

# **Vattenfall Wind Power Ltd**

## **Thanet Extension Offshore Wind Farm**

Appendix 29 to Deadline 1 Submission:  
Preliminary Meeting Oral Summary

Relevant Examination Deadline 1

Submitted by Vattenfall Wind Power Ltd

Date: January 2019

Revision A

Drafted By:	Vattenfall Wind Power Ltd
Approved By:	Daniel Bates
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Revision A	Original Document submitted to the Examining Authority
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# 1 Preliminary Meeting: Rule 6 Letter and Agenda

## 1.1 Introduction

- 1 The agenda for the Preliminary Meeting (PM) is set out in Annex A of the Rule 6 letter (PINS Ref PD-006). This note follows the structure of the Agenda for the PM.
- 2 This document (the oral summary) addresses matters raised by the Applicant at the PM.
- 3 Prior to the PM, the Applicant submitted a letter to the Examining Authority (ExA) (PINS Ref AS-002) referring to points raised in the Rule 6 letter, particularly relating to the examination timetable and accompanied site inspections.

## 1.2 Participants

- 4 Oral representations from the Applicant were made from the following personnel in the PM:
  - Scott Lyness (Counsel for the Applicant) (SCL)
  - Jennifer Holgate (Legal Advocate for the Applicant) (JH)
  - Daniel Bates (Consents Manager at Vattenfall) (DB)

## 1.3 Agenda

- 5 The Applicant made oral representations on the following agenda points:
  - Item 2: the ExA's remarks about the examination process
  - Item 4: Deadlines for submission
  - Item 5: Hearings and Accompanied Site Inspections
  - Item 7: Any other matters

## 2 Agenda item 2 - ExA's remarks about the examination process

- 6 ***The ExA asked the Applicant to talk through the response to Section 51 advice and in particular when updated documents and plans would be submitted***
- 7 ScL stated that a letter dated 15 November 2018 was submitted to PINS setting out the responses to Section 51 advice and the revised documents to be submitted. Updated land plans were submitted as to the ExA requested 10 days prior to the PM on 30 November 2018 (PINS Ref AS-002). As set out in the letter dated 15 November, a revised Statement of Reasons (PINS Ref APP-025) Book of Reference (PINS Ref APP-027) and DCO (PINS Ref APP-022) will all be submitted at Deadline 1.
- 8 ***The Applicant was asked whether it had any particular observations on the timing of submitting revised application documents the considerations the ExA must make regarding allowing appropriate consultation on such submissions.***
- 9 JH confirmed that the revisions being made to application documentation was minor and, as such, none of the revisions to application documents were considered material. The Applicant was content to submit those revised documents for Deadline 1 and allow interested parties and stakeholders to be afforded the opportunity to comment on those documents. The ExA will be able to properly review those changes made as part of the examination process.

### 3 Agenda item 4 – Deadlines for submission

**10** *In reference to the date for deadline 1, the ExA confirmed the proposition to keep it as 15 January 2019.*

11 ScL confirmed that should the examiner's questions (ExQs) be made available prior to 19 December 2018, the Applicant could meet Deadline 1 on 15 January 2019.

**12** *The ExA asked whether the Applicant could take any steps to put RAMAC in a position to understand its position on matters previously raised at Section 42. A break was convened at this point.*

13 ScL summarised discussions that had taken place during the break. It had been established that by close of business on December 18 2018, the Applicant will respond in writing to all 35 points raised by Ramac in the appendix to their representation. The ExA confirmed that as this will form the basis of the SoCG they were content not to see this document. ScL also explained that the Applicant's surveyor met with Ramac's land agent this morning and good progress had been made. ScL confirmed that should RAMAC like another meeting before Christmas it can be arranged although this was not being pushed for it could be facilitated. Irrespective, a meeting was scheduled on January 9 2019. DB set out that commercial discussions were well advanced with RAMAC and it was hoped that these would shortly conclude.

14 The ExA confirmed that this commitment (from the Applicant to response to RAMAC) would not be an additional examination timetable date but reminded the Applicant that this was an undertaking made in good faith before the panel.

**15** *The ExA asked the Applicant whether it would seek to enter a Statement of Common Ground (SoCG) with Port of Tilbury*

16 ScL agreed that the Applicant will approach Port of Tilbury for an SoCG.

**17** *Regarding Statements of Common Ground, the ExA asked for the Applicant's position on the list provide at Annex E of the rule 6 letter.*

18 ScL set out the Applicant's observations on Annex E of the Rule 6 letter.

19 The inclusion of National Trust (NT) in SoCG negotiations in matters relating to Habitats Regulations Assessment was queried by ScL and it was agreed that this point would be put to NT as to whether these matters were being picked up by KWT and, as such, that NT would defer to them.

