

INFRASTRUCTURE PLANNING
THE INFRASTRUCTURE PLANNING (EXAMINATIONS PROCEDURE) RULES 2010
THE THANET EXTENSION OFFSHORE WIND FARM ORDER

Response to Relevant Representations submitted on behalf of the Port of London Authority and Estuary Services Limited
(Rule 8 letter 18 December 2018)

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<p>London Pilots Council</p>	<p>Safety of Navigation for vessels boarding and landing Marine Pilots and transiting the North East Spit area</p>	<p>The PLA and ESL share the London Pilot Council's concerns regarding safety of navigation for vessels boarding and landing marine pilots.</p> <p>The proposed extension to the wind farm will result in insufficient space to enable safe boarding and landing, particularly at the North East Spit, with adverse impacts on access to the Port and the Pilotage service itself.</p>
<p>United Kingdom Maritime Pilots' Association</p>	<p>The UKMPA objects to the proposed TWE extension on the grounds of its significant negative impact on the navigational safety of ships boarding and landing pilots at the North East Spit boarding ground south of the NE Spit buoy. The proposal will have a direct impact not only on ships' manoeuvring room but more importantly the increased undesirable effect on the potentially life threatening elements of already (globally recognised)generally hazardous but essential pilot boarding and landing operations from pilot boats in the area concerned</p>	<p>As stated within the PLA and ESL's written representations ("WR") the matter of navigational safety is of key concern, in addition the proposal's impact on pilotage operations has also been raised. There is an essential need for the PLA to provide a Pilotage Service (in accordance with the Pilotage Act 1987), and this means having to board pilots outside the PLA's area so as to safely guide vessels into the PLA's area. There are four pilot boarding stations of importance to the scheme, including the North East Spit, Outer Tongue, North East Goodwin and the Sunk.</p> <p>The extension to the Wind Farm to the west, and the impacts on the pilot boarding locations, raise serious concerns about the continued viability of the Pilotage Services for this area at these locations (but especially the N.E. Spit) and in turn the attractiveness of the Port of London.</p>

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		<p>In terms of safety, a key concern of the PLA and ESL is the reduction in sea room, which will have an adverse effect on boarding operations. The Pilot needs sufficient time to get on board, get to the bridge and have a handover with the Master. They will need to factor in weather, tide, type and size of ship etc.</p>
<p>UK Chamber of Shipping</p>	<p>The UK Chamber of Shipping is the primary trade association and representative body of the UK shipping industry with some 200 members across the maritime sector.</p> <p>Our points in relation to the application will be focused on the impact to commercial navigation of ships and safety of life at sea of mariners, detailing the safety of navigation, environmental, and economic perspective of the UK shipping industry.</p> <p>Please see attached</p>	<p>There is a need for unimpeded access, with water deep enough for the largest vessels expected to use the port. Shipping will continue to provide the most effective way to move the vast majority of freight in and out of the Port of London (and the UK generally), and the provision of sufficient port capacity is essential, as is ensuring that access to this infrastructure is unimpeded. The PLA and ESL therefore agree with the concerns of the UK Chamber of Shipping, noting the proposed extension to the windfarm will have an adverse impact on the economic and commercial functions of the port of London, restricting access into it.</p>
<p>Port of Sheerness Ltd (PEEL PORTS - LONDON MEDWAY) (Port of Sheerness Ltd (PEEL PORTS - LONDON MEDWAY))</p>	<p>I refer to our original letter dated 10th Jan to Vattenfall: Our principle concerns are the significant disruption to our operations due to encroachment into existing shipping lanes and their well established shipping routes, necessitating considerable re-routing of traffic and potential loss of well established trade; the reduction of sea room and potential interference with marine navigational equipment causing an</p>	<p>The siting of the proposed extension to the Wind Farm also causes the PLA concern as regards to risk to navigation and shipping routes and therefore concur with the points raised by Peel Ports. The channel between the existing wind farm and Ramsgate is already narrow due to the shallow waters off the coastline and the presence of the wind farm. The proposed extension will encroach onto some of the key</p>

