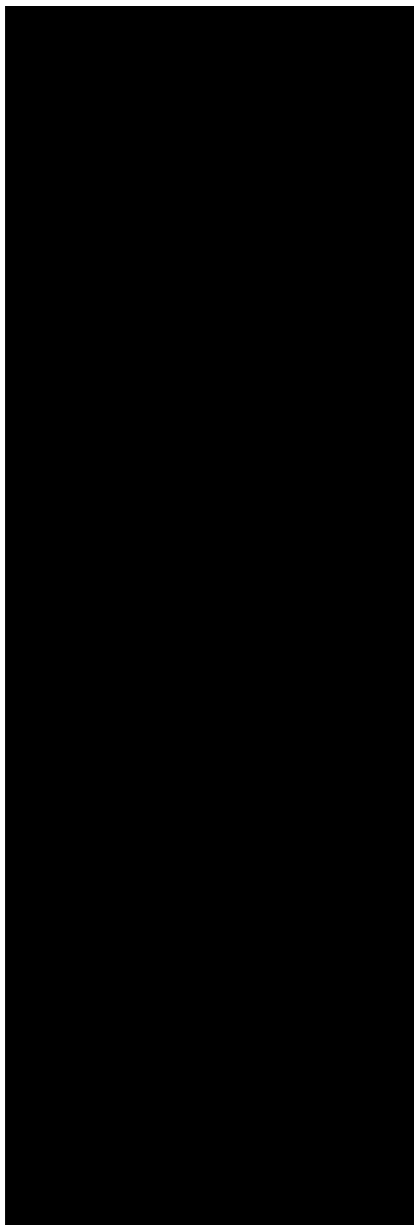
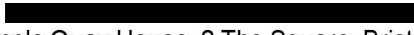
National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol,
BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the
Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **16th
February 2023**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

19 January 2023





Fishing News (19 January 2023)

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PUBLIC NOTICE

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING DEVELOPMENT CONSENT ORDER:

THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021 (SI 2021/599)

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 06384210) of 51 Howick Place, London, England, SW1P 1WG (the "Applicant") to the Secretary of State for Business, Energy and Industrial Strategy to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021) (the "Order") under the Planning Act 2008 (the "NMC Application").

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("Hornsea Three"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 695 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("HVAC") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Order requires the Applicant to construct four artificial nesting structures ("ANS") for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm ("Hornsea Three"). Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place to allow four full kittiwake breeding seasons to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to shorten the length of time the ANS need to be in place before Hornsea Three becomes operational. Specifically, a change from four breeding seasons to three breeding seasons for two structures and two breeding seasons for the other two structures has been requested.

A copy of the NMC Application and its accompanying documents are available for inspection, free of charge, via the Planning Inspectorate's website at the below address:
 Planning Inspectorate website: <https://infrastructure.planninginspectorate.gov.uk/projects/windfarm/hornsea-project-three/offshore-windfarm/170cvection-d0cs>

If you require a hard copy of the NMC Application and its accompanying documents (for example because you do not have access to a computer and are unable to view the documents on PINS website), you can request hard copies by contacting Orsted at ornsoffshoreprojectthree@orsted.com or on +447826663963. Each hard copy is available at the cost of £20 per copy.

Any representation about the NMC Application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk, or in writing to: National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010090 on any correspondence/representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm on 16th February 2023.**

ORSTED HORNSEA PROJECT THREE (UK) LIMITED
 19 January 2023

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Appendix C Consultee List

List of Consultees

Name of Consultee	Classification under Section 56 of the Planning Act 2008
Joint Nature Conservation Committee	s.42(1)(a) and s.56(2)(a)
Natural England	s.42(1)(a) and s.56(2)(a)
The Crown Estate	s.42(1)(a) and s.56(2)(a)
Marine Management Organisation	s.42(1)(aa) and s.56(2)(a)
Royal Society for the Protection of Birds	N/A (non-prescribed consultee)
Norfolk Wildlife Trust	s.42(1)(d)
Wildlife Trusts	N/A (non-prescribed consultee)
Norfolk Farming and Wildlife Advisory Group	N/A (non-prescribed consultee)



Appendix D Covering Letters and Regulation 6 Notice issued to Consultees



Pinsent Masons

BY RECORDED DELIVERY AND EMAIL

FAO: Julie Black

Joint Nature Conservation Committee
Monkstone House
City Road
Peterborough
PE1 1JY

12 January 2023

Dear Julie

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed Notice relates to a 'non-material change' application (the "**application**") being made to the Secretary of State for Business, Energy and Industrial Strategy for the Hornsea Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 (the "**Order**") by Orsted Hornsea Project Three (UK) Limited ("**Orsted**"). We act for Orsted in relation to the application.

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("**Hornsea Three**"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("**HVAC**") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Order requires Orsted to construct four artificial nesting structures ("**ANS**") for kittiwake along the English east coast, as a compensation measure for the potential impacts of Hornsea. Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place four full breeding seasons before Hornsea Three becomes operational. The focus of the proposed non-material change is to shorten the length of time the ANS need to be in place before operation, to allow time for necessary rights for the construction of the ANS to be obtained without impacting the programme for the operation of Hornsea Three and its provision of renewable energy to the National Grid. Discussions have been held with the Marine Management Organisation, Natural England and the Royal Society for the Protection of Birds at the Offshore Ornithological Engagement Group Steering Group meeting held on 3rd October 2022 and no objections were

Pinsent Masons LLP

30 Crown Place London EC2A 4ES United Kingdom

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raised with regards to the wording of the non-material change. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Order, so that construction and implementation of the Order is in accordance with its conditions. No other changes are proposed to the Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation. The nearshore sites at Minsmere and Lowestoft are progressing well with an Agreement for Lease secured and Marine Licences imminent. It is hoped the Option will be served early in the new year to enter into Lease and subject to the discharge of the consent requirements construction will commence in February 2023.

By prioritising the ecological strength the Applicant has however encountered some unforeseen delays at other proposed ANS sites, including Hartlepool, the majority of which the Applicant has successfully resolved. The Applicant is also planning construction of the ANS at the nearshore sites in the winter months, which in the North Sea could be subject to further delay due to weather contingency as health and safety is the Applicant's top priority.

As such, the Applicant is seeking the amendments proposed in this non-material change application, to provide necessary contingency in the Hornsea Three programme to deliver the ANS.

Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the "**2011 Regulations**").

You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) notice published by the Secretary of State on 21 December 2022, enclosed with this letter.