- 20 It was noted that the Applicant has agreed a SoCG with Highways England and will submit this at Deadline 1.
- 21 Regarding aviation stakeholders, to date there has been no response from the Civil Aviation Authority either during Section 42 consultation or at the relevant representations and ScL queried whether it was required to enter into a SoCG with them. In response to the ExA, ScL confirmed that best endeavours would be made to contact the CAA and keep a watching brief as to any response that may be received.
- 22 With regard to category F, ScL set out that to the extent that it has been assessed in the NRA and the ES, the Applicant is engaging with MCA and Trinity House regarding recreational sea use. The Applicant has consulted with the Royal Yachting Association at Section 42 and Section 56; no response was received. However, as per the approach to the CAA, the Applicant will approach the RYA again and keep a watching brief.
- 23 ScL confirmed that the Applicant has not consulted with English Heritage (EH) as the Project will not directly impact any property owned or managed by EH. The Applicant is seeking an SoCG with Historic England as statutory bodies for heritage protection and this will include any indirect effects on setting of all heritage assets including those managed by EH. It was agreed with the ExA that an SoCG with EH would not be required.
- 24 The Applicant is in ongoing discussions on crossing and proximity agreements with NGET, Nemolink, Thanet OFTO and UKPN and will provide an update on these as part of the tracker requested by the ExA for Deadline 1 rather than individual SoCGs. If commercial matters continue to progress smoothly it is not expected that a SoCG will be required with any of these undertakers.
- 25 ScL confirmed that the Applicant consulted with MoD at Section 42 consultation stage and they responded with a concern about UXOs. The MoD raised no objections at the relevant representation stage and have raised no concerns about aviation. However, in line with the approach to the CAA and RYA, the Applicant will approach the MoD again and keep a watching brief.
- 26 ***The ExA raised the issue of war graves and wrecks and who is responsible for defining what might constitute a war grave.***
- 27 ScL confirmed that the Applicant would approach the MoD to seek clarification on this issue.

## **4 Agenda item 5 – Hearings and Accompanied Site Inspections**

- 28 ScL sought to confirm that any viewpoint mentioned in the unaccompanied site inspections (USI) that could not be visited at the time will be visited at the next USI visit. As such, these viewpoints do not need to be raised as a viewpoint for the accompanied site inspection. This was confirmed by the ExA.



## 5 Agenda item 7 – any other matters

- 29 ScL reminded the ExA that the Applicant's section 53 application was referenced in the introduction to the PM, and deferred to DB to update the Panel on the progress of this application. DB explained that the Applicant submitted the formal request to the Planning Inspectorate on 17 September 2018. KWT however confirmed in separate correspondence on 4 October 2018 that they would be prepared to grant permission for the Applicant to enter their land to undertake the necessary survey work. As such, the section 53 application was placed on hold. However on 27 November 2018, the Applicant received notice from land interest subject to application that access would not be granted and so on 7 December 2018 PINS were asked to reinstate the section 53 application process.
- 30 ScL stated that the Applicant has noted a very minor error in the red line boundary demarcation of the Order Limits, where the boundary touches Ramsgate harbour wall. This is not readily noticeable with the naked eye when viewing the plans. The Applicant intends to review and amend the Order Limits to ensure that the red line boundary does not encroach into the harbour wall. This will be a very minor reduction to the Order Limits and there will be no new or materially different environmental effects. When submitting the draft DCO at Deadline 1, the Applicant will submit revised certified plans with updated coordinates and indicate where change has been made.
- 31 Further to the change to the Order Limits described in the PM, a plan showing the difference between the boundary as submitted in the Application, and that submitted at Deadline 1, is provided in Annex A to this document. The change involves a refinement that reduces the extent of Order Limits in proximity to Ramsgate harbour and westwards towards landfall. This ensures there is no overlap with the harbour wall and also has the additional benefit of aligning the boundary outside of the Thanet Coast SAC to the west of the harbour. As this amendment is only a minor reduction in the Order Limits it is, in the Applicant's view, entirely non-material and would not lead to any new or materially different environmental effects as that assessed.

- 32 Another change to the Order Limits has been made on the advice of The Crown Estate (TCE), who identified that the coordinates of the boundary around the existing Thanet Offshore Wind Farm (TOWF) (the inner boundary of Order Limits) did not precisely match those in TCE lease for TOWF. This change is imperceptible on the scale of these plans, however coordinates have been updated in the draft DCO, Appendix 35 of the response to Deadline 1. These revised coordinates lead to a shift in the inner boundary of approximately 7 m south east which the Applicant considers to be *de minimus* and would not lead to any different environmental effects as concluded in the Environmental Statement. This change has not affected the outer Order Limits.

## **Vattenfall Wind Power Ltd**

### **Thanet Extension Offshore Wind Farm**

Appendix 29, Annex A to Deadline 1 Submission:  
Plan showing difference between Order Limits as  
at Application and as changed at Deadline 1.