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	<p>impact on navigational safety; the impact of additional transit time on the wear and tear of pilot launches and their suitability to undertake the revised passage. This has serious consequences for the area and we would be more than happy to host a visit to the Port to demonstrate the considerable regeneration that will be affected.</p>	<p>routes into the Port of London area and provide restrictions to certain sizes and drafts of vessel.</p>
<p>London Gateway Port Limited</p>	<p>We have significant concerns regarding implications of the proposed Thanet Extension Offshore Wind Farm on shipping and accessibility to ports located on the Thames Estuary. In particular we are concerned regarding:</p> <ul style="list-style-type: none"> • Encroachment into existing shipping lanes with resulting increases in commercial shipping journey times and distances and overall port accessibility • Implications for larger vessels wishing to access the NE Split pilot barding station, which we understand would offer significantly restricted access should the development proposals go ahead. This would have the effect of lengthening pilotage distances and making piloting operations less resilient to adverse weather conditions <p>In citing the above concerns we make reference to the National Policy Statement for Ports (January 2012) which we believe is a material consideration in assessing the implications of the proposed development. In this regard we note that the Ports NPS:</p> <p>a) Defines a need for unimpeded access to ports</p>	<p>The PLA and ESL agree with the concerns raised by London Gateway Port Ltd, and reiterate the points raised above.</p> <p>The PLA and ESL note that the siting of the proposed extension, and in particular the western extent, will cause Masters to redirect their vessels in certain situations to avoid the stretch of water between Ramsgate and the windfarm.</p> <p>The PLA and ESL also agree that the NRA and Pilotage Study do not reflect the circumstances of the area itself, for reasons set out more fully in their Written Representations and responses to ExQ1.</p>

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	<p>with water deep enough for the largest ships in order to meet the forecast demand for additional port capacity (as defined in Paragraph 3.4.3)</p> <p>b) Confirms that ports play a vital role in support of the national and regional economy, trade and growth</p> <p>c) Identifies that “currently, the largest container and ro-ro terminals are in the South East” and that “much of the tonnage handled is concentrated in a small number of ports, with the top 15 ports accounting for almost 80% of the UK’s total trade”</p> <p>d) Identifies a need for ports to be efficient and competitive to enable them to contribute to long term economic growth and prosperity</p> <p>We take the opportunity to highlight that 2 of the top 15 ports in the U.K are located on the banks of the Thames Estuary and that, in 2016, Thames Estuary ports handle 10.7% of the total U.K throughput of goods (in tonnes – www.Gov.uk, Port Freight Statistics).</p> <p>We are therefore of the view that the need to support increased energy production from sustainable low carbon sources is balanced against the need to support shipping and port activities.</p> <p>We haven. examined the evidence submitted in support of the application including the Shipping and Navigation Report (Ref: 6.10.2), Pilotage Transfer Bridge Simulation Report (Ref: 6.4.10.2) and Navigation Document (Ref 1.4). Our</p>	