The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

As set out in the Notice, the consultation ends on 16 February 2023. Therefore, the deadline for receipt of your views about the application is **11:59pm on 16 February 2023**.

Yours faithfully,

Pinsent Masons LLP
On behalf of
ORSTED HORNSEA PROJECT THREE (UK) LIMITED
5 Howick Place
London
England
SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
- (ii) Regulation 7(3) notice from the Secretary of State, dated 21 December 2022.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

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The Order requires the Applicant to construct four artificial nesting structures (“**ANS**”) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (“**Hornsea Three**”). Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place to allow four full kittiwake breeding seasons to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to shorten the length of time the ANS need to be in place before Hornsea Three becomes operational. Specifically, a change from four breeding seasons to three breeding seasons for two structures and two breeding seasons for the other two structures has been requested.

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Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **16th February 2023**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

12 January 2023



BY EMAIL ONLY to: alex.tresadern@pinsentmasons.com

Your ref:

Alex Tresadern
Pinsent Masons
30 Crown Place
London
EC2A 4ES

21 December 2022

Dear Mr Tresadern,

**Hornsea Three Offshore Wind Farm Order 2020 – S.I. 2020/1656 (“the 2020 Order”) –
Proposed Non-Material Change Application**

**Regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of,
Development Consent Orders) Regulations 2011 - Written consent from the Secretary of
State for not consulting a person or authority**

1. Thank you for your email of 8 November 2022 on behalf of Orsted Hornsea Project Three (UK) Limited (“the Applicant”). The email of 8 November 2022 included a letter as an attachment which provided details of the proposed amendments to the 2020 Order along with the Applicant’s proposed approach to the consultation. The e-mail and letter together request the Secretary of State’s consent for a limited consultation exercise for this Application.
2. The letter set out the proposed amendments as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 3(c):

“an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of two artificial nest structures prior to the operation of any turbine forming part of the authorised development, and to allow two full kittiwake breeding seasons for the other two artificial nest structures prior to the operation of any turbine forming part of the authorised development, with the KIMP

to specify whether the three or two breeding seasons applies to each artificial nest structure.”

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 4:

“The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of two of the artificial nest structures and two full breeding seasons have elapsed from the implementation of two of the artificial nest structures, as set out in the KIMP. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The letter stated that, *“taking a proportionate approach, only the MMO, NE, the RSPB, The Crown Estate and the Joint Nature Conservation Committee (“JNCC”) (the “Consultees”) should be consulted on this application, because these Consultees have played an active role in developing the ANS including their location, design, monitoring and adaptive management”*.
4. On 17 November 2022, the Applicant provided two lists setting out those consultees that were consulted under section 42 and section 56 of the Planning Act 2008 in relation to the 2020 Order. On 6 December 2022, the Applicant provided a single, merged version of the two lists it had previously sent, which included further details explaining the specific reason as to why it considered each section 42, 56, 57 and non-prescribed consultee should or should not be consulted on the proposed non-material change application.
5. The Secretary of State has considered the request under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) (“the 2011 Regulations”).
6. The Secretary of State considers that in addition to those parties listed at paragraph 3 above, the following parties should also be consulted on the proposed non-material change application, given their possible interest in the application:
 - Norfolk Wildlife Trust
 - The Wildlife Trusts
 - The Norfolk Farming and Wildlife Advisory Group
7. The Secretary of State agrees that those other consultees included in the list sent on 6 December 2022 need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, the Secretary of State gives written consent for the consultation to proceed in accordance with the details set out above, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.

9. In taking this decision the Secretary of State notes that while those persons not proposed to be consulted on the non-material change application will not be consulted directly in relation to the change proposals, the Application will be publicised in line with the requirements in regulation 20 of the 2011 Regulations.
10. Finally, the Secretary of State's written consent in this matter should not be taken as indicating approval for any aspects of the proposed changes to the 2020 Order which fall to him for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



Kerry Crowhurst, Head of Planning
Energy Infrastructure Planning Delivery Team
Energy Infrastructure Group, BEIS



Pinsent Masons

BY RECORDED DELIVERY AND EMAIL

FAO: Emma John

Natural England
4th Floor, Foss House
Kings Pool
1-2 Peasholme Green
York
YO1 7PX

12 January 2023

Dear Emma

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

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Pinsent Masons LLP

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Engagement Group Steering Group meeting held on 3rd October 2022 and no objections were raised with regards to the wording of the non-material change. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Order, so that construction and implementation of the Order is in accordance with its conditions. No other changes are proposed to the Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

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The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

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As set out in the Notice, the consultation ends on 16 February 2023. Therefore, the deadline for receipt of your views about the application is **11:59pm on 16 February 2023**.



Pinsent Masons LLP
On behalf of
ORSTED HORNSEA PROJECT THREE (UK) LIMITED
5 Howick Place
London
England
SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
- (ii) Regulation 7(3) notice from the Secretary of State, dated 21 December 2022.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599)**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the “**Applicant**”) to the Secretary of State for Business, Energy and Industrial Strategy to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021) (the “**Order**”) under the Planning Act 2008 (the “**NMC Application**”).

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (“**Hornsea Three**”), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (“**HVAC**”) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid’s existing Norwich Main substation.

The Order requires the Applicant to construct four artificial nesting structures (“**ANS**”) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (“**Hornsea Three**”). Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place to allow four full kittiwake breeding seasons to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to shorten the length of time the ANS need to be in place before Hornsea Three becomes operational. Specifically, a change from four breeding seasons to three breeding seasons for two structures and two breeding seasons for the other two structures has been requested.

A copy of the NMC Application and its accompanying documents are available for inspection, free of charge, via the Planning Inspectorate’s website at the below address:

Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three-offshore-wind-farm/?ipcsection=docs>

If you require a hard copy of the NMC Application and its accompanying documents (for example because you do not have access to a computer and are unable to view the documents on PINS’

website), you can request hard copies by contacting Orsted at [REDACTED] or on: +447826663963. Each hard copy is available at the cost of £20 per copy.