Relevant Examination Deadline: 1

Submitted by Vattenfall Wind Power Ltd

Date: January 2019

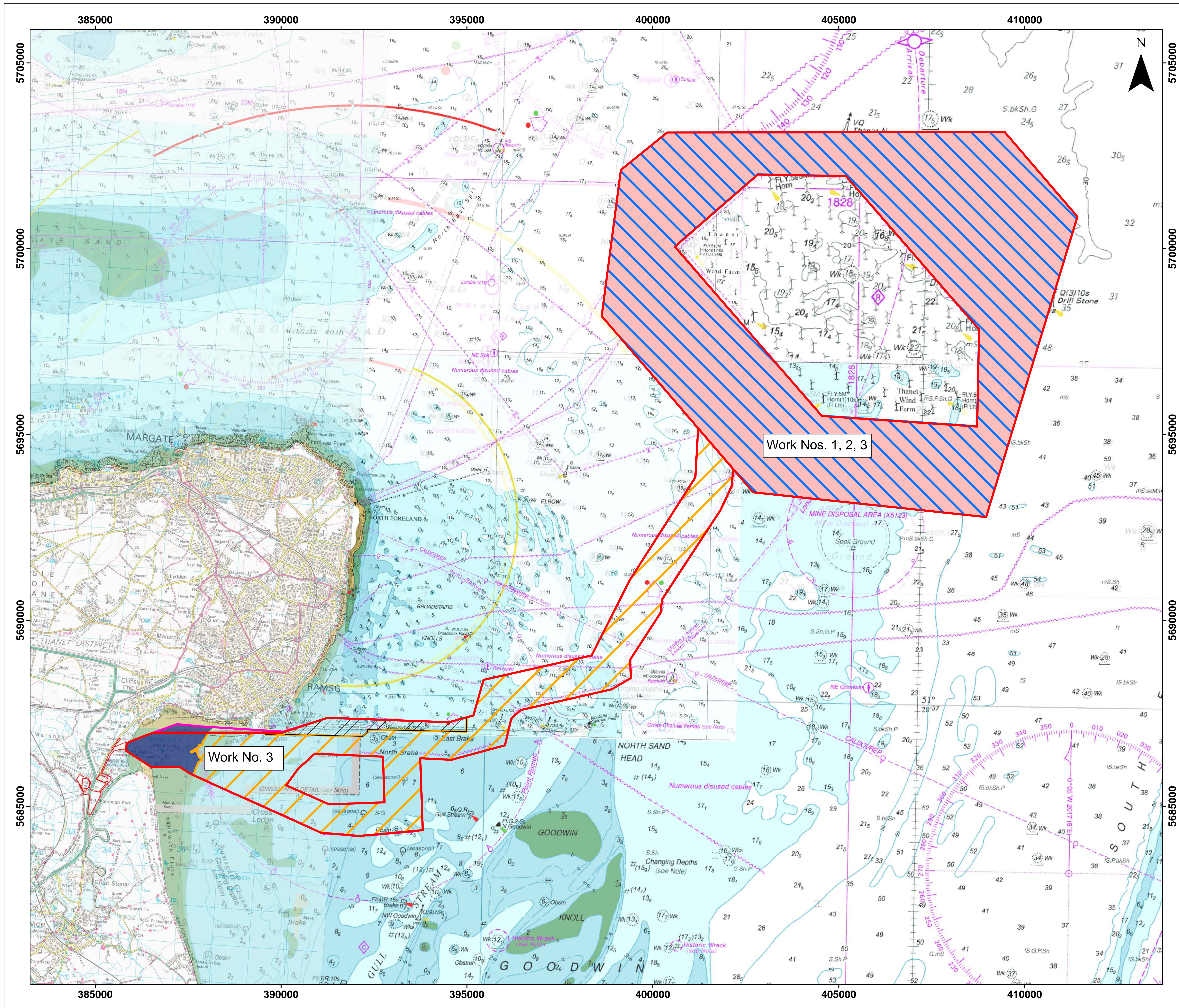
Application Ref: 2.5

Revision A

Drafted By:	Vattenfall Wind Power Ltd
Approved By:	Daniel Bates
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Revision:	A

Revision A	Original Document submitted to the Examining Authority
N/A	
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N/A	

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# THANET EXTENSION OFFSHORE WIND FARM

**Works Plan (Offshore): RLB Comparison**

Document reference: 2.5  
APFP Regulation: 5(2)(j)

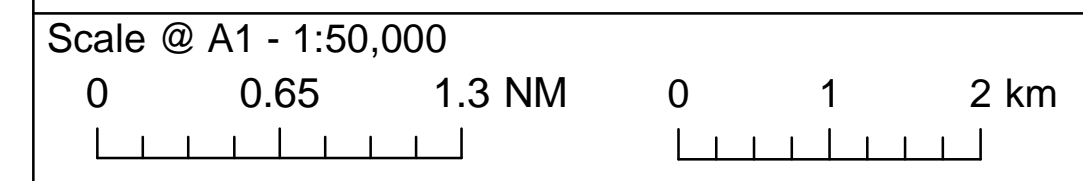
**Legend**

- Updated Order Limits
- Original Order limits
- Cable Exclusion Area
- Work No. 1
- Work No. 2
- Work No. 3
- Work No. 3A

Datum: ETRS 1989  
Projection: UTM31N



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Rev	B	Date	11/01/2019
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