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	<p>examination of these documents has identified significant shortfalls in assessment methodology particularly with regard to proposed alternative pilotage operations, vessel management and navigation risks. Such matters require further scrutiny and consideration to allow the full impacts to be understood.</p>	
<p>David Edwards</p>	<p>If the expansion of the windfarm how's the head west would I as a pilot boat coxswain would be forced to serve ships a greater distance from our base in heavy whether this would be more dangerous as we would not have the lee of the shore And would mean travelling greater distance in heavy weather would also increase of fuel consumption</p>	<p>The PLA and ESL agree. The submitted NRA suggests that the extent of the increase in journey for a vessel which does re-route by passing the east and then to the north of the wind farm would be a distance of 11m. The PLA and ESL has contested this figure, and has advised that this increase is more likely to be around 14m additional journey distance. This would result in longer journey times for pilots.</p>
<p>The Corporation of Trinity House</p>	<p>Trinity House is the General Lighthouse Authority for England, Wales, the Channel Islands and Gibraltar with powers principally derived from the Merchant Shipping Act 1995 (as amended). The statutory role of Trinity House as a General Lighthouse Authority includes the superintendence and management of lighthouses, buoys and beacons within our area of jurisdiction.</p> <p>We submit that the development would create an unacceptable increase in risk to the safety and navigation of mariners at sea, therefore we OBJECT to the proposed red line boundary (as revised) within the plans.</p>	<p>For the reasons stated above, in response to others' representations, the PLA and ESL support the concerns raised by The Corporation of Trinity House.</p> <p>The accumulation of traffic and impact of navigational safety is a shared concern, and the point raised regarding potential collision is reinforced. Evidently, the PLA and ESL also do not accept Vattenfall's position that this inshore channel will be used by the same number of vessels after the scheme is implemented as before. However, if that argument is accepted, there would therefore be the same number of vessels slowing down and changing direction but</p>

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	<p>Our concerns include, but are not limited to, the following:</p> <ul style="list-style-type: none"> - The proposed boundary reduces the space available for shipping between the windfarm and Kent coast. We are particularly concerned about the accumulation of traffic and ease of navigation between the north-west and westerly boundary. - The risk mitigation measures, in our opinion, do not reduce the risk to an acceptable level. - We find the statement within the Navigation Risk Assessment executive summary referring to the “.... Increase in collision rate from once in six years to once in four years” an unacceptable situation. Vattenfall have shown they consider the reduction in the red line boundary has now made this one in 4.5 years, which in our opinion remains unacceptable. 	<p>in a much smaller area of sea room. This will result in potential bottleneck and an increase in the number of collisions.</p> <p>The PLA and ESL also agree that the red line boundary as presented in the application currently is unacceptable. Both have submitted a plan with their WRs showing the area of the proposed extension extension that would need to be removes to allow for appropriate access and navigational safety.</p>
<p>David Ninnim</p>	<p>I oppose the wind farm extension due to the fact that the existing farm, in its current form, already causes a hindrance to shipping. The planned extension, should it be approved will only make matters worse. This will affect trade to and from the Thames and Medway. Vattenfall have chosen the cheapest option by submitting plans to extend to the west and north and not to the east which would have a less effect on shipping routes. They have built wind farms up to 90km off of Denmark so there is no reason why they cannot extend to the east rather than west, other than that of money. But any extension is not good for the shipping industry and the cost of transporting goods to and from this country</p>	<p>The PLA supports these concerns for the reasons given above.</p>

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<p>Maritime and Coastguard Agency</p>	<p>The MCA’s remit for Offshore Renewable Energy Installations (OREIs) is to ensure that the safety of navigation is preserved, and our search and Rescue capability is maintained, whilst progress is made towards government targets for renewable energy. This includes maintaining our obligations under The United Nations Convention of the Law of the Sea.</p> <p>In the early stages, MCA raised concerns regarding extent of the red line boundary to the west, and requested that specific impacts were thoroughly assessed in the Navigation Risk Assessment (NRA). Vattenfall have considered these issues in line with our guidance MGN 543, and our published risk assessment methodology. The NRA deems the increase in risk to be tolerable; that pilot boarding is still feasible, the increase in vessel routing is not significant, that vessels will be constrained and that these issues are manageable. The NRA also states that the increase in risk is further mitigated by a reduction of the redline boundary, as submitted in the application for consent.</p> <p>The MCA does not accept that the increase in risk is tolerable with the current proposed redline boundary, considering the collective impact and the resultant changes that will be required in an already highly complex area for navigation. There will be more pressure on pilots, additional burden on the PLA within their VTS jurisdiction,</p>	<p>The PLA and ESL also raised concerns regarding the extent of the red line boundary to the west, yet the Applicant did not provide the draft NRA to either party.</p> <p>The PLA and ESL do not consider the identification, assessment and management of shipping and navigation risks in the NRA to be sound. There has been a lack of stakeholder involvement in the drafting of the document, insufficient data being used for analysis, too much reliance being placed upon the inadequate Pilot Transfer Bridge Simulation Report and non-compliance with MGN543.</p> <p>Overall, the NRA does not reflect the true conditions in the area and the PLA and ESL support the concern on the matter raised by the Maritime Coastguard Agency.</p>