Any representation about the NMC Application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk, or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **16th February 2023**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

12 January 2023



Department for
Business, Energy
& Industrial Strategy

1 Victoria Street
London SW1H 0ET

T +44 (0) 20 7215 5000
E beiseip@beis.gov.uk

www.beis.gov.uk

BY EMAIL ONLY to: alex.tresadern@pinsentmasons.com

Your ref:

Alex Tresadern
Pinsent Masons
30 Crown Place
London
EC2A 4ES

21 December 2022

Dear Mr Tresadern,

**Hornsea Three Offshore Wind Farm Order 2020 – S.I. 2020/1656 (“the 2020 Order”) –
Proposed Non-Material Change Application**

**Regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of,
Development Consent Orders) Regulations 2011 - Written consent from the Secretary of
State for not consulting a person or authority**

1. Thank you for your email of 8 November 2022 on behalf of Orsted Hornsea Project Three (UK) Limited (“the Applicant”). The email of 8 November 2022 included a letter as an attachment which provided details of the proposed amendments to the 2020 Order along with the Applicant’s proposed approach to the consultation. The e-mail and letter together request the Secretary of State’s consent for a limited consultation exercise for this Application.
2. The letter set out the proposed amendments as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 3(c):

“an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of two artificial nest structures prior to the operation of any turbine forming part of the authorised development, and to allow two full kittiwake breeding seasons for the other two artificial nest structures prior to the operation of any turbine forming part of the authorised development, with the KIMP

to specify whether the three or two breeding seasons applies to each artificial nest structure.”

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 4:

“The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of two of the artificial nest structures and two full breeding seasons have elapsed from the implementation of two of the artificial nest structures, as set out in the KIMP. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The letter stated that, *“taking a proportionate approach, only the MMO, NE, the RSPB, The Crown Estate and the Joint Nature Conservation Committee (“JNCC”) (the “Consultees”) should be consulted on this application, because these Consultees have played an active role in developing the ANS including their location, design, monitoring and adaptive management”*.
4. On 17 November 2022, the Applicant provided two lists setting out those consultees that were consulted under section 42 and section 56 of the Planning Act 2008 in relation to the 2020 Order. On 6 December 2022, the Applicant provided a single, merged version of the two lists it had previously sent, which included further details explaining the specific reason as to why it considered each section 42, 56, 57 and non-prescribed consultee should or should not be consulted on the proposed non-material change application.
5. The Secretary of State has considered the request under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) (“the 2011 Regulations”).
6. The Secretary of State considers that in addition to those parties listed at paragraph 3 above, the following parties should also be consulted on the proposed non-material change application, given their possible interest in the application:
 - Norfolk Wildlife Trust
 - The Wildlife Trusts
 - The Norfolk Farming and Wildlife Advisory Group
7. The Secretary of State agrees that those other consultees included in the list sent on 6 December 2022 need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, the Secretary of State gives written consent for the consultation to proceed in accordance with the details set out above, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.

9. In taking this decision the Secretary of State notes that while those persons not proposed to be consulted on the non-material change application will not be consulted directly in relation to the change proposals, the Application will be publicised in line with the requirements in regulation 20 of the 2011 Regulations.
10. Finally, the Secretary of State's written consent in this matter should not be taken as indicating approval for any aspects of the proposed changes to the 2020 Order which fall to him for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



Kerry Crowhurst, Head of Planning
Energy Infrastructure Planning Delivery Team
Energy Infrastructure Group, BEIS



Pinsent Masons

BY RECORDED DELIVERY AND EMAIL

FAO: Sion Roberts

The Crown Estate
1 St James's Market
London
SW1Y 4AH

12 January 2023

Dear Sion

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed Notice relates to a 'non-material change' application (the "**application**") being made to the Secretary of State for Business, Energy and Industrial Strategy for the Hornsea Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 (the "**Order**") by Orsted Hornsea Project Three (UK) Limited ("**Orsted**"). We act for Orsted in relation to the application.

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("**Hornsea Three**"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("**HVAC**") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Order requires Orsted to construct four artificial nesting structures ("**ANS**") for kittiwake along the English east coast, as a compensation measure for the potential impacts of Hornsea. Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place four full breeding seasons before Hornsea Three becomes operational. The focus of the proposed non-material change is to shorten the length of time the ANS need to be in place before operation, to allow time for necessary rights for the construction of the ANS to be obtained without impacting the programme for the operation of Hornsea Three and its provision of renewable energy to the National Grid. Discussions have been held with the Marine Management Organisation, Natural England and the Royal Society for the Protection of Birds at the Offshore Ornithological Engagement Group Steering Group meeting held on 3rd October 2022 and no objections were raised with regards to the wording of the non-material change. The changes are needed to ensure

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Pinsent Masons LLP is a limited liability partnership, registered in England and Wales (registered number: OC333653) authorised and regulated by the Solicitors Regulation Authority and the appropriate jurisdictions in which it operates. Reference to "Pinsent Masons" is to Pinsent Masons LLP and/or one or more of the affiliated entities that practise under the name "Pinsent Masons" as the context requires. The word "partner", used in relation to the LLP, refers to a member or an employee or consultant of the LLP or any affiliated firm, with equivalent standing. A list of members of Pinsent Masons, those non-members who are designated as partners, and non-member partners in affiliated entities, is available for inspection at our offices or at www.pinsentmasons.com
For a full list of the jurisdictions where we operate, see www.pinsentmasons.com

that the appropriate and agreed kittiwake compensation measures are reflected in the Order, so that construction and implementation of the Order is in accordance with its conditions. No other changes are proposed to the Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation. The nearshore sites at Minsmere and Lowestoft are progressing well with an Agreement for Lease secured and Marine Licences imminent. It is hoped the Option will be served early in the new year to enter into Lease and subject to the discharge of the consent requirements construction will commence in February 2023.

By prioritising the ecological strength the Applicant has however encountered some unforeseen delays at other proposed ANS sites, including Hartlepool, the majority of which the Applicant has successfully resolved. The Applicant is also planning construction of the ANS at the nearshore sites in the winter months, which in the North Sea could be subject to further delay due to weather contingency as health and safety is the Applicant's top priority.

As such, the Applicant is seeking the amendments proposed in this non-material change application, to provide necessary contingency in the Hornsea Three programme to deliver the ANS.

Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the "2011 Regulations").


You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) notice published by the Secretary of State on 21 December 2022, enclosed with this letter.

The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

As set out in the Notice, the consultation ends on 16 February 2023. Therefore, the deadline for receipt of your views about the application is **11:59pm on 16 February 2023**.

Yours faithfully



Pinsent Masons LLP
On behalf of
ORSTED HORNSEA PROJECT THREE (UK) LIMITED
5 Howick Place
London
England
SW1P 1WG

Enclosures:

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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

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PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

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DEVELOPMENT CONSENT ORDER:**

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CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599)**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the “**Applicant**”) to the Secretary of State for Business, Energy and Industrial Strategy to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021) (the “**Order**”) under the Planning Act 2008 (the “**NMC Application**”).

