



## Meeting note

<b>File reference</b>	EN010080
<b>Status</b>	<b>Final</b>
<b>Author</b>	Karl-Jonas Johansson
<b>Date</b>	31 August 2016
<b>Meeting with</b>	DONG Energy
<b>Venue</b>	Teleconference
<b>Attendees</b>	<b>The Planning Inspectorate</b> Tom Carpen (Infrastructure Planning Lead) Helen Lancaster (Senior EIA and Land Rights Advisor) Karl-Jonas Johansson (Case Officer) <b>Dong Energy</b> Rachel Mills (Stand In Consent Manager) Emily Woolfenden (Consultation Manager) Stuart Livesey (Project Development Manager) Alun Williams (RPS)
<b>Meeting objectives</b>	Hornsea Project Three meeting update
<b>Circulation</b>	All attendees and Tracey Siddle

### Summary of key points discussed and advice given:

#### Introduction

The Applicant and the Planning Inspectorate (the Inspectorate) case team introduced themselves and their respective roles. The Inspectorate continued by outlining its openness policy and ensured those present understood that any issues discussed and advice given would be recorded and placed on the Inspectorate's website under s.51 of the Planning Act 2008 (PA 2008). Further to this, it was made clear that any advice given did not constitute legal advice upon which the Applicant (or others) can rely.

#### Meeting notes

It was clarified that a meeting note broadly covering topics discussed along with any advice given by the Inspectorate, taken by the Inspectorate would be published on its Hornsea Project Three Wind Farm (HOW3) webpage. However, the applicant would be sent the draft for review before publication. The Applicant agreed to file PINS notes having proposed amendments/updates to these and agreed to maintain this going forwards. Both parties agreed to use existing agenda as a standard for future meetings as set out in Appendix 1.

## Hornsea Project Three Update:

Informal Consultation (S42 Scoping Report, S47 Draft & Final SoCC)

Formal Consultation Update (PEIR)

Evidence Plan

Surveys

Consultation strategy/update

CA

PINS Update

Next meeting

AOB

## **Non-Statutory Consultation**

### *Scoping*

The applicant's scoping report is due to be submitted to the Inspectorate in late October 2016. The scoping report will be used to inform the Preliminary Environmental Impact Report (PEIR). The Applicant clarified that they would use the scoping report as their formal notification under regulation 6(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

The applicant was advised to submit the shape file 10 working days prior to the formal submission of the scoping request and to review [Advice Note three: EIA Notification and Consultation](#) for further advice on how to submit the scoping request.

Additionally submission of Scoping Report required 2 hard copies and 1 electrical copy to be sent to the Inspectorate. The Applicant mentioned a copy of the Scoping Report would also be made available on DONG Energy's Project website, and that it would not issue this to S42 stakeholders to avoid confusion, however would consider sending them an email to alert them to the fact that it had been issued to the Inspectorate.

### *Statement of Community Consultation*

The Applicant is currently conducting its statutory consultation on the content of the Statement of Community Consultation (SoCC). The Inspectorate advised the Applicant to ensure that the SoCC fulfills the requirement of PA2008 and has regard to the Department for Communities and Local government guidance on the pre-application process. The Inspectorate further advised that, in line with that guidance, the SoCC could helpfully indicate how the Applicant intends to reach hard to reach groups in the consultation area, and that it should also explain this in their consultation report upon submission of the application.

It was further clarified that if there are any changes to the consultation events advertised in the SoCC, the consultation report needs to describe how the local communities were made aware of the changes and that the changes didn't prejudice against any of the consultees. In the event of a change to an event, the Inspectorate advised the applicant to explain the reasons in their consultation report and how they advised potential attendees. A change should not necessarily require a new SoCC and the Inspectorate could provide advice in specific circumstances. The Inspectorate stated it would also be shortly providing comments on the draft SoCC.