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	<p>operational implications, and more pressure on mariners with a reduction of available sea space on the western extent. The MCA's view is that the reduction to the redline boundary was not to the extent we were expecting in response to the concerns raised during the pre-application consultation, and we cannot conclude that the risks are reduced to ALARP with the risk controls identified in the NRA.</p> <p>The MCA strongly recommends that Vattenfall reconsider the western boundary, and we would welcome the opportunity to discuss further options with Vattenfall until such time the risk is considered to be acceptable by MCA and its stakeholders. The MCA must take into account the significant concerns raised by our stakeholder regarding this extension, and we support the representation submitted by the SUNK VTS User Group, which includes representatives of both Navigation Safety Branch at MCA and HM Coastguard.</p>	
Maritime and Coastguard Agency	<p>This response is written on behalf of the Sunk User Group, and endorsed by the Chairperson, representatives of HMCG and the Vessel Traffic Services Policy Steering Group (VTS PSG). This VTSPSG was established by the MCA to help meet the United Kingdom's obligations under SOLAS Chapter V Reg. 12 and the EU Traffic Monitoring Directive.</p> <p>The Sunk User Group is a principal stakeholder forum chaired by MCA, to ensure co-operation between relevant key stakeholders for the safe</p>	As above.

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	<p>and efficient operation of the Sunk Vessel Traffic Services (VTS). This Forum concluded at its meeting on 25th July 2018 that the significant concerns raised by its stakeholders remain, despite the mitigation proposed in the Navigation Risk Assessment (NRA) and the reduction in the red line boundary.</p> <p>The forums' opinion on the recent alterations to the red line boundary is extant in the understanding that it has not addressed the issue. Whilst it is understood that the NRA mentions only a limited impact to traffic routing, it is evident that the traffic passing between the windfarm and the Kent coast will be squeezed further to the west. The sea-room for pilot boarding and landing at the NE Spit will be significantly reduced, forcing more vessels to use the Tongue, which will also be forced to be relocated further out to the north east. This will further impact on pilotage transfer times and piloted voyage times and in worse weather will reduce the availability of the pilot stations altogether.</p> <p>There is also concern regarding the required 500m safety zones around windfarms, further reducing navigable sea room, unless Vattenfall do not place any turbines within 500m of the red line boundary. The forum agrees that the current NRA is not detailed enough and do not believe this to be a true reflection of the operations within the area. This is particularly evident in the pilotage study which appears to have been completed in sterile conditions, using experienced pilots and not unfamiliar overseas Masters', as is the clear risk to</p>	

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	<p>navigation within the area.</p> <p>The current NRA relies heavily on the others to change their operation to fit with the development, particularly with regards to buoyage, pilotage, communications and traffic. It is felt that this will put extra pressure on coordination on the movement of ships and efficiency of operation, which could impact safety within the area.</p> <p>Previous mitigation methods included a Marine Coordination Centre, which Vattenfall have since removed. The forum is not certain that the risk to navigation is suitably mitigated following the removal of this, however it was never determined who would coordinate the traffic. It also appears that the recommended watch of radar and CCTV during construction and decommissioning by Vattenfall would be limited due to the lack of coverage over other vessels.</p> <p>In conclusion, the current NRA does not appear to have suitably mitigated the risks with regards to current or anticipated future traffic to the area.</p>	

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