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Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **16th February 2023**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

12 January 2023



Department for
Business, Energy
& Industrial Strategy

1 Victoria Street
London SW1H 0ET

T +44 (0) 20 7215 5000
E beiseip@beis.gov.uk

www.beis.gov.uk

BY EMAIL ONLY to: alex.tresadern@pinsentmasons.com

Your ref:

Alex Tresadern
Pinsent Masons
30 Crown Place
London
EC2A 4ES

21 December 2022

Dear Mr Tresadern,

**Hornsea Three Offshore Wind Farm Order 2020 – S.I. 2020/1656 (“the 2020 Order”) –
Proposed Non-Material Change Application**

**Regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of,
Development Consent Orders) Regulations 2011 - Written consent from the Secretary of
State for not consulting a person or authority**

1. Thank you for your email of 8 November 2022 on behalf of Orsted Hornsea Project Three (UK) Limited (“the Applicant”). The email of 8 November 2022 included a letter as an attachment which provided details of the proposed amendments to the 2020 Order along with the Applicant’s proposed approach to the consultation. The e-mail and letter together request the Secretary of State’s consent for a limited consultation exercise for this Application.
2. The letter set out the proposed amendments as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 3(c):

“an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of two artificial nest structures prior to the operation of any turbine forming part of the authorised development, and to allow two full kittiwake breeding seasons for the other two artificial nest structures prior to the operation of any turbine forming part of the authorised development, with the KIMP

to specify whether the three or two breeding seasons applies to each artificial nest structure.”

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 4:

“The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of two of the artificial nest structures and two full breeding seasons have elapsed from the implementation of two of the artificial nest structures, as set out in the KIMP. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The letter stated that, *“taking a proportionate approach, only the MMO, NE, the RSPB, The Crown Estate and the Joint Nature Conservation Committee (“JNCC”) (the “Consultees”) should be consulted on this application, because these Consultees have played an active role in developing the ANS including their location, design, monitoring and adaptive management”*.
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 - Norfolk Wildlife Trust
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7. The Secretary of State agrees that those other consultees included in the list sent on 6 December 2022 need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, the Secretary of State gives written consent for the consultation to proceed in accordance with the details set out above, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.

9. In taking this decision the Secretary of State notes that while those persons not proposed to be consulted on the non-material change application will not be consulted directly in relation to the change proposals, the Application will be publicised in line with the requirements in regulation 20 of the 2011 Regulations.
10. Finally, the Secretary of State's written consent in this matter should not be taken as indicating approval for any aspects of the proposed changes to the 2020 Order which fall to him for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,

A thick black horizontal bar used to redact the signature of the sender.

Kerry Crowhurst, Head of Planning
Energy Infrastructure Planning Delivery Team
Energy Infrastructure Group, BEIS



Pinsent Masons

BY RECORDED DELIVERY AND EMAIL

FAO: Peter Ryalls

Marine Management Organisation
Lancaster House
Hampshire Court
Newcastle upon Tyne
NE4 7YH

12 January 2023

Dear Peter

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

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Pinsent Masons LLP

30 Crown Place London EC2A 4ES United Kingdom

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raised with regards to the wording of the non-material change. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Order, so that construction and implementation of the Order is in accordance with its conditions. No other changes are proposed to the Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation. The nearshore sites at Minsmere and Lowestoft are progressing well with an Agreement for Lease secured and Marine Licences imminent. It is hoped the Option will be served early in the new year to enter into Lease and subject to the discharge of the consent requirements construction will commence in February 2023.

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As such, the Applicant is seeking the amendments proposed in this non-material change application, to provide necessary contingency in the Hornsea Three programme to deliver the ANS.

Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the "2011 Regulations").

You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) notice published by the Secretary of State on 21 December 2022, enclosed with this letter.

The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

As set out in the Notice, the consultation ends on 16 February 2023. Therefore, the deadline for receipt of your views about the application is **11:59pm on 16 February 2023**.

Yours faithfully,

Pinsent Masons LLP
On behalf of
ORSTED HORNSEA PROJECT THREE (UK) LIMITED
5 Howick Place
London
England
SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

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(SI 2021/599)**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the “**Applicant**”) to the Secretary of State for Business, Energy and Industrial Strategy to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021) (the “**Order**”) under the Planning Act 2008 (the “**NMC Application**”).

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (“**Hornsea Three**”), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (“**HVAC**”) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid’s existing Norwich Main substation.

The Order requires the Applicant to construct four artificial nesting structures (“**ANS**”) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (“**Hornsea Three**”). Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place to allow four full kittiwake breeding seasons to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to shorten the length of time the ANS need to be in place before Hornsea Three becomes operational. Specifically, a change from four breeding seasons to three breeding seasons for two structures and two breeding seasons for the other two structures has been requested.

A copy of the NMC Application and its accompanying documents are available for inspection, free of charge, via the Planning Inspectorate’s website at the below address:

Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three-offshore-wind-farm/?ipcsection=docs>

If you require a hard copy of the NMC Application and its accompanying documents (for example because you do not have access to a computer and are unable to view the documents on PINS’

website), you can request hard copies by contacting Orsted at [REDACTED] or on: +447826663963. Each hard copy is available at the cost of £20 per copy.

Any representation about the NMC Application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk, or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **16th February 2023**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

12 January 2023



BY EMAIL ONLY to: alex.tresadern@pinsentmasons.com

Your ref:

Alex Tresadern
Pinsent Masons
30 Crown Place
London
EC2A 4ES

21 December 2022

Dear Mr Tresadern,

**Hornsea Three Offshore Wind Farm Order 2020 – S.I. 2020/1656 (“the 2020 Order”) –
Proposed Non-Material Change Application**

**Regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of,
Development Consent Orders) Regulations 2011 - Written consent from the Secretary of
State for not consulting a person or authority**

1. Thank you for your email of 8 November 2022 on behalf of Orsted Hornsea Project Three (UK) Limited (“the Applicant”). The email of 8 November 2022 included a letter as an attachment which provided details of the proposed amendments to the 2020 Order along with the Applicant’s proposed approach to the consultation. The e-mail and letter together request the Secretary of State’s consent for a limited consultation exercise for this Application.
2. The letter set out the proposed amendments as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 3(c):

“an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of two artificial nest structures prior to the operation of any turbine forming part of the authorised development, and to allow two full kittiwake breeding seasons for the other two artificial nest structures prior to the operation of any turbine forming part of the authorised development, with the KIMP

to specify whether the three or two breeding seasons applies to each artificial nest structure.”