## **Statutory Consultation**

It was agreed with the ornithology Evidence Plan Expert Working Group (EWG) that one year of aerial survey data would be collected to inform the Hornsea Three Environmental Impact Assessment. The Applicant highlighted that the PEIR's ornithology chapter might be incomplete in terms of the full survey data (due to the timing of the PEIR) and advised that the consultees would be made aware in the PEIR of any data missing, which would subsequently be included in the final application. The Inspectorate advised that the PEIR needs to be of such a standard that the consultees can comment on the impact the project will have on the environment. The applicant was advised that statutory consultees might not be able to partake in non-statutory consultation on missing ornithology information before submitting the application to the Inspectorate.

*Post meeting clarification - The Applicant recognizes this risk and advised that the EWG is also a vehicle to allow such information to be shared and feedback gained.*

The SoCC will be published late September 2016 with the first round of statutory consultation commencing in late October/early November 2016.

*Post meeting clarification: The information from the non-statutory consultation will be summarized in a Summary Consultation Report which will be issued to the consultees after each community consultation event (this will not replace the Consultation Report to be submitted by the application, however is a supplementary document to keep communities and other stakeholders aware of levels of feedback and areas of interest/concern that were raised).*

The second round of consultation will take place during the second part of 2017. The applicant is also intending to issue quarterly newsletters to keep the local communities abreast with how the project is evolving.

## **Evidence Plan**

The Applicant informed the Inspectorate that the Evidence Plan expert groups are currently working on agreeing on how to collect data necessary for Habitats Regulation Assessment and that they already engaging with relevant non-governmental organizations, including the RSPB. The applicant confirmed that it was aware of the recent Scottish wind farm judgment and was assessing it for potential impacts on the HOW3 project.

*Post meeting clarification: The Applicant notes that the Evidence Plan approach would run in parallel to the Scoping and PEIR, having had Expert Working Groups and the Evidence Plan Steering Group established. The Evidence Plan approach would include discussions related to data retrieved, compiled, and analysed on topic-specific requirements.*

## **Surveys**

The Evidence Plans are being used to agree what surveys the applicant needs to conduct and how to collect the data in relation to effects on European sites. The Applicant was advised to evidence in the consultation report how agreement had been reached to avoid this becoming an examination issue. At present, the applicant has completed the following surveys:

- Phase 1 intertidal survey of the intertidal zones:

Walkover survey of the intertidal zone from mean low water springs (MLWS) to mean high water springs (MHWS).

- Partially completed the extended Phase 1 habitat survey: Walkover survey to identify the habitats present within and immediately adjacent to Hornsea Three.
- Geophysical survey, including ground truthing, of the Hornsea Three array area:

Grid line survey of the array area (+ 500 m buffer), including multibeam echosounder (MBES), side scan sonar (SSS), magnetometer, sub-bottom profiler (SBP) and ultra-high resolution multi-channel seismic.

The applicant advised that it will conduct further analysis which will underpin where the landfall connection will be located. Survey work for the terrestrial grid connection corridor options are ongoing.

### **Section 53 access**

The Applicant didn't envision that s53 access was necessary. The Inspectorate informed that the process to grant s53 access takes a minimum of three months and should only be used as a last resort.

*Post meeting clarification: [Advice note 5: Section 53 – Rights of Entry](#) has been sent to the applicant.*

### **Crown Land**

The applicant was advised to review the Triton Knoll Electrical System's decision letter regarding the Secretary of State's view on when to seek Crown Consent.

### **Marine Noise Register**

The applicant to contact Natural England and Joint Nature Conservation Committee regarding the Marine Noise Register

### **Specific decisions / follow up required?**

- Inspectorate to send applicant the agenda template
- Inspectorate to issue s51 advice on the draft SoCC after the meeting
- Applicant to advise the Inspectorate on how the Inspectorates role in the Evidence Plan process.
- Next meeting to be booked for week commencing 26 September 2016

## **Annex 1 - Agreed agenda template**

### Hornsea Three Project meeting update

Date

Time

Location

Attendees:

The Planning Inspectorate:

Dong energy:

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#### **Agenda**

1. Non statutory consultation update
2. Formal consultation update  
(S42 Scoping Report, S47 Draft & Final SoCC PEIR)
3. Evidence Plan update  
Surveys
4. Consultation strategy/update
5. Compulsory Acquisition update
6. PINS Update
7. Next meeting
8. AOB