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 4:

“The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of two of the artificial nest structures and two full breeding seasons have elapsed from the implementation of two of the artificial nest structures, as set out in the KIMP. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The letter stated that, *“taking a proportionate approach, only the MMO, NE, the RSPB, The Crown Estate and the Joint Nature Conservation Committee (“JNCC”) (the “Consultees”) should be consulted on this application, because these Consultees have played an active role in developing the ANS including their location, design, monitoring and adaptive management”*.
4. On 17 November 2022, the Applicant provided two lists setting out those consultees that were consulted under section 42 and section 56 of the Planning Act 2008 in relation to the 2020 Order. On 6 December 2022, the Applicant provided a single, merged version of the two lists it had previously sent, which included further details explaining the specific reason as to why it considered each section 42, 56, 57 and non-prescribed consultee should or should not be consulted on the proposed non-material change application.
5. The Secretary of State has considered the request under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) (“the 2011 Regulations”).
6. The Secretary of State considers that in addition to those parties listed at paragraph 3 above, the following parties should also be consulted on the proposed non-material change application, given their possible interest in the application:
 - Norfolk Wildlife Trust
 - The Wildlife Trusts
 - The Norfolk Farming and Wildlife Advisory Group
7. The Secretary of State agrees that those other consultees included in the list sent on 6 December 2022 need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, the Secretary of State gives written consent for the consultation to proceed in accordance with the details set out above, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.

9. In taking this decision the Secretary of State notes that while those persons not proposed to be consulted on the non-material change application will not be consulted directly in relation to the change proposals, the Application will be publicised in line with the requirements in regulation 20 of the 2011 Regulations.
10. Finally, the Secretary of State's written consent in this matter should not be taken as indicating approval for any aspects of the proposed changes to the 2020 Order which fall to him for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,

A thick black horizontal bar used to redact the signature of the sender.

Kerry Crowhurst, Head of Planning
Energy Infrastructure Planning Delivery Team
Energy Infrastructure Group, BEIS



Pinsent Masons

BY RECORDED DELIVERY AND EMAIL

FAO: Andrew Dodd

The Royal Society for the Protection of Birds
The Lodge
Potton Road
Sandy
Bedfordshire
SG19 2DL

12 January 2023

Dear Andrew

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed Notice relates to a 'non-material change' application (the "**application**") being made to the Secretary of State for Business, Energy and Industrial Strategy for the Hornsea Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 (the "**Order**") by Orsted Hornsea Project Three (UK) Limited ("**Orsted**"). We act for Orsted in relation to the application.

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("**Hornsea Three**"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("**HVAC**") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Order requires Orsted to construct four artificial nesting structures ("**ANS**") for kittiwake along the English east coast, as a compensation measure for the potential impacts of Hornsea. Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place four full breeding seasons before Hornsea Three becomes operational. The focus of the proposed non-material change is to shorten the length of time the ANS need to be in place before operation, to allow time for necessary rights for the construction of the ANS to be obtained without impacting the programme for the operation of Hornsea Three and its provision of renewable energy to the National Grid. Discussions have been held with the Marine Management Organisation, Natural England and the Royal Society for the Protection of Birds at the Offshore Ornithological

Pinsent Masons LLP

30 Crown Place London EC2A 4ES United Kingdom

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Engagement Group Steering Group meeting held on 3rd October 2022 and no objections were raised with regards to the wording of the non-material change. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Order, so that construction and implementation of the Order is in accordance with its conditions. No other changes are proposed to the Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation. The nearshore sites at Minsmere and Lowestoft are progressing well with an Agreement for Lease secured and Marine Licences imminent. It is hoped the Option will be served early in the new year to enter into Lease and subject to the discharge of the consent requirements construction will commence in February 2023.

By prioritising the ecological strength the Applicant has however encountered some unforeseen delays at other proposed ANS sites, including Hartlepool, the majority of which the Applicant has successfully resolved. The Applicant is also planning construction of the ANS at the nearshore sites in the winter months, which in the North Sea could be subject to further delay due to weather contingency as health and safety is the Applicant's top priority.

As such, the Applicant is seeking the amendments proposed in this non-material change application, to provide necessary contingency in the Hornsea Three programme to deliver the ANS.

Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the "**2011 Regulations**").

You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) notice published by the Secretary of State on 21 December 2022, enclosed with this letter.

The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

As set out in the Notice, the consultation ends on 16 February 2023. Therefore, the deadline for receipt of your views about the application is **11:59pm on 16 February 2023**.


Pinsent Masons LLP
On behalf of
ORSTED HORNSEA PROJECT THREE (UK) LIMITED
5 Howick Place
London
England
SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
- (ii) Regulation 7(3) notice from the Secretary of State, dated 21 December 2022.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599)**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the “**Applicant**”) to the Secretary of State for Business, Energy and Industrial Strategy to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021) (the “**Order**”) under the Planning Act 2008 (the “**NMC Application**”).

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The Order requires the Applicant to construct four artificial nesting structures (“**ANS**”) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (“**Hornsea Three**”). Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place to allow four full kittiwake breeding seasons to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to shorten the length of time the ANS need to be in place before Hornsea Three becomes operational. Specifically, a change from four breeding seasons to three breeding seasons for two structures and two breeding seasons for the other two structures has been requested.

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Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **16th February 2023**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

12 January 2023



BY EMAIL ONLY to: alex.tresadern@pinsentmasons.com

Your ref:

Alex Tresadern
Pinsent Masons
30 Crown Place
London
EC2A 4ES

21 December 2022

Dear Mr Tresadern,

**Hornsea Three Offshore Wind Farm Order 2020 – S.I. 2020/1656 (“the 2020 Order”) –
Proposed Non-Material Change Application**

**Regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of,
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State for not consulting a person or authority**

1. Thank you for your email of 8 November 2022 on behalf of Orsted Hornsea Project Three (UK) Limited (“the Applicant”). The email of 8 November 2022 included a letter as an attachment which provided details of the proposed amendments to the 2020 Order along with the Applicant’s proposed approach to the consultation. The e-mail and letter together request the Secretary of State’s consent for a limited consultation exercise for this Application.
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to specify whether the three or two breeding seasons applies to each artificial nest structure.”

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 4:

“The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of two of the artificial nest structures and two full breeding seasons have elapsed from the implementation of two of the artificial nest structures, as set out in the KIMP. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The letter stated that, *“taking a proportionate approach, only the MMO, NE, the RSPB, The Crown Estate and the Joint Nature Conservation Committee (“JNCC”) (the “Consultees”) should be consulted on this application, because these Consultees have played an active role in developing the ANS including their location, design, monitoring and adaptive management”*.
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7. The Secretary of State agrees that those other consultees included in the list sent on 6 December 2022 need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, the Secretary of State gives written consent for the consultation to proceed in accordance with the details set out above, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.

9. In taking this decision the Secretary of State notes that while those persons not proposed to be consulted on the non-material change application will not be consulted directly in relation to the change proposals, the Application will be publicised in line with the requirements in regulation 20 of the 2011 Regulations.
10. Finally, the Secretary of State's written consent in this matter should not be taken as indicating approval for any aspects of the proposed changes to the 2020 Order which fall to him for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



Kerry Crowhurst, Head of Planning
Energy Infrastructure Planning Delivery Team
Energy Infrastructure Group, BEIS



Pinsent Masons

BY RECORDED DELIVERY AND EMAIL

FAO: Mike Jones

Norfolk Wildlife Trust
Bewick House
22 Thorpe Road
Norwich
NR1 1RY

12 January 2023

Dear Mike

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed Notice relates to a 'non-material change' application (the "**application**") being made to the Secretary of State for Business, Energy and Industrial Strategy for the Hornsea Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 (the "**Order**") by Orsted Hornsea Project Three (UK) Limited ("**Orsted**"). We act for Orsted in relation to the application.

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("**Hornsea Three**"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("**HVAC**") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Order requires Orsted to construct four artificial nesting structures ("**ANS**") for kittiwake along the English east coast, as a compensation measure for the potential impacts of Hornsea. Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place four full breeding seasons before Hornsea Three becomes operational. The focus of the proposed non-material change is to shorten the length of time the ANS need to be in place before operation, to allow time for necessary rights for the construction of the ANS to be obtained without impacting the programme for the operation of Hornsea Three and its provision of renewable energy to the National Grid. Discussions have been held with the Marine Management Organisation, Natural England and the Royal Society for the Protection of Birds at the Offshore Ornithological Engagement Group Steering Group meeting held on 3rd October 2022 and no objections were

Pinsent Masons LLP

30 Crown Place London EC2A 4ES United Kingdom

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For a full list of the jurisdictions where we operate, see www.pinsentmasons.com

raised with regards to the wording of the non-material change. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Order, so that construction and implementation of the Order is in accordance with its conditions. No other changes are proposed to the Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation. The nearshore sites at Minsmere and Lowestoft are progressing well with an Agreement for Lease secured and Marine Licences imminent. It is hoped the Option will be served early in the new year to enter into Lease and subject to the discharge of the consent requirements construction will commence in February 2023.

By prioritising the ecological strength the Applicant has however encountered some unforeseen delays at other proposed ANS sites, including Hartlepool, the majority of which the Applicant has successfully resolved. The Applicant is also planning construction of the ANS at the nearshore sites in the winter months, which in the North Sea could be subject to further delay due to weather contingency as health and safety is the Applicant's top priority.

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As set out in the Notice, the consultation ends on 16 February 2023. Therefore, the deadline for receipt of your views about the application is **11:59pm on 16 February 2023**.

Yours faithfully



Pinsent Masons LLP
On behalf of
ORSTED HORNSEA PROJECT THREE (UK) LIMITED
5 Howick Place
London
England
SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599)**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the “**Applicant**”) to the Secretary of State for Business, Energy and Industrial Strategy to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021) (the “**Order**”) under the Planning Act 2008 (the “**NMC Application**”).

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (“**Hornsea Three**”), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (“**HVAC**”) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid’s existing Norwich Main substation.

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website), you can request hard copies by contacting Orsted at [REDACTED] or on: +447826663963. Each hard copy is available at the cost of £20 per copy.

Any representation about the NMC Application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk, or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **16th February 2023**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

12 January 2023



Department for
Business, Energy
& Industrial Strategy

1 Victoria Street
London SW1H 0ET

T +44 (0) 20 7215 5000
E beiseip@beis.gov.uk

www.beis.gov.uk

BY EMAIL ONLY to: alex.tresadern@pinsentmasons.com

Your ref:

Alex Tresadern
Pinsent Masons
30 Crown Place
London
EC2A 4ES

21 December 2022

Dear Mr Tresadern,

**Hornsea Three Offshore Wind Farm Order 2020 – S.I. 2020/1656 (“the 2020 Order”) –
Proposed Non-Material Change Application**

**Regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of,
Development Consent Orders) Regulations 2011 - Written consent from the Secretary of
State for not consulting a person or authority**

1. Thank you for your email of 8 November 2022 on behalf of Orsted Hornsea Project Three (UK) Limited (“the Applicant”). The email of 8 November 2022 included a letter as an attachment which provided details of the proposed amendments to the 2020 Order along with the Applicant’s proposed approach to the consultation. The e-mail and letter together request the Secretary of State’s consent for a limited consultation exercise for this Application.
2. The letter set out the proposed amendments as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 3(c):

“an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of two artificial nest structures prior to the operation of any turbine forming part of the authorised development, and to allow two full kittiwake breeding seasons for the other two artificial nest structures prior to the operation of any turbine forming part of the authorised development, with the KIMP

to specify whether the three or two breeding seasons applies to each artificial nest structure.”

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 4:

“The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of two of the artificial nest structures and two full breeding seasons have elapsed from the implementation of two of the artificial nest structures, as set out in the KIMP. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The letter stated that, *“taking a proportionate approach, only the MMO, NE, the RSPB, The Crown Estate and the Joint Nature Conservation Committee (“JNCC”) (the “Consultees”) should be consulted on this application, because these Consultees have played an active role in developing the ANS including their location, design, monitoring and adaptive management”*.
4. On 17 November 2022, the Applicant provided two lists setting out those consultees that were consulted under section 42 and section 56 of the Planning Act 2008 in relation to the 2020 Order. On 6 December 2022, the Applicant provided a single, merged version of the two lists it had previously sent, which included further details explaining the specific reason as to why it considered each section 42, 56, 57 and non-prescribed consultee should or should not be consulted on the proposed non-material change application.
5. The Secretary of State has considered the request under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) (“the 2011 Regulations”).
6. The Secretary of State considers that in addition to those parties listed at paragraph 3 above, the following parties should also be consulted on the proposed non-material change application, given their possible interest in the application:
 - Norfolk Wildlife Trust
 - The Wildlife Trusts
 - The Norfolk Farming and Wildlife Advisory Group
7. The Secretary of State agrees that those other consultees included in the list sent on 6 December 2022 need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, the Secretary of State gives written consent for the consultation to proceed in accordance with the details set out above, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.

9. In taking this decision the Secretary of State notes that while those persons not proposed to be consulted on the non-material change application will not be consulted directly in relation to the change proposals, the Application will be publicised in line with the requirements in regulation 20 of the 2011 Regulations.
10. Finally, the Secretary of State's written consent in this matter should not be taken as indicating approval for any aspects of the proposed changes to the 2020 Order which fall to him for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,

A thick black horizontal bar used to redact the signature of Kerry Crowhurst.

Kerry Crowhurst, Head of Planning
Energy Infrastructure Planning Delivery Team
Energy Infrastructure Group, BEIS



Pinsent Masons

BY RECORDED DELIVERY AND EMAIL

FAO: Tania Davey

The Wildlife Trusts
The Kiln
Mather Road
Newark
NG24 1WT

12 January 2023

Dear Tania

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

The enclosed Notice relates to a 'non-material change' application (the "**application**") being made to the Secretary of State for Business, Energy and Industrial Strategy for the Hornsea Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021 (the "**Order**") by Orsted Hornsea Project Three (UK) Limited ("**Orsted**"). We act for Orsted in relation to the application.

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development ("**Hornsea Three**"), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current ("**HVAC**") booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid's existing Norwich Main substation.

The Order requires Orsted to construct four artificial nesting structures ("**ANS**") for kittiwake along the English east coast, as a compensation measure for the potential impacts of Hornsea. Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place four full breeding seasons before Hornsea Three becomes operational. The focus of the proposed non-material change is to shorten the length of time the ANS need to be in place before operation, to allow time for necessary rights for the construction of the ANS to be obtained without impacting the programme for the operation of Hornsea Three and its provision of renewable energy to the National Grid. Discussions have been held with the Marine Management Organisation, Natural England and the Royal Society for the Protection of Birds at the Offshore Ornithological Engagement Group Steering Group meeting held on 3rd October 2022 and no objections were

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For a full list of the jurisdictions where we operate, see www.pinsentmasons.com

raised with regards to the wording of the non-material change. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Order, so that construction and implementation of the Order is in accordance with its conditions. No other changes are proposed to the Order.

The Applicant remains committed to delivering the most ecologically suitable ANS for the purposes of its habitats compensation. To achieve this aim, the Applicant requires flexibility in timing of delivery of the ANS to avoid unnecessarily delaying the provision of renewable energy from Hornsea Three.

The Applicant has made great strides towards delivering the required kittiwake compensation. The nearshore sites at Minsmere and Lowestoft are progressing well with an Agreement for Lease secured and Marine Licences imminent. It is hoped the Option will be served early in the new year to enter into Lease and subject to the discharge of the consent requirements construction will commence in February 2023.

By prioritising the ecological strength the Applicant has however encountered some unforeseen delays at other proposed ANS sites, including Hartlepool, the majority of which the Applicant has successfully resolved. The Applicant is also planning construction of the ANS at the nearshore sites in the winter months, which in the North Sea could be subject to further delay due to weather contingency as health and safety is the Applicant's top priority.

As such, the Applicant is seeking the amendments proposed in this non-material change application, to provide necessary contingency in the Hornsea Three programme to deliver the ANS.

Consultation

Before a decision can be made by the Secretary of State, Orsted must consult with various persons in accordance with the requirements of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the "2011 Regulations").

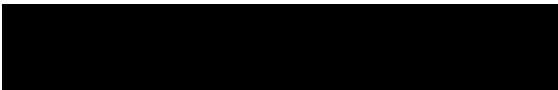
You have been identified as a consultee for the purposes of Regulation 7(2) of the 2011 Regulations. In addition, we draw your attention to the Regulation 7(3) notice published by the Secretary of State on 21 December 2022, enclosed with this letter.

The enclosed notice contains details of how you can access the application documents and how to respond to the consultation. Any representation about the application must be made by email to: HornseaProjectThree@planninginspectorate.gov.uk or in writing to:

National Infrastructure Planning, the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN.

As set out in the Notice, the consultation ends on 16 February 2023. Therefore, the deadline for receipt of your views about the application is **11:59pm on 16 February 2023**.

Yours faithfully



Pinsent Masons LLP
On behalf of
ORSTED HORNSEA PROJECT THREE (UK) LIMITED
5 Howick Place
London
England
SW1P 1WG

Enclosures:

- (i) Copy of a notice pursuant to Section 153 of the Planning Act 2008 and Regulation 6 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
- (ii) Regulation 7(3) notice from the Secretary of State, dated 21 December 2022.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
DEVELOPMENT CONSENT ORDER:**

**THE HORNSEA PROJECT THREE OFFSHORE WIND FARM ORDER 2020 (SI 2020/1656) AS
CORRECTED BY THE HORNSEA THREE OFFSHORE WIND FARM (CORRECTION) ORDER 2021
(SI 2021/599)**

Notice is hereby given that an application has been made by Orsted Hornsea Project Three (UK) Limited (company number 08584210) of 5 Howick Place, London, England, SW1P 1WG (the “**Applicant**”) to the Secretary of State for Business, Energy and Industrial Strategy to make a non-material change to the Hornsea Project Three Offshore Wind Farm Order 2020 (as corrected by the Hornsea Three Offshore Wind Farm (Correction) Order 2021) (the “**Order**”) under the Planning Act 2008 (the “**NMC Application**”).

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (“**Hornsea Three**”), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres. Hornsea Three comprises the following elements: up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (“**HVAC**”) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid’s existing Norwich Main substation.

The Order requires the Applicant to construct four artificial nesting structures (“**ANS**”) for kittiwake along the English east coast, as a compensation measure for the potential impacts of the Hornsea Project Three Offshore Windfarm (“**Hornsea Three**”). Paragraph 3(c) of Part 1 of Schedule 14 of the Order requires four structures to be in place to allow four full kittiwake breeding seasons to elapse before Hornsea Three becomes operational. The NMC Application seeks to make a non-material change to the Order to shorten the length of time the ANS need to be in place before Hornsea Three becomes operational. Specifically, a change from four breeding seasons to three breeding seasons for two structures and two breeding seasons for the other two structures has been requested.

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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

12 January 2023



Department for
Business, Energy
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BY EMAIL ONLY to: [REDACTED]@pinsentmasons.com

Your ref:

Alex Tresadern
Pinsent Masons
30 Crown Place
London
EC2A 4ES

21 December 2022

Dear Mr Tresadern,

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Proposed Non-Material Change Application**

**Regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of,
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to specify whether the three or two breeding seasons applies to each artificial nest structure.”

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 4:

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3. The letter stated that, *“taking a proportionate approach, only the MMO, NE, the RSPB, The Crown Estate and the Joint Nature Conservation Committee (“JNCC”) (the “Consultees”) should be consulted on this application, because these Consultees have played an active role in developing the ANS including their location, design, monitoring and adaptive management”*.
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7. The Secretary of State agrees that those other consultees included in the list sent on 6 December 2022 need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, the Secretary of State gives written consent for the consultation to proceed in accordance with the details set out above, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.

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Yours sincerely,

A solid black rectangular redaction box covering the signature area.

Kerry Crowhurst, Head of Planning
Energy Infrastructure Planning Delivery Team
Energy Infrastructure Group, BEIS



Pinsent Masons

BY RECORDED DELIVERY AND EMAIL

FAO: Mike Edwards

The Norfolk Farming and Wildlife Advisory Group
Macgregor Building
Norfolk Showground
Dereham Road
Easton
Norwich
NR5 0TT

12 January 2023

Dear Mike

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 – NON-MATERIAL CHANGE APPLICATION

SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 7 OF THE INFRASTRUCTURE PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS) REGULATIONS 2011

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National Grid. Discussions have been held with the Marine Management Organisation, Natural England and the Royal Society for the Protection of Birds at the Offshore Ornithological Engagement Group Steering Group meeting held on 3rd October 2022 and no objections were raised with regards to the wording of the non-material change. The changes are needed to ensure that the appropriate and agreed kittiwake compensation measures are reflected in the Order, so that construction and implementation of the Order is in accordance with its conditions. No other changes are proposed to the Order.

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As set out in the Notice, the consultation ends on 16 February 2023. Therefore, the deadline for receipt of your views about the application is **11:59pm on 16 February 2023**.



Pinsent Masons LLP

On behalf of
ORSTED HORNSEA PROJECT THREE (UK) LIMITED
5 Howick Place
London
England
SW1P 1WG

Enclosures:

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ORSTED HORNSEA PROJECT THREE (UK) LIMITED

**SECTION 153 OF THE PLANNING ACT 2008 AND REGULATION 6 OF THE INFRASTRUCTURE
PLANNING (CHANGES TO, AND REVOCATION OF, DEVELOPMENT CONSENT ORDERS)
REGULATIONS 2011**

**NOTICE OF APPLICATION TO MAKE A NON-MATERIAL CHANGE TO THE FOLLOWING
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Please quote reference EN010080 on any correspondence. Representations will be made public by the Planning Inspectorate.

Please note that representations must be received by the Planning Inspectorate by **11.59pm** on **16th February 2023**.

ORSTED HORNSEA PROJECT THREE (UK) LIMITED

12 January 2023



Department for
Business, Energy
& Industrial Strategy

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London SW1H 0ET

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BY EMAIL ONLY to: [REDACTED]@pinsentmasons.com

Your ref:

Alex Tresadern
Pinsent Masons
30 Crown Place
London
EC2A 4ES

21 December 2022

Dear Mr Tresadern,

**Hornsea Three Offshore Wind Farm Order 2020 – S.I. 2020/1656 (“the 2020 Order”) –
Proposed Non-Material Change Application**

**Regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of,
Development Consent Orders) Regulations 2011 - Written consent from the Secretary of
State for not consulting a person or authority**

1. Thank you for your email of 8 November 2022 on behalf of Orsted Hornsea Project Three (UK) Limited (“the Applicant”). The email of 8 November 2022 included a letter as an attachment which provided details of the proposed amendments to the 2020 Order along with the Applicant’s proposed approach to the consultation. The e-mail and letter together request the Secretary of State’s consent for a limited consultation exercise for this Application.
2. The letter set out the proposed amendments as follows:

Delete the existing paragraph 3(c) of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 3(c):

“an implementation timetable for delivery of four artificial nest structures that ensures all necessary compensation measures are in place to allow three full kittiwake breeding seasons in respect of two artificial nest structures prior to the operation of any turbine forming part of the authorised development, and to allow two full kittiwake breeding seasons for the other two artificial nest structures prior to the operation of any turbine forming part of the authorised development, with the KIMP

to specify whether the three or two breeding seasons applies to each artificial nest structure.”

Delete the existing paragraph 4 of Part 1 of Schedule 14 of the Order and insert the following new text as a new paragraph 4:

“The undertaker must implement the measures as set out in the KIMP approved by the Secretary of State and no operation of any turbine forming part of the authorised development may be commenced until three full breeding seasons have elapsed from the implementation of two of the artificial nest structures and two full breeding seasons have elapsed from the implementation of two of the artificial nest structures, as set out in the KIMP. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March in each year and ended on 30 September.”

3. The letter stated that, *“taking a proportionate approach, only the MMO, NE, the RSPB, The Crown Estate and the Joint Nature Conservation Committee (“JNCC”) (the “Consultees”) should be consulted on this application, because these Consultees have played an active role in developing the ANS including their location, design, monitoring and adaptive management”*.
4. On 17 November 2022, the Applicant provided two lists setting out those consultees that were consulted under section 42 and section 56 of the Planning Act 2008 in relation to the 2020 Order. On 6 December 2022, the Applicant provided a single, merged version of the two lists it had previously sent, which included further details explaining the specific reason as to why it considered each section 42, 56, 57 and non-prescribed consultee should or should not be consulted on the proposed non-material change application.
5. The Secretary of State has considered the request under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) (“the 2011 Regulations”).
6. The Secretary of State considers that in addition to those parties listed at paragraph 3 above, the following parties should also be consulted on the proposed non-material change application, given their possible interest in the application:
 - Norfolk Wildlife Trust
 - The Wildlife Trusts
 - The Norfolk Farming and Wildlife Advisory Group
7. The Secretary of State agrees that those other consultees included in the list sent on 6 December 2022 need not be consulted as they are not directly affected, either because the proposed amendments will not affect their interests or because their interests relate to a different part of the scheme.
8. Accordingly, the Secretary of State gives written consent for the consultation to proceed in accordance with the details set out above, under regulation 7(3) of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.

9. In taking this decision the Secretary of State notes that while those persons not proposed to be consulted on the non-material change application will not be consulted directly in relation to the change proposals, the Application will be publicised in line with the requirements in regulation 20 of the 2011 Regulations.
10. Finally, the Secretary of State's written consent in this matter should not be taken as indicating approval for any aspects of the proposed changes to the 2020 Order which fall to him for consideration and determination, or whether the proposed changes will ultimately be regarded as material or not.

Yours sincerely